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

S. 6604 A. 9704

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

January 19, 2010

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

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

AN ACT making appropriations for the support of government

HEALTH AND MENTAL HYGIENE BUDGET

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

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

b) Where applicable, appropriations made by this chapter for expenditures from federal grants for state operations and for aid to localities may be allocated for spending from federal grants for any grant period beginning, during, or prior to, the state fiscal year beginning on April 1, 2010.

c) The several amounts specified in this chapter for capital projects, or so much thereof as shall be necessary to accomplish the purpose of the appropriations, are appropriated by comprehensive construction programs (hereinafter referred to by the abbreviation CCP), purposes, and projects designated by the appropriations, and authorized to be made available as hereinafter provided to the respective public officers; such appropriations shall be deemed to provide all costs necessary and pertinent to accomplish the intent of the appropriations and are appropriated in accordance with the provisions of section 93 of the state finance law.

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

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

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

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

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

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

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

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

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

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

For payment according to the following schedule:

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

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

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

SCHEDULE

ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM 14,350,400

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	2,348,200
Temporary service	7,300
Amount available for personal service	2,355,500

NONPERSONAL SERVICE

Supplies and materials	48,300
Travel	92,100
Contractual services	227,900
Equipment	24,600
Amount available for nonpersonal service	392,900
Program account subtotal	2,748,400

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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

For programs provided under the titles of the federal older Americans act and other health and human services programs 9,394,000
For purposes of Congregate Nutritional Services funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act 150,000
For purposes of Home-Delivered Nutritional Services funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act 65,000

Program fund subtotal 9,609,000

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

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

Program account subtotal 1,200,000

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

For the senior community service employment program provided under title V of the federal older Americans act 393,000
For additional expenses of the senior community service employment program provided under title V of the federal older Americans act funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act 50,000

Program account subtotal 443,000

Special Revenue Funds - Other / State Operations

Combined Gifts, Grants and Bequests Fund - 020
Aging Grants and Bequest Account

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

NONPERSONAL SERVICE

Supplies and materials	50,000
Travel	50,000
Contractual services	150,000
Program account subtotal	250,000

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

For service and expenses related to video and other media.

NONPERSONAL SERVICE

Contractual services	100,000
Program account subtotal	100,000

COMMUNITY SERVICES PROGRAM	225,259,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses, including the payment of liabilities incurred prior to April 1, 2010, related to the community services elderly grant program. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts and purposes of such expenditures and the allocation of funds among the counties. Notwithstanding any provision of law, rule or regulation to the contrary, subject to the approval of the director of the budget, funds appropriated herein for the community services for the elderly program (CSE) and the expanded in-home services for the elderly program (EISEP) may be used in accordance

with a waiver or reduction in county maintenance of effort requirements established pursuant to section 214 of the elder law, except for base year expenditures. To the extent that funds hereby appropriated are sufficient to exceed the per capita limit established in section 214 of the elder law, the excess funds shall be available to supplement the existing per capita level in a uniform manner consistent with statutory allocations 15,312,000

For planning and implementation, including the payment of liabilities incurred prior to April 1, 2010, of a program of expanded in-home, case management and ancillary community services for the elderly (EISEP). No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts and purposes of such expenditures and the allocation of funds among the counties, including the city of New York 46,035,000

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

For services and expenses, including the payment of liabilities incurred prior to April 1, 2010, associated with the supplemental nutrition assistance program (SNAP), including a suballocation to the department of agriculture and markets to be transferred to state operations for administrative costs of the farmers market nutrition program. No expenditure shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts and purpose of such expenditures and the allocation of funds among the counties 21,380,000

Local grants for services and expenses of the long-term care ombudsman program 690,000

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

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

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

For services and expenses of the New York

foundation for senior citizens home sharing and respite care program 172,000
For state aid grants to providers of respite services to the elderly. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider 656,000
For state aid grants to providers of social model adult day services. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider 872,000
For state aid grants to naturally occurring retirement communities (NORC). Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider 2,027,000
For state aid grants to neighborhood naturally occurring retirement communities (NNORC). Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider 2,027,000
For grants in aid to the 59 designated area agencies on aging for transportation operating expenses related to serving the elderly. Funds shall be allocated from this appropriation pursuant to a plan prepared by the director of the state office for the aging and approved by the director of the budget 921,000
For services and expenses of the foster grandparents program 196,000
For services and expenses related to an elderly abuse education and outreach

program in accordance with section 219 of the elder law funding priority shall be given to the renewal of existing contracts with the state office for the aging 490,000

Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment for providers of the following services, as determined by the director of the state office for the aging, expanded in-home services for the elderly program (EISEP), community services for the elderly program (CSE) and the supplemental nutrition assistance program (SNAP). The director of the state office for the aging shall determine the standards and requirements necessary for reimbursement of such increases. Further, all such increases shall be made pursuant to a provider attestation regarding the use of such funds to be provided in the format prescribed by the state office for the aging. Funds shall be allocated from this appropriation pursuant to a plan prepared by the director of the state office for the aging and approved by the director of the budget 14,707,000

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

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

For grants in aid to up to seven designated area agencies on aging for the creation of regional caregiver centers for excellence for the purpose of providing education and training to caregivers, the development and implementation of innovative approaches to assisting caregivers and reducing caregiver stress, provision of technical assistance and training to caregiver program coordinators and other programs and other activities to directly support community caregivers. At least 20 percent of the amount appropriated shall

be used to provide respite services to informal caregivers 230,000
For up to eight community empowerment initiative start up grants to enable communities, neighborhoods, elders and families to develop their own supportive services that enable older persons to "age in place" and stay in their own neighborhoods 245,000
For additional services and expenses related to the enriched social adult day services demonstration project to help older New Yorkers age in place in the community while avoiding spend-down to medicaid. No more than eight and one half percent of the amount appropriated for such purpose may be expended by the office for the aging for services and expenses in connection with the evaluation of the demonstration project which shall be conducted by the center for functional assessment research (CFAR) at the university of Buffalo. An amount not to exceed 10 percent of the allocation may be used for administration for the office 245,000
For the managed care consumer assistance program for the purpose of providing education, outreach, one-on-one counseling, monitoring of the implementation of medicare part D, and assistance with drug appeals and fair hearings related to medicare part D coverage for persons who are eligible for medical assistance and who are also beneficiaries under part D of title XVIII of the federal social security act and for participants of the elderly pharmaceutical insurance coverage program (EPIC) in accordance with the following:
Medicare Rights Center 793,000
New York StateWide Senior Action Council, Inc. 354,000
New York Legal Assistance Group 111,000
Legal Aid Society of New York 111,000
Selfhelp Community Services, Inc. 111,000
Empire Justice Center 155,000
Community Service Society 132,000

Program account subtotal 110,294,000

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

For programs provided under the titles of the federal older Americans act and other health and human services programs.
Title III-b social services 26,000,000
Title III-c nutrition programs, including a suballocation to the department of health for nutrition program activities 41,000,000
Title III-e caregivers 12,000,000
Health and human services programs 7,000,000
Nutrition services incentive program 16,000,000
For purposes of Congregate Nutritional Services funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act 2,350,000
For purposes of Home-Delivered Nutritional Services funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act 1,135,000

Program fund subtotal 105,485,000

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

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

Program account subtotal 600,000

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

For the senior community service employment program provided under title V of the federal older Americans act 7,000,000
For the senior community service employment program provided under title V of the federal older Americans act funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act 900,000

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

	Program account subtotal	7,900,000
	Special Revenue Fund - Other / Aid to Localities	
	Combined Gifts, Grants and Bequests Fund - 020	
	Aging Grants and Bequest Account	
	For services and expenses of the state	
	office for the aging	980,000
	Program account subtotal	980,000
	Total new appropriations for state operations and aid to	
	localities	239,609,400

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM

General Fund / State Operations
State Purposes Account - 003

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

The appropriation made by chapter 54, section 1 of the laws of 2007, is hereby amended and reappropriated to read:
For services and support of the Alzheimer's Advisory Coordinating Council, established pursuant to [a] chapter 58 of the laws of 2007. The funds appropriated hereby shall be suballocated to the department of health ... 75,000 ..... (re. $65,000)
For additional services and support of the Alzheimer's Advisory Coordinating Council, established pursuant to [a] chapter 58 of the laws of 2007.
The funds appropriated hereby shall be suballocated to the department of health ... 150,000 ..... (re. $105,000)

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

By chapter 54, section 1, of the laws of 2009, amended:
For programs provided under the titles of the federal older Americans act and other health and human services programs .....
9,394,000 ..... (re. $9,394,000)
For purposes of Congregate Nutritional Services funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act ... 150,000 ..... (re. $150,000)
For purposes of Home-Delivered Nutritional Services funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act .....
65,000 ..... (re. $65,000)

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

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

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

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

COMMUNITY SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1 of the laws of 2009:
For additional services and expenses of the Community Services for the Elderly program ... 1,000,000 ..... (re. $1,000,000)
For additional services and expenses of the Expanded In-Home Services for the Elderly Program ... 2,000,000 ..... (re. $2,000,000)
For services and expenses, including the payment of liabilities incurred prior to April 1, 2009, associated with the supplemental nutrition assistance program (SNAP), including a suballocation to the department of agriculture and markets to be transferred to state operations for administrative costs of the farmers market nutrition program. No expenditure shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts and purpose of such expenditures and the allocation of funds among the counties ..... 21,380,000 ..... (re. $600,000)
For additional services and expenses of the Supplemental Nutrition Assistance Program ... 2,000,000 ..... (re. $2,000,000)
For state aid grants to providers of respite services to the elderly. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider ... 656,000 ..... (re. $634,000)
For state aid grants to providers of social model adult day services. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider ... 872,000 ..... (re. $872,000)
For state aid grants to naturally occurring retirement communities (NORC). Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider ... 2,027,000 ..... (re. $2,027,000)
For state aid grants to neighborhood naturally occurring retirement communities (NNORC). Funding priority shall be given to the renewal

of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider ..... 2,027,000 ..... (re. $2,027,000)

For state matching funds for services and expenses to match federally funded model projects and/or demonstration grant programs, a portion of which may be transferred to state operations or to other entities as necessary to meet federal grant objectives ..... 236,000 ..... (re. $184,000)

For grants in aid to up to seven designated area agencies on aging for the creation of regional caregiver centers for excellence for the purpose of providing education and training to caregivers, the development and implementation of innovative approaches to assisting caregivers and reducing caregiver stress, provision of technical assistance and training to caregiver program coordinators and other programs and other activities to directly support community caregivers. At least 20 percent of the amount appropriated shall be used to provide respite services to informal caregivers ..... 230,000 ..... (re. $230,000)

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

For additional services and expenses related to the enriched social adult day services demonstration project to help older New Yorkers age in place in the community while avoiding spend-down to medicaid. No more than eight and one half percent of the amount appropriated for such purpose may be expended by the office for the aging for services and expenses in connection with the evaluation of the demonstration project which shall be conducted by the center for functional assessment research (CFAR) at the university of Buffalo. An amount not to exceed 10 percent of the allocation may be used for administration for the office. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009 ... 245,000 ... (re. $245,000)

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

Medicare Rights Center ... 414,000 ..... (re. $414,000)

New York StateWide Senior Action Council, Inc. ..... 185,000 ..... (re. $185,000)

New York Legal Assistance Group ... 58,000 ..... (re. $58,000)

Legal Aid Society of New York ... 58,000 ..... (re. $58,000)

Selfhelp Community Services, Inc. ... 58,000 ..... (re. $58,000)

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

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

By chapter 54, section 1 of the laws of 2008, as amended by chapter 496, section 5 of the laws of 2008:
For state aid grants to providers of respite services to the elderly. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 .....
698,000 ..... (re. $394,000)
For state aid grants to providers of social model adult day services. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 .....
928,000 ..... (re. $236,000)

For up to eight community empowerment initiative start up grants to enable communities, neighborhoods, elders and families to develop their own supportive services that enable older persons to "age in place" and stay in their own neighborhoods ..... 245,000 ..... (re. $120,000)
For services and expenses related to the enriched social adult day services demonstration project to help older New Yorkers age in place in the community while avoiding spend-down to medicaid. No more than eight and one half percent of the amount appropriated for such purpose may be expended by the office for the aging for services and expenses in connection with the evaluation of the demonstration project which shall be conducted by the center for functional assessment research (CFAR) at the university of Buffalo. An amount not to exceed 10 percent of the allocation may be used for administration for the office ... 245,000 ..... (re. $245,000)

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

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

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

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

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

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

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

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

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

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

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

Total reappropriations for state operations and aid to localities 138,416,000
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DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
Special Revenue Funds - Federal	4,750,000	2,855,000
Enterprise Funds	10,000	0
All Funds	4,760,000	2,855,000

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

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

SCHEDULE

DEVELOPMENTAL DISABILITIES PLANNING PROGRAM 4,760,000

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

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

Personal service	1,165,000
Nonpersonal service	445,000
Fringe benefits	516,000
Indirect costs	12,000
Maintenance undistributed	2,612,000
Program fund subtotal	4,750,000

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

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

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

NONPERSONAL SERVICE

Supplies and materials	10,000	
Program account subtotal	10,000	
Total new appropriations for state operations and aid to localities		4,760,000

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

DEVELOPMENTAL DISABILITIES PLANNING PROGRAM

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to the provision of services to the developmentally disabled under the provisions of the federal developmental disabilities bill of rights act of nineteen hundred seventy-five.
Personal service ... 1,130,000 ..... (re. $420,000)
Nonpersonal service ... 449,000 ..... (re. $220,000)
Fringe benefits ... 448,000 ..... (re. $224,000)
Indirect costs ... 12,000 ..... (re. $6,000)
Maintenance undistributed ... 2,511,000 ..... (re. $1,780,000)

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to the provision of services to the developmentally disabled under the provisions of the federal developmental disabilities bill of rights act of nineteen hundred seventy-five.
Maintenance undistributed ... 2,531,000 ..... (re. $205,000)

Total reappropriations for state operations and aid to localities 2,855,000
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DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

For payment according to the following schedule:

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

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

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

SCHEDULE

ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM 74,522,900

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	9,109,000
Temporary service	10,000
Holiday/overtime compensation	50,000
Amount available for personal service	9,169,000

NONPERSONAL SERVICE

Supplies and materials	1,077,400
Travel	406,500
Contractual services	20,122,000
Equipment	628,300

Amount available for nonpersonal service 22,234,200

MAINTENANCE UNDISTRIBUTED

For services and expenses of health e-link.

Contractual services 750,000

Program account subtotal 32,153,200

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

Program account subtotal 561,000

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

For various food and nutritional services 940,700

Program account subtotal 940,700

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

For various food and nutritional services 2,264,500

Program account subtotal 2,264,500

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

For administration of the national health services corps. Notwithstanding any inconsistent provision of law, and subject to the approval of the director of the budget, moneys hereby appropriated may be suballocated to the higher education services corporation 479,000

Program fund subtotal 479,000

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

For various health prevention, diagnostic, detection and treatment services 6,654,000

Program account subtotal 6,654,000

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

For services and expenses related to the department of health's patent and technology transfer program. The department of health may receive and deposit revenue from the sale and licensing of inventions pursuant to a technology and patent transfer policy established in accordance with section 64-a of the public officers law. Notwithstanding any other provision of law, these funds may be used for payments to Health Research, Inc. as reimbursement for expenses incurred in its patent and tech-

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

NONPERSONAL SERVICE

Contractual services	496,000
Program account subtotal	496,000

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

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

PERSONAL SERVICE

Personal service--regular	6,866,000
Holiday/overtime compensation	170,000
Amount available for personal service	7,036,000

NONPERSONAL SERVICE

Supplies and materials	1,000
Travel	41,000
Contractual services	2,706,000
Fringe benefits	3,011,700
Amount available for nonpersonal service	5,759,700
Program account subtotal	12,795,700

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

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

PERSONAL SERVICE

Personal service--regular	3,796,400
Holiday/overtime compensation	55,000
Amount available for personal service	3,851,400

NONPERSONAL SERVICE

Supplies and materials	52,000
Travel	18,000
Contractual services	2,053,000
Equipment	800,000
Fringe benefits	1,622,400
Indirect costs	797,200
Amount available for nonpersonal service	5,342,600
Program account subtotal	9,194,000

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

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

PERSONAL SERVICE

Personal service--regular	4,156,600
Holiday/overtime compensation	10,000
Amount available for personal service	4,166,600

NONPERSONAL SERVICE

Supplies and materials	45,000
Travel	82,000
Contractual services	1,173,000
Equipment	32,000
Fringe benefits	1,274,000
Amount available for nonpersonal service	2,606,000
Program account subtotal	6,772,600

Special Revenue Funds - Other / State Operations

Miscellaneous Special Revenue Fund - 339
Vital Records Management Account

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

PERSONAL SERVICE

Personal service--regular	905,000
Holiday/overtime compensation	125,000
Amount available for personal service	1,030,000

NONPERSONAL SERVICE

Supplies and materials	30,000
Travel	2,000
Contractual services	480,000
Equipment	17,000
Fringe benefits	448,500
Indirect costs	204,700
Amount available for nonpersonal service	1,182,200
Program account subtotal	2,212,200

AIDS INSTITUTE PROGRAM 119,928,100

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	10,432,000
Holiday/overtime compensation	20,000
Amount available for personal service	10,452,000

NONPERSONAL SERVICE

Supplies and materials	1,333,881
Travel	311,700
Contractual services	3,224,000
Equipment	228,519
Amount available for nonpersonal service	5,098,100

MAINTENANCE UNDISTRIBUTED

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

Personal service--regular	150,000

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

Contractual services	200,000

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

Personal service--regular	97,000
Supplies and materials	2,600
Travel	400
Amount available	100,000
Amount available for maintenance undistributed	450,000
Program account subtotal	16,000,100

General Fund / Aid to Localities
Local Assistance Account - 001

Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment for providers of the following services, as determined by the commissioner of the department of health, regional and targeted HIV, STD, and hepatitis C services, HIV, STD, and hepatitis C prevention, HIV health care and supportive services, hepatitis C programs and HIV,

STD, and hepatitis C clinical and provider education programs.
The commissioner of the department of health shall determine the standards and requirements necessary to qualify for such increases and the department may suballocate funds as needed. Further, each local government unit or direct contract provider receiving such funding shall submit a written certification regarding the use of such funds to be provided in the format proscribed by the department.
Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner and approved by the director of the budget 6,245,000
For services and expenses for regional and targeted HIV, STD, and hepatitis C services 3,090,000
For services and expenses for HIV, STD, and hepatitis C prevention 12,258,000
For services and expenses for HIV health care and supportive services 6,188,000
For services and expenses for hepatitis C programs 1,131,000
Program account subtotal 28,912,000

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

For services and expenses for regional and targeted HIV, STD, and hepatitis C services 25,464,000
For services and expenses for HIV, STD, and hepatitis C prevention 25,147,000
For services and expenses for HIV health care and supportive services 20,143,000
For services and expenses for HIV clinical and provider education programs 4,262,000
Program account subtotal 75,016,000

CENTER FOR COMMUNITY HEALTH PROGRAM 1,788,710,690

General Fund / State Operations
State Purposes Account - 003

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular	2,743,000
Holiday/overtime compensation	20,000
Amount available for personal service	2,763,000

NONPERSONAL SERVICE

Supplies and materials	201,000
Travel	117,000
Contractual services	8,730,000
Equipment	309,000
Amount available for nonpersonal service	9,357,000
Program account subtotal	12,120,000

General Fund / Aid to Localities
Local Assistance Account - 001

State aid to municipalities for the operation of local health departments and laboratories and for the provision of general public health services pursuant to article 6 of the public health law for activities under the jurisdiction of the commissioner of health.
Notwithstanding any other provision of article 6 of the public health law, a county may obtain reimbursement pursuant to this act, only after the county chief financial officer certifies, in the municipal health services plan, that county tax levies used to fund services carried out by the county health department have not been added to or supplanted directly or indirectly by any funds obtained by the county pursuant to the Master Settlement Agreement entered into on November 23, 1998 by the state and leading United States tobacco product manufacturers, except in the case of a public health emergency, as determined by the commissioner of health.
Notwithstanding annual aggregate limits for bad debt and charity care allowances and any other provision of law, up to $1,700,000 shall be transferred to the medical assistance program general fund - local assistance account for eligible

publicly sponsored certified home health agencies that demonstrate losses from a disproportionate share of bad debt and charity care, pursuant to chapter 884 of the laws of 1990. Within the maximum limits specified herein, the department shall transfer only those funds which are necessary to meet the state share requirements for disproportionate share adjustments expected to be paid for the period January 1, 2010 through December 31, 2010. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued 284,763,000

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

For services and expenses of a rabies program, including but not limited to reimbursement to counties for rabies expenses such as human post-exposure vaccination, and research studies in the control of wildlife rabies, pursuant to United States department of agriculture approval if necessary, to control the spread of rabies. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 1,542,000

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

For services and expenses including payment of health insurance premiums and reimbursement of health care providers for services rendered to individuals enrolled in the cystic fibrosis program pursuant to chapter 851 of the laws of 1987. The amounts appropriated pursuant to such

appropriation may be suballocated to other state agencies or accounts for expenditures incurred in the operation of programs funded by such appropriation subject to the approval of the director of the budget 573,000

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

Notwithstanding any inconsistent provision of law, rule or regulation, for the early intervention program, for the period April 1, 2010 through March 31, 2011, early intervention program providers who received payment of $500,000 or more for services that were covered under the medical assistance program, as determined by the department based upon the most recent year for which complete information exists, shall, in the first instance and where applicable, seek payment from the medical assistance program or an insurance policy or plan for those children covered under both the medical assistance program and an insurance policy or plan, prior to claiming payment from a municipality for services rendered to such children, provided, however, that if this chapter appropriates sufficient additional funds to support continued municipal claiming to the medical assistance program for all providers who render services under the early intervention program in accordance with section 2559 of the public health law, including those that receive payment of $500,000 or more for services covered under the medical assistance program then this language shall be considered null and void as of March 31, 2010. Notwithstanding any inconsistent provision of law, rule or regulation, for early intervention program purposes, for the period April 1, 2010 through March 31, 2011, where a policy of accident and health insurance or a contract subject to the provisions of the insurance law, including a contract issued pursuant to article 43 of the insurance law, provides coverage for a service provided to the insured under title 2-A of article 25 of the public health law, the individualized family services plan as defined in section 2541 of the public health law and certified by the early

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

(i) the location where services are provided;

(ii) the duration of the insured's condition and/or that the insured's condition is not amenable to significant improvement within a certain period of time as specified in the policy;

(iii) that the provider of services is not a participating provider in the insurer's network; or

(iv) the absence of a primary care referral, provided, however, that if this chapter appropriates additional funds sufficient to support early intervention program costs that will be incurred if insurers (i) are not required to deem a child's individualized family services plan as meeting any precertification, preauthorization and medical necessity requirement imposed under the policy or plan, and (ii) are not prohibited from denying claims for covered services provided under the early intervention program upon the bases set forth herein, then this language shall be considered null and void as of March 31, 2010.

The moneys hereby appropriated shall be available for payment of financial assist-

ance heretofore accrued or hereafter to accrue. Notwithstanding the provisions of any other law to the contrary, for state fiscal year 2010-2011 the liability of the state and the amount to be distributed or otherwise expended by the state pursuant to section 2557 of the public health law shall be determined by first calculating the amount of the expenditure or other liability pursuant to such law, and then reducing the amount so calculated by two percent of such amount 170,500,000

The moneys hereby appropriated shall be available for respite services for families of eligible children. Such moneys shall be allocated to each municipality by the department of health as determined by the department, to reimburse such municipalities in the amount of 50 percent of the costs of respite services provided to eligible children and their families with the approval of the early intervention official, in accordance with section 2547 of the public health law, section 69-4.18 of title 10 of the New York codes rules and regulation and standards established by the department for the provision of respite services. The moneys allocated to each municipality by the department shall be the total amount of respite funds available for such purpose 1,861,000

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

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

For services and expenses associated with red cross emergency response preparedness, including support for capital projects and ensuring an adequate blood supply. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner of health and approved by the director of the budget 2,200,000

Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment for providers of the following services, as determined by the commissioner of the department of health, red cross emergency preparedness, nutrition education and outreach, obesity prevention and diabetes programs, nutritional services to pregnant women, infants and children, hunger prevention and nutrition assistance program, Indian health, asthma, prenatal care assistance program, rape crisis, comprehensive adolescent pregnancy prevention, family planning, school health, sudden infant death syndrome education and outreach, childhood lead poisoning prevention, children with special health care needs, regional perinatal centers, migrant health, dental services, osteoporosis prevention, cancer services programs, healthy heart, Alzheimer's disease assistance centers, Alzheimer's research and education, tobacco control, rabies, tick-borne disease, immunization, universal prenatal and postpartum home visitation, public health campaign, sexually transmitted diseases, and tuberculosis control. The commissioner of the department of health shall determine the standards and requirements necessary to qualify for such increases and the department may suballocate funds as needed. Further, each local government unit or direct contract provider receiving such funding shall submit written certification regarding the use of such funds to be provided in the format prescribed by the department. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner and approved by the director of the budget 28,910,000

For services and expenses of the public health management leaders of tomorrow program, provided a portion of this appropriation shall be suballocated to university at Albany school of public health 554,000
For services and expenses of a study of racial disparities 295,000
For services and expenses, including grants, for statewide emergency contraception outreach and education, training and assistance as approved by the commissioner. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 2,206,000
For services and expenses of a public health genomics. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 50,000
For services and expenses for stockpile storage for vaccines and supplies. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 1,200,000
For grants-in-aid to contract for hypertension prevention, screening, and treatment programs 246,000
For grants to sudden infant death syndrome centers 39,000
For services and expenses of the tick-borne disease institute, including grants for research and prevention, detection, and treatment of Lyme disease and other tick-borne illnesses 147,000
For services and expenses including an education program related to a children's asthma program. The department shall make grants within the amounts appropriated therefor to local health agencies, health care providers, school, school-based health centers and community-based organizations and other organizations with demonstrated interest and expertise in serving persons with asthma to develop and implement regional or community plans which may include the following activities: self-management programs in elementary schools, conducting public and provider education programs and implementing protocols for collection of data on

asthma-related school absenteeism and emergency room visits. In making grants the commissioner may give priority consideration to entities serving areas of the state with high incidence and prevalence of asthma. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 226,000

For services and expenses associated with new and existing school based health centers 4,438,060

For services and expenses related to the school based health clinics program, notwithstanding any inconsistent provision of law to the contrary, funds shall be available for the statewide school based health clinics program to provide grants to certain school based health centers pursuant to the following:

Anthony Jordon Health Center 28,005
Bronx Lebanon Hospital 119,023
Chenango Memorial Hospital 14,877
East Harlem Council for Human Services 12,252
Family Health Network 8,725
Kaleida Health 178,534
Lutheran Medical Center 56,636
Nassau Health Care Corporation 11,377
NY Presbyterian Hospital 209,104
Renaissance-Harlem Hospital 84,892
Sisters of Charity 35,007
Suffolk County DOH 9,627
Threshold Center for Alternative Youth Services 21,879
University of Rochester 49,010
Via Health-Rochester General Hospital 16,628
William F. Ryan Community Health Center 17,504

For services and expenses to support grants to community health centers and comprehensive diagnostic and treatment centers for the purpose of furnishing primary health care services, including outreach, health education and dental care, to migrant and seasonal farmworkers and their families, of which no less than 70 percent shall be dedicated to community health centers receiving federal funding for such purpose pursuant to section 330(g) of the federal public health service act 430,000

For services and expenses of a minority male wellness and screening program 53,900

For services and expenses of a Latino health outreach initiative 73,500
For services and expenses of health promotion initiatives. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 1,000,000
For services and expenses of a universal prenatal and postpartum home visitation program 1,956,000
For services and expenses to support the STD center of excellence 480,000
For services and expenses for childhood asthma coalitions. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 1,232,000
For services and expenses related to evidenced based cancer services programs 9,006,750
For services and expenses related to obesity and diabetes programs 7,205,000
For services and expenses related to providing nutritional services and to provide nutritional education to pregnant women, infants, and children, including suballocations to the department of agriculture and markets for the farmer's market nutrition program and migrant worker services and the office of temporary and disability assistance for prenatal care assistance program activities. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 19,811,300
For services and expenses, including operating expenses related to providing nutritional services and nutrition education for hunger prevention and nutrition assistance. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 29,702,500
For state grants to improve access to infertility services, treatments, and procedures. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner of health and approved by the director of the budget 1,847,000

Program account subtotal 653,340,090

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

For various food and nutritional services 9,262,000

Program account subtotal 9,262,000

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

For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued 243,230,000

Program account subtotal 243,230,000

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

For various food and nutritional services 58,947,000

Program account subtotal 58,947,000

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

For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued 492,970,000

Program account subtotal 492,970,000

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

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

NONPERSONAL SERVICE

Contractual services 5,000,000

Program account subtotal 5,000,000

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

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

Program fund subtotal 29,993,000

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

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

Program fund subtotal 42,803,000

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

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

Program account subtotal 24,014,000

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

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

Program account subtotal 57,475,000

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

For activities related to a handicapped infants and toddlers program 24,249,000

For activities related to a handicapped infants and toddlers program funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act. The amount appropriated for

state operations may be interchanged to the appropriation for federal prevention and wellness aid to localities without limitation 2,800,000

Program account subtotal 27,049,000

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

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

For activities related to a handicapped infants and toddlers program funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act. The amount appropriated for state operations may be interchanged to the appropriation for federal prevention and wellness state operations without limitation 2,800,000

Program account subtotal 54,378,000

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

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

NONPERSONAL SERVICE

Contractual services 20,000

Program account subtotal 20,000

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

For prostate cancer research, detection and

education pursuant to chapter 273 of the laws of 2004 1,000,000

Program account subtotal 1,000,000

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

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

NONPERSONAL SERVICE

Contractual services 149,000

Program account subtotal 149,000

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

For services and expenses of a statewide public health campaign for tuberculosis control and prevention and for screening and education activities regarding sexually transmitted diseases, provided that any funds allocated under this appropriation shall not supplant existing local funds or state funds allocated to county health departments under article 6 of the public health law. Up to $300,000 of this appropriation may be transferred to state operations for the administration of this program by the department of health 5,917,000

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

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

For services and expenses for a school health program 3,981,000
For services and expenses of the prenatal care assistance program. Up to 100 percent of this appropriation may be suballocated to the medical assistance program general fund - local assistance account to be matched by federal funds 2,432,000
For services and expenses related to tobacco enforcement, education and related activities, pursuant to chapter 433 of the laws of 1997. Of amounts appropriated herein, up to $500,000 may be used for educational programs. A portion of this appropriation may be transferred to state operations 2,303,000
For services and expenses related to evidenced based cancer services programs 18,417,000

Program account subtotal 52,856,000

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

For services and expenses related to providing nutritional services to pregnant women, infants, and children. Notwithstanding any other provision of law to the contrary, up to 5 percent of the amount appropriated may be transferred to the general fund - state purposes account for the administration of this program by the department of health 7,993,600
For grants in aid to contract for hypertension prevention, screening and treatment programs 669,000
State grants for a program of family planning services pursuant to article 2 of the public health law 2,300,000
For grants to rape crisis centers for services to rape victims and programs to prevent rape. This appropriation shall be suballocated to the division of criminal justice services 128,000
For services and expenses for a school health program 2,007,000
For services and expenses of tuberculosis treatment, detection and prevention 599,000
For services and expenses of a lead poisoning prevention program 192,000

Program account subtotal 13,888,600

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

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

PERSONAL SERVICE

Personal service--regular 2,159,000
Holiday/overtime compensation 6,000

Amount available for personal service 2,165,000

NONPERSONAL SERVICE

Supplies and materials 10,000
Travel 45,000
Contractual services 50,000
Equipment 30,000
Fringe benefits 957,000
Indirect costs 680,000

Amount available for nonpersonal service 1,772,000

Program account subtotal 3,937,000

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

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

NONPERSONAL SERVICE

Contractual services 454,000

Program account subtotal 454,000

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

CSFP Salvage Account

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

NONPERSONAL SERVICE

Contractual services	25,000
Program account subtotal	25,000

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

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

NONPERSONAL SERVICE

Contractual services	100,000
Program account subtotal	100,000

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

For services and expenses to implement the early intervention program act of 1992, as amended by a chapter of the laws of 2010. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued or hereafter to accrue, and shall be available for early intervention program administrative costs and for the state share for reimbursement of early intervention services. A portion of these funds shall be available to transfer to state operations for administration of this program

	1,000,000
Program account subtotal	1,000,000

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

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

For state aid to municipalities, notwithstanding section 607 of the public health law, for the operation of local health departments and for the provision of general public health services pursuant to article 6 of the public health law for activities under the jurisdiction of the commissioner of health 3,036,000

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

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

Program account subtotal 4,625,000

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

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

NONPERSONAL SERVICE

Contractual services 75,000

Program account subtotal 75,000

CENTER FOR ENVIRONMENTAL HEALTH PROGRAM 75,262,700

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	7,974,200
Temporary service	243,700
Holiday/overtime compensation	24,000
Amount available for personal service	8,241,900

NONPERSONAL SERVICE

Supplies and materials	101,000
Travel	374,400
Contractual services	1,494,000
Equipment	100,600
Amount available for nonpersonal service	2,070,000
Program account subtotal	10,311,900

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to the water supply protection program	5,313,200
For services and expenses of the healthy neighborhood program	1,983,400
For services and expenses related to enhancing the childhood lead poisoning primary prevention program in accordance with article 13 of the public health law. A portion of this appropriation may be transferred to state operations	5,000,000
Program account subtotal	12,296,600

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

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

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

Federal Block Grant Account

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

Program account subtotal 6,808,000

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

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

Program account subtotal 3,687,000

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

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

Program account subtotal 9,703,000

Special Revenue Funds - Other / State Operations
Environmental Conservation Special Revenue Fund - 301
Low Level Radioactive Waste Account

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

PERSONAL SERVICE

Personal service--regular 668,400
Holiday/overtime compensation 5,500

Amount available for personal service 673,900

NONPERSONAL SERVICE

Supplies and materials 20,000
Travel 41,000
Contractual services 184,800
Equipment 15,500

Fringe benefits 298,000
Indirect costs 203,600
Amount available for nonpersonal service 762,900

MAINTENANCE UNDISTRIBUTED

For suballocation to the energy research and development authority, pursuant to chapter 673 of the laws of 1986, as amended by chapters 368 and 913 of the laws of 1990 150,000
Program account subtotal 1,586,800

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

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

PERSONAL SERVICE

Personal service--regular 173,800
Holiday/overtime compensation 2,000
Amount available for personal service 175,800

NONPERSONAL SERVICE

Supplies and materials 6,900
Travel 2,000
Contractual services 22,900
Equipment 4,000
Fringe benefits 78,200
Indirect costs 53,100
Amount available for nonpersonal service 167,100
Program fund subtotal 342,900

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

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular	415,600
Holiday/overtime compensation	5,500
Amount available for personal service	421,100

NONPERSONAL SERVICE

Supplies and materials	3,500
Travel	5,000
Contractual services	25,000
Equipment	8,000
Fringe benefits	185,300
Indirect costs	125,700
Amount available for nonpersonal service	352,500
Program account subtotal	773,600

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

For services and expenses of the asbestos safety training program.

PERSONAL SERVICE

Personal service--regular	286,600
Holiday/overtime compensation	5,500
Amount available for personal service	292,100

NONPERSONAL SERVICE

Supplies and materials	3,200
Travel	30,000
Contractual services	63,000
Equipment	11,600
Fringe benefits	129,400
Indirect costs	87,800
Amount available for nonpersonal service	325,000
Program account subtotal	617,100

Special Revenue Funds - Other / State Operations

Miscellaneous Special Revenue Fund - 339
Occupational Health Clinics Account

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

PERSONAL SERVICE

Personal service--regular	322,700
Holiday/overtime compensation	5,500
Amount available for personal service	328,200

NONPERSONAL SERVICE

Supplies and materials	4,000
Travel	3,700
Contractual services	9,550,000
Equipment	3,400
Fringe benefits	146,500
Indirect costs	100,100
Amount available for nonpersonal service	9,807,700
Program account subtotal	10,135,900

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

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

PERSONAL SERVICE

Personal service--regular	2,184,000
Temporary service	12,000
Holiday/overtime compensation	7,500
Amount available for personal service	2,203,500

NONPERSONAL SERVICE

Supplies and materials	31,000
Travel	156,000
Contractual services	56,000

Equipment 39,400
Fringe benefits 976,300
Indirect costs 666,500

Amount available for nonpersonal service 1,925,200

Program account subtotal 4,128,700

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

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

NONPERSONAL SERVICE

Contractual services 200,000

Program account subtotal 200,000

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

For services and expenses of the state revolving funds program.

PERSONAL SERVICE

Personal service--regular 4,357,500
Holiday/overtime compensation 10,500

Amount available for personal service 4,368,000

NONPERSONAL SERVICE

Supplies and materials 88,800
Travel 131,000
Contractual services 1,147,600
Equipment 117,700
Fringe benefits 1,936,400

Amount available for nonpersonal service 3,421,500

Program fund subtotal 7,789,500

Special Revenue Funds - Other / State Operations

Drinking Water Program Management and Administration Fund - 366
Federal ARRA Account

For services and expenses of the drinking water state revolving Fund funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be Subject to all applicable reporting and Accountability requirements contained in such act 5,208,700

Program account subtotal 5,208,700

CHILD HEALTH INSURANCE PROGRAM 1,078,841,400

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

The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
For services and expenses related to the children's health insurance program provided pursuant to title XXI of the federal social security act 64,108,000

Program account subtotal 64,108,000

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

The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
For services and expenses related to the children's health insurance program, pursuant to title XXI of the federal social security act. 519,200,000

Program account subtotal 519,200,000

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

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

PERSONAL SERVICE

Personal service--regular	3,023,400
Temporary service	5,000
Holiday/overtime compensation	45,000
Amount available for personal service	3,073,400

NONPERSONAL SERVICE

Supplies and materials	171,000
Travel	123,000
Contractual services	9,466,000
Equipment	400,000
Fringe benefits	1,252,300
Indirect costs	847,700
Amount available for nonpersonal service	12,260,000
Program account subtotal	15,333,400

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

The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
For services and expenses related to the children's health insurance program authorized pursuant to title 1-A of article 25 of the public health law 480,200,000

Program account subtotal	480,200,000

DIVISION OF MANAGED CARE AND PROGRAM EVALUATION 17,376,500

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	11,312,500

NONPERSONAL SERVICE

Supplies and materials	156,000
Travel	130,000
Contractual services	5,518,000
Equipment	160,000
Amount available for nonpersonal service	5,964,000

MAINTENANCE UNDISTRIBUTED

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

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

Contractual services	100,000
Program account subtotal	17,376,500
ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM	378,528,000

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

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

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

expenses are paid or reimbursable under the provisions of the medicare program, assistance under the program for elderly pharmaceutical insurance coverage shall be limited to prescription drugs covered by the participant's medicare plan and to drugs excluded from medicare coverage in accordance with section 1860-D-2 of the federal social security act, and in such cases the program for elderly pharmaceutical insurance coverage shall cover the amount that is the responsibility of the participant under the medicare plan benefit, subject to the participant's cost-sharing responsibility on such amount under sections 247 or 248 of the elder law; provided however that, if this chapter appropriates sufficient additional funds to permit the elderly pharmaceutical insurance coverage program to provide coverage for prescription drugs without regard to such limitation, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period January 1, 2011 through March 31, 2011, under the elderly pharmaceutical insurance coverage program, the requirement that, as a condition of eligibility for benefits under such program, a program participant who is eligible for medicare part D drug coverage under section 1860D of the federal social security act be required to enroll in medicare part D at the first available enrollment period and to maintain such enrollment shall not be waived if such enrollment would result in significant additional financial liability by the participant, including, but not limited to, individuals in a medicare advantage plan whose cost sharing would be increased; provided further that elderly pharmaceutical insurance coverage program representation of program participants in the pursuit of medicare part D coverage and the medicare savings programs shall be permitted notwithstanding additional financial liability on behalf of such program participants; provided further that, if

this chapter appropriates sufficient additional funds to permit a waiver of the medicare part D enrollment requirement and the representation requirement described herein if the participant incurs significant additional financial liability, or additional financial liability, respectively, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued 178,850,000

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

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

Program account subtotal 180,350,000

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

PERSONAL SERVICE

Personal service--regular 2,109,600

NONPERSONAL SERVICE

Supplies and materials 30,000
Travel 25,000
Contractual services 16,997,900
Equipment 15,000
Fringe benefits 975,500

Amount available for nonpersonal service 18,043,400

MAINTENANCE UNDISTRIBUTED

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

elderly pharmaceutical insurance coverage program.

Personal service--regular 225,000

Program account subtotal 20,378,000

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2010 through March 31, 2011, for a participant in the program for elderly pharmaceutical insurance coverage whose prescription drug expenses are paid or reimbursable under the provisions of the medicare program, assistance under the program for elderly pharmaceutical insurance coverage shall be limited to prescription drugs covered by the participant's medicare plan and to drugs excluded from medicare coverage in accordance with section 1860-D-2 of the federal social security act, and in such cases the program for elderly pharmaceutical insurance coverage shall cover the amount that is the responsibility of the participant under the medicare plan benefit, subject to the participant's cost-sharing responsibility on such amount under sections 247 or 248 of the elder law; provided however that, if this chapter appropriates sufficient additional funds to permit the elderly pharmaceutical insurance coverage program to provide coverage for prescription drugs without regard to such limitation, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period January 1, 2011 through March 31, 2011, under the elderly pharmaceutical insurance coverage program, the

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

The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued 177,800,000

Program account subtotal 177,800,000

HEALTH CARE FINANCING PROGRAM 19,295,700

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular 4,346,000
Temporary service 10,000
Holiday/overtime compensation 40,000

Amount available for personal service 4,396,000

NONPERSONAL SERVICE

Supplies and materials 99,000
Travel 40,000
Contractual services 4,258,000
Equipment 50,000

Amount available for nonpersonal service 4,447,000

Program account subtotal 8,843,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to the annual hospital institutional cost report. A portion of this appropriation may be transferred to state operations appropriations 300,000

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

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

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

Program account subtotal 951,000

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

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

PERSONAL SERVICE

Personal service--regular	2,372,700
Holiday/overtime compensation	10,000
Amount available for personal service	2,382,700

NONPERSONAL SERVICE

Supplies and materials	62,000
Travel	13,000
Contractual services	73,000
Equipment	331,000
Fringe benefits	1,051,200
Indirect costs	695,900
Amount available for nonpersonal service	2,226,100
Program account subtotal	4,608,800

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

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

PERSONAL SERVICE

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

NONPERSONAL SERVICE

Supplies and materials	82,000
Travel	20,000
Contractual services	239,000
Equipment	182,000
Fringe benefits	1,086,200
Indirect costs	766,200
Amount available for nonpersonal service	2,375,400
Program account subtotal	4,892,900

HEALTH CARE REFORM ACT PROGRAM 503,316,000

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

For services, expenses, grants and transfers necessary to implement the health care reform act program in accordance with section 2807-j, 2807-k, 2807-l, 2807-m, 2807-p, 2807-s and 2807-v of the public health law. The moneys hereby appropriated shall be available for payments heretofore accrued or hereafter to accrue. Notwithstanding any inconsistent provision of law, the moneys hereby appropriated may be increased or decreased by interchange or transfer with any appropriation of the department of health or by transfer or suballocation to any appropriation of the department of insurance, the office of mental health and the state office for the aging subject to the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. With the approval of the director of the budget, up to 5 percent of this appropriation may be used for state operations purposes. At the direction of the director of the budget, funds may also be transferred directly to the general fund for the purpose of repaying a draw on the tobacco revenue guarantee fund.
For services and expenses related to gradu-

ate medical education (GME) innovative reform initiatives 21,280,000

For services and expenses of the empire clinical research investigator program (ECRIP) 9,120,000

For services and expenses of the New York state area health education center program 2,500,000

For services and expenses of the ambulatory care training program pursuant to subdivision 5-a of section 2807-m of the public health law 4,300,000

For services and expenses of the physician loan repayment program pursuant to subdivision 5-a of section 2807-m of the public health law. All or part of this appropriation may be suballocated to the NYS higher education services corporation 2,700,000

For services and expenses of the physician practice support program pursuant to subdivision 5-a of section 2807-m of the public health law 6,800,000

For services and expenses related to physician workforce studies pursuant to subdivision 5-a of section 2807-m of the public health law 516,000

For services and expenses of the diversity in medicine/post-baccalaureate program pursuant to subdivision 5-a of section 2807-m of the public health law 1,700,000

For transfer to Roswell park cancer institute corporation 71,600,000

For suballocation to the state insurance department related to the physicians excess medical malpractice program 127,400,000

For transfer to health research incorporated (HRI) for the AIDS drug assistance program 42,300,000

For state grants for the health workforce retraining program. Notwithstanding section 2807-g of the public health law, or any other provision of law to the contrary, funds hereby appropriated may be made available to other state agencies and facilities operated by the department of health for services and expenses related to the worker retraining program as disbursed pursuant to section 2807-g of the public health law. Provided, however, that the director of the budget must approve the release of any request for proposal or request for application or any

other procurement initiatives issued on or after April 1, 2007. Further provided that any contract executed on or after April 1, 2007 must receive the prior approval of the director of the budget. A portion of this appropriation may be transferred to state operations appropriations 28,400,000

For services and expenses related to the tobacco use prevention and control program including grants to support cancer research. A portion of this appropriation may be transferred to state operations appropriations 57,100,000

For state grants for rural health care access development 9,800,000

For state grants for rural health network development 6,400,000

For services and expenses, including grants, related to emergency assistance distributions as designated by the commissioner of health. Notwithstanding section 112 or 163 of the state finance law or any other contrary provision of law, such distributions shall be limited to providers or programs where, as determined by the commissioner of health, emergency assistance is vital to protect the life or safety of patients, to ensure the retention of facility caregivers or other staff, or in instances where health facility operations are jeopardized, or where the public health is jeopardized or other emergency situations exist 2,900,000

For transfer to the pool administrator for distributions related to school based health clinics 5,600,000

For services and expenses related to auditing or payment of audit contracts to determine payor and provider compliance requirements. All or a portion of this appropriation may be transferred to state operations appropriations 14,700,000

For services and expenses related to auditing or payment of audit contracts to determine hospital compliance with paragraph 6 of subdivision (a) of section 405.4 of title 10, NYCRR. All or a portion of this appropriation may be transferred to state operations appropriations 2,500,000

For transfer to the pool administrator for state grants for poison control centers. A portion of this appropriation may be

transferred to state operations appropriations. Notwithstanding any inconsistent provision of law, rule or regulation, allocations made pursuant to subparagraph (iv) of paragraph (c) of subdivision 1 of section 2807-l of the public health law for distributions to poison control centers pursuant to subdivision 7 of section 2500-d of the public health law shall be reduced by $2,000,000 for the period April 1, 2010 through March 31, 2011; provided, however, if this chapter provides sufficient additional funding to support distributions to poison control centers at amounts set forth in subparagraph (iv) of paragraph (c) of subdivision 1 of section 2807-l of the public health law, then the provisions of this section shall be null and void as of March 31, 2010 2,500,000

For services and expenses related to the pool administration. All or a portion of this appropriation may be transferred to state operations appropriations 4,200,000

For additional state grants to improve access to infertility services, treatments, and procedures 2,200,000

For services and expenses related to school based health centers. The total amount of funds provided herein shall be distributed to school-based health center providers based on the ratio of each provider's total enrollment for all sites to the total enrollment of all providers. This formula shall be applied to the total amount made available herein, provided, however, that notwithstanding any contrary provision of law, the commissioner of health may establish minimum and maximum awards for providers 2,800,000

For payments for uncompensated care to eligible voluntary non-profit diagnostic and treatment centers 54,400,000

For transfer to the dormitory authority of the state of New York for the health facility restructuring program 19,600,000

Program account subtotal 503,316,000

INSTITUTIONAL MANAGEMENT PROGRAM 158,128,787

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

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

NONPERSONAL SERVICE

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

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

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

NONPERSONAL SERVICE

Supplies and materials	35,000
Program account subtotal	35,000

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

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

NONPERSONAL SERVICE

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

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

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

NONPERSONAL SERVICE

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

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

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

NONPERSONAL SERVICE

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

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

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

PERSONAL SERVICE

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

NONPERSONAL SERVICE

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

Amount available for nonpersonal service 24,810,121

Program account subtotal 60,369,676

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

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

PERSONAL SERVICE

Personal service--regular 12,644,326
Temporary service 2,117,718
Holiday/overtime compensation 2,677,966

Amount available for personal service 17,440,010

NONPERSONAL SERVICE

Supplies and materials 905,000
Travel 52,000
Contractual services 10,696,000
Equipment 466,000
Fringe benefits 6,661,000
Indirect costs 75,000

Amount available for nonpersonal service 18,855,000

Program account subtotal 36,295,010

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

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular	15,324,381
Temporary service	895,000
Holiday/overtime compensation	1,112,000
Amount available for personal service	17,331,381

NONPERSONAL SERVICE

Supplies and materials	4,073,000
Travel	65,000
Contractual services	2,397,000
Equipment	513,000
Fringe benefits	1,157,000
Indirect costs	60,000
Amount available for nonpersonal service	8,265,000
Program account subtotal	25,596,381

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

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

PERSONAL SERVICE

Personal service--regular	12,106,539
Temporary service	1,809,000
Holiday/overtime compensation	2,241,921
Amount available for personal service	16,157,460

NONPERSONAL SERVICE

Supplies and materials	2,267,020
Travel	13,000
Contractual services	4,470,940
Equipment	365,000
Indirect costs	14,000
Amount available for nonpersonal service	7,129,960

Program account subtotal 23,287,420

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

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

PERSONAL SERVICE

Personal service--regular 7,607,300
Temporary service 385,000
Holiday/overtime compensation 870,000
Amount available for personal service 8,862,300

NONPERSONAL SERVICE

Supplies and materials 989,600
Travel 22,500
Contractual services 1,694,900
Equipment 595,000
Indirect costs 21,000
Amount available for nonpersonal service 3,323,000
Program account subtotal 12,185,300

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

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

NONPERSONAL SERVICE

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

MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM 199,724,000

General Fund / State Operations

State Purposes Account - 003

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

NONPERSONAL SERVICE

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

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

For services and expenses related to the operation of an electronic medicaid eligibility verification system and operation of a medicaid override application system, and operation of a medicaid management information system, and development and operation of a replacement medicaid system. The moneys hereby appropriated shall be available for payment of liabilities heretofore accrued and hereafter to accrue.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, the amount appropriated herein may be increased or decreased by interchange with any other appropriation or with any other item or items within the amounts appropriated within the department of health special revenue funds - federal with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee

	105,219,000
Program fund subtotal	105,219,000

MAINTENANCE UNDISTRIBUTED 0

General Fund / State Operations
State Purposes Account - 003

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

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

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

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

Program account subtotal 11,800,000

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

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

Program account subtotal 300,000

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

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

Program account subtotal 99,472,000

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

Amount appropriated as an offset to the general fund - state purposes account with various department of health programs. The director of the budget is hereby authorized to apportion funds to the various programs of this agency from this appropriation by certificate of approval 1,250,000

Program account subtotal 1,250,000

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

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

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

this appropriation by certificate of approval 7,288,000

Program account subtotal 7,288,000

MEDICAL ASSISTANCE ADMINISTRATION PROGRAM 1,159,500,000

General Fund / Aid to Localities
Local Assistance Account - 001

For state reimbursement of local administrative expenses for medical assistance programs notwithstanding section 153 of the social services law.

The money hereby appropriated is available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and shall be available to the department net of disallowances, refunds, reimbursements, and credits.

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

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

herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law 454,050,000

For contractual services related to medical necessity and quality of care reviews related to medicaid patients. Subject to the approval of the director of the budget, all or part of this appropriation may be transferred to the health care standards and surveillance program, general fund - local assistance account 3,700,000

The amount appropriated herein, together with any federal matching funds obtained, may be available to the department, subject to the approval of the director of the budget, for contractual services related to a third party entity responsible for education of persons eligible for medical assistance regarding their options for enrollment in managed care plans. Subject to the approval of the director of the budget, all or a part of this appropriation may be transferred to the office of managed care, general fund - state purposes account. Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health, and may be increased or decreased by transfer or suballocation between these appropriated amounts 23,500,000

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

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

Program account subtotal 581,250,000

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

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

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

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental health, the office of mental retardation and developmental disabilities, the office of alcoholism and substance abuse services, the department of family assistance office of temporary and disability assistance and office of children and family services with the approval of the

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

Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law 478,250,000

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

Program account subtotal 578,250,000

MEDICAL ASSISTANCE PROGRAM 48,253,364,000

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

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

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

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

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

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

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

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

law, subdivision 2-b of section 2808 of the public health law, section 21 of chapter 1 of the laws of 1999, and any other contrary provision of law, in determining rates of payments by state governmental agencies effective for services provided on and after April 1, 2010 through March 31, 2011, for inpatient and outpatient services provided by general hospitals, for inpatient services and adult day health care outpatient services provided by residential health care facilities pursuant to article 28 of the public health law, except for residential health care facilities that provide extensive nursing, medical, psychological and counseling support services to children, for home health care services provided pursuant to article 36 of the public health law by certified home health agencies, long term home health care programs and AIDS home care programs, and for personal care services provided pursuant to section 365-a of the social services law, the commissioner of health shall apply zero trend factor projections attributable to the 2010 calendar year in accordance with paragraph (c) of subdivision 10 of section 2807-c of the public health law, provided, however, that such zero trend factor projections for such 2010 calendar year shall also be applied to rates of payment for personal care services provided in those local social service districts, including New York city, whose rates of payment for such services are established by such local social service districts pursuant to a rate-setting exemption issued by the commissioner of health to such local social service districts in accordance with applicable regulations, and provided further, however, that for rates of payment for assisted living program services provided on and after April 1, 2010 through March 31, 2011, trend factor projections attributable to the 2010 calendar year shall be established at zero percent.

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

Notwithstanding any inconsistent provision of law, rule or regulation, for the period April 1, 2010 through March 31, 2011, the indirect graduate medical education payment per discharge calculated pursuant to paragraph 1 of subdivision (b) of section 86-1.20 of title 10 (health) of the official compilation of codes, rules and regulations of the state of New York and the amount of indirect graduate medical education excluded from the statewide base price calculated pursuant to paragraph 2 of subdivision (b) of section 86-1.20 of title 10 (health) of the official compilation of codes, rules and regulations of the state of New York shall be reduced by one percentage point; provided, however, if this chapter provides sufficient additional funding to support the aforementioned rate calculations made pursuant to section 86-1.20 of title 10 (health) of the official compilation of codes, rules and regulations of the state of New York without the one percentage point reduction, then the provisions of this section shall be deemed null and void as of March 31, 2010 and no additional funding associated with the one percentage point reduction of indirect graduate medical education shall be provided to increase medicaid rates for inpatient services for general hospitals for improved obstetrical access and quality pursuant to paragraph (e) of subdivision 35 of section 2807-c of the public health law, the physician loan repayment and physician practice support programs set forth in paragraphs (d) and (e) of subdivision 5-a of section 2807-m of the public health law, respectively, , and the statewide base price calculated pursuant to subdivision 35 of section 2807-c of the public health law.

Notwithstanding any inconsistent provision of law, rule or regulation, hospital inpatient rate adjustments made in accordance with a methodology specified in regulations promulgated pursuant to subparagraph (v) of paragraph (b) of subdivision 35 of section 2807-c of the public health law that incorporate quality related measures pertaining to potentially preventable

complications shall result in an aggregate reduction in medicaid payments of no less than $49,000,000 for the period April 1, 2010 through March 31, 2011, net of any reinvestment for hospitals with improved or continued high performance in relation to the established readmission benchmarks and initiatives for behavioral health admission diversion and post-discharge linkage payments; provided, however, if this chapter provides sufficient additional funding to support such rate adjustments without the aggregate reductions, then the provisions of this section shall be deemed null and void as of March 31, 2010.

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

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

For services and expenses of the medical assistance program including clinic services 118,569,000

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

Notwithstanding any inconsistent provision of law or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, the commissioner of health shall not be required to revise certified rates of payment established pursuant to the public health law prior to April 1, 2011, based on consideration of rate appeals filed by residential health care facilities pursuant to section 2808 of the public health law or based upon adjustments to capital cost reimbursement as a result of approval by the commissioner of health of an appli-

cation for construction under section 2802 of the public health law, in excess of aggregate amount of $80,000,000, provided, however, that in revising such rates within such fiscal limits the commissioner may prioritize rate appeals for facilities which the commissioner determines are facing significant financial hardship and, further, the commissioner is authorized to enter into agreements with such facilities to resolve multiple pending rate appeals based upon a negotiated aggregate amount and may offset such negotiated aggregate amounts against any amounts owed by the facility to the department of health, including, but not limited to, amounts owed pursuant to section 2807-d of the public health law, provided further, however, that such rate adjustment made pursuant to this section remain fully subject to approval by the director of the budget in accordance with the provisions of subdivision 2 of section 2807 of the public health law. Provided, however, if this chapter appropriates sufficient additional funds to support processing of residential health care facility rate appeal adjustments as otherwise provided for in the public health law, than the provisions of this section shall be deemed null and void.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, a "reserved bed day" is defined as a day for which a governmental agency pays a residential health care facility to reserve a bed for a person eligible for medical assistance pursuant to title 11 of article 5 of the social services law while he or she is temporarily hospitalized or on leave of absence from the facility; provided further that for reserved bed days provided on behalf of persons 21 years of age or older: (i) payments for reserved bed days shall be made at 95 percent of the medicaid rate otherwise payable to the facility for services provided on behalf of such person; (ii) payment to a facility for reserved bed days provided on behalf of such person for temporary hospitalizations

may not exceed 14 days in any 12 month period; and (iii) payment to a facility for reserved bed days provided on behalf of such person for non-hospitalization leaves of absence may not exceed 10 days in any 12 month period. Provided, however, if this chapter appropriates sufficient additional funds to permit payment for reserved bed days to be made at the full medicaid rate otherwise payable to the facility for services provided on behalf of such person, and to not restrict payments for reserved bed days to such 14 day and 10 day limitations, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010.

Notwithstanding paragraph (b) of subdivision 2-b of section 2808 of the public health law, section 2 of part D of chapter 58 of the laws of 2009, or any other contrary provision of law, for the period April 1, 2010 through March 31, 2011, upon a determination by the commissioner of health and the director of the budget that rates of payment computed pursuant to section 2808(2-b)(b) of the public health law for the period April 1, 2010 through March 31, 2011, shall, in aggregate, be greater than or less than the aggregate total of such rates for the prior state fiscal year, make such proportional adjustments to such rates for the period April 1, 2010 through February 28, 2011 as are necessary to ensure that, after application of the adjustments authorized by the provisions of paragraph (g) of subdivision 2-b of section 2808 of the public health law, rates for such period reflect, in aggregate, no such increase or decrease, provided, however, that notwithstanding any contrary provision of law, the case mix adjustments authorized pursuant to subparagraph (ii) of paragraph (b) of subdivision 2-b of section 2808 of the public health law and scheduled pursuant to such subparagraph (ii) for January of 2011, shall not be implemented in accordance with the provisions of such subparagraph (ii), and provided further, however, that if this chapter provides sufficient additional funding to cover the cost of

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

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

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, under the medical assistance program, personal care services, including personal emergency response services, shared aide and an individual aide, furnished to an individual who has attained the age of 21 and who is not an inpatient or resident of a hospital, nursing facility, intermediate care facility for the mentally retarded, or institution for mental disease, shall not exceed an average of 12 hours per day in any authorization period; provided, however, that medically necessary personal care services that exceed an average 12 hours per day in any authorization period may be provided

to an individual who is receiving services from a certified home health agency, or is enrolled in the long term home health care program, a managed long term care plan, the AIDS home care program, the nursing home transition and diversion waiver, or the consumer directed personal assistance program, in accordance with the terms of those programs; and provided, further, that, if this chapter appropriates sufficient additional funds to permit personal care services to be provided without regard to such 12 hours per day average in any authorization period limitation, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, and notwithstanding the availability of federal financial participation, a person may participate in the medical assistance nursing home transition and diversion program if the person has a medical need for services that are described in paragraph (e) of subdivision 2 of section 365-a of the social services law or in section 365-f of the social services law but that exceed a limit

imposed by such provisions; and is otherwise ineligible for, or is unable to access, long-term community-based services available under the social service law; and otherwise meets the criteria for participation set forth in subdivision 6-a of section 366 of the social services law; provided, however, that, if this chapter appropriates sufficient additional funds to permit personal care services to be provided without regard to a an average 12 hours per day in any authorization period limitation, and without regard to a consumer directed personal assistance program average 12 hours per day limitation, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, continued provision of long term home health care program, AIDS home care program or certified home health agency services paid for by government funds shall be based upon a comprehensive assessment of the medical, social and environmental needs of the recipient of the services which shall be performed at least every 180 days by the provider of a long term home health care program, AIDS home care program or the certified home health agency providing services for the patient and the local department of social services; provided, however, if this chapter appropriates sufficient additional funds to require that such assessments be performed no less frequently than once every 120 days, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010 1,795,759,000

For services and expenses of the medical assistance program including managed care services 1,989,228,000

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

Notwithstanding any law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, the commissioner of health shall provide five days

public notice on the department's website of any recommendations developed by the pharmacy and therapeutics committee regarding the preferred drug program; provided however that, if this chapter appropriates sufficient additional funds to permit the commissioner to provide thirty days public notice on the department's website of any such recommendations, the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, medical assistance payment to a specialized HIV pharmacy, as defined in paragraph (f) of subdivision 9 of section 367-a of the social services law, for drugs which may not be dispensed without a prescription shall be made at the following amounts: if the drug dispensed is a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the centers for medicare and medicaid services, the lower of the estimated acquisition cost of such drug to pharmacies, or the dispensing pharmacy's usual and customary price charged to the general public; for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by

the department of health, less sixteen and twenty-five one hundredths percent thereof, and updated monthly by the department; for multiple source generic drugs, estimated acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 25 percent thereof, or the maximum acquisition cost, if any, established pursuant to paragraph (e) of subdivision 9 of section 367-a of the social services law; provided, however, that, if this chapter appropriates sufficient additional funds to permit, for a specialized HIV pharmacy, acquisition cost to mean, for sole and multiple source brand name drugs, the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 12 percent thereof, and updated monthly by the department and, for multiple source generic drugs, acquisition cost to mean the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 12 percent thereof, or the maximum acquisition cost, if any, established pursuant to paragraph (e) of subdivision 9 of section 367-a of the social services law, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010 36,915,000

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, the commissioner of health is authorized to assume responsibility from a local social services official for the provision and reimbursement of medicaid transportation costs under section 365-h of the social services law. If the commissioner elects to assume such responsibility, the commissioner shall notify

the local social services official in writing as to the election, the date upon which the election shall be effective and such information as to transition of responsibilities as the commissioner deems prudent. The commissioner is authorized to contract with a transportation manager or managers that have experience in coordinating transportation services in New York state to manage the provision of such services. Such a contract or contracts may include, without limitation, responsibility for: review, approval and processing of transportation orders; management of the appropriate level of transportation based on documented patient medical need; and development of new technologies and approaches leading to efficient transportation services. Notwithstanding any inconsistent provision of sections 112 and 163 of the state finance law, or section 142 of the economic development law, or any other law, the commissioner is authorized to enter into such contract without a competitive bid or request for proposal process. Provided, however, if this chapter appropriates sufficient additional funds to permit local social services officials to maintain responsibility for management of medicaid transportation services without assumption of such responsibility by the commissioner of health, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010 86,935,000

For services and expenses of the medical assistance program including dental services 78,716,000

For services and expenses of the medical assistance program including non-institutional and other spending.

Notwithstanding any inconsistent provision of law, rule or regulation, for the early intervention program, for the period April 1, 2010 through March 31, 2011, early intervention program providers who received payment of $500,000 or more for services that were covered under the medical assistance program, as determined by the department based upon the most recent year for which complete information exists, shall, in the first instance and

where applicable, seek payment from the medical assistance program or an insurance policy or plan for those children covered under both the medical assistance program and an insurance policy or plan, prior to claiming payment from a municipality for services rendered to such children, provided, however, that if this chapter appropriates sufficient additional funds to support continued municipal claiming to the medical assistance program for all providers who render services under the early intervention program in accordance with section 2559 of the public health law, including those that receive payment of $500,000 or more for services covered under the medical assistance program then this language shall be considered null and void as of March 31, 2010.

Notwithstanding any inconsistent provision of law, rule or regulation, for early intervention program purposes, for the period April 1, 2010 through March 31, 2011, where a policy of accident and health insurance or a contract subject to the provisions of the insurance law, including a contract issued pursuant to article 43 of the insurance law, provides coverage for a service provided to the insured under title 2-A of article 25 of the public health law, the individualized family services plan as defined in section 2541 of the public health law and certified by the early intervention official shall be deemed to meet any precertification, preauthorization and medical necessity requirements imposed on benefits under the policy or contract, provided, however, that the early intervention official shall remove or redact any information contained on the insured's individualized family service plan that is not required by the insurer for payment purposes and payment for a service covered under the policy or contract that is provided under the early intervention program shall be at rates established by the commissioner of health pursuant to regulations and no insurer, including a health maintenance organization issued a certificate of authority under article 44 of the public health law and a corporation

organized under article 43 of the insurance law shall deny payment of a claim submitted for a service covered under the insurer's policy or contract and provided under the early intervention program based upon the following:

(i) the location where services are provided;

(ii) the duration of the insured's condition and/or that the insured's condition is not amenable to significant improvement within a certain period of time as specified in the policy;

(iii) that the provider of services is not a participating provider in the insurer's network; or

(iv) the absence of a primary care referral, provided, however, that if this chapter appropriates additional funds sufficient to support early intervention program costs that will be incurred if insurers (i) are not required to deem a child's individualized family services plan as meeting any precertification, preauthorization and medical necessity requirement imposed under the policy or plan, and (ii) are not prohibited from denying claims for covered services provided under the early intervention program upon the bases set forth herein, then this language shall be considered null and void as of March 31,2010.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, the commissioner of health, in pursuing recoveries of medical assistance from the estates of individuals who were 55 years of age or older when they received such assistance, is authorized to define the term "estate" to include not only real and personal property and other assets passing under the terms of a valid will or by intestacy, but also any other property in which the individual had any legal title or interest at the time of death, including jointly held property, retained life estates, and interests in trusts, to the extent of such interests. Provided, however, if this chapter appropriates sufficient additional funds to permit the commissioner of health

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, moneys paid by an applicant or recipient of supplemental security income benefits under section 209 of the social services law or of medical assistance under section 366 of such law, to a funeral firm, funeral director, undertaker, cemetery, or any other person, firm or corporation, under or in connection with an agreement, or any option to enter into an agreement, for the sale of merchandise to be used in connection with a funeral or burial, or for the furnishing of personal services of a funeral director or undertaker, wherein the merchandise is not to be actually physically delivered or the personal services are not to be rendered until the occurrence of the death of the person for whose funeral or burial such merchandise or services are to be furnished, shall be placed into an irrevocable trust if the person for whose funeral or burial such merchandise or services are to be furnished is a family member of such applicant and recipient. Under the terms of such an irrevocable trust, such applicant or recipient (and after the death of such applicant or recipient, the family member) shall have the right to select any funeral firm, funeral director, undertaker, cemetery or any other person, firm or corporation to whom such payment is made and to change such selection any time to any type of funeral or any funeral firm, funeral director, cemetery or any other person, firm or corporation to whom such payment is made, located in the state of New York or any other state. Any funds remaining in such an irrevocable trust after the payment of all funeral expenses must be paid over to the social services official responsible for arranging for burials

under section 141 of the social services law in the local government subdivision where the decedent resided. Any such agreement, and any promotional literature prepared by a funeral firm, funeral director, undertaker, cemetery, or any other person, firm or corporation for prearranged funeral and burial services must contain language disclosing the irrevocable nature of burial trusts established for a family member by an applicant or recipient of supplemental security income benefits or medical assistance. Provided, however, if this chapter appropriates sufficient additional funds to permit such agreements purchased for family members by applicants or recipients of supplemental security income benefits or medical assistance to be revocable, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010 577,175,000

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

Notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred to the general fund - state purposes account for services and expenses related to utilization review activities including but not limited to utilization management for radiology and transportation management services 10,500,000

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

D program and recipient and provider notification and other program information as determined necessary by the commissioner of health. Subject to the approval of the director of the budget, a portion of this appropriation may be suballocated to other state agencies 2,500,000

Notwithstanding any inconsistent provision of law, subject to the approval of a plan by the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred to the general fund - state purposes account or suballocated to the state office for the aging for services and expenses related to making improvements in the long-term care system including long-term care restructuring, the nursing home transition and diversion waiver, and point-of-entry initiatives for the purpose of expanding and promoting a more coordinated level of care for the delivery of quality services in the community 8,150,000

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

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

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

Notwithstanding any inconsistent provision of law, subject to a plan developed by the

commissioner of health and approved by the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, will be available for demonstrations that develop and evaluate interventions targeted at medicaid beneficiaries who are otherwise exempt or excluded from mandatory Medicaid managed care and who have multiple comorbidities.

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

Notwithstanding any other provision of law, the money herein appropriated, together with any available federal matching funds, is available for transfer or suballocation to the state university of New York and its subsidiaries, or to contract without competition for services with the state university of New York research foundation, to provide support for the administration of the medical assistance program including activities such as dental prior approval, retrospective and prospective drug utilization review, development of evidence based utilization thresholds, data analysis, clinical consultation and peer review, clinical support for the pharmacy and therapeutic committee, and other activities related to utilization management and for health information technology support for the medicaid program 6,000,000

Notwithstanding any inconsistent provision of section 112 or 163 of the state finance law or any other contrary provision of the state finance law or any other contrary provision of law, the commissioner of health may, without a competitive bid or request for proposal process, enter into contracts with one or more certified public accounting firms for the purpose of conducting audits of disproportionate share hospital payments made by the state of New York to general hospitals and for

the purpose of conducting audits of hospital cost reports as submitted to the state of New York in accordance with article 28 of the public health law. Notwithstanding any inconsistent provisions of law, subject to the approval of the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred to the general fund - state purposes account 2,300,000

For grants to the civil service employees association, Local 1000, AFSCME, AFL-CIO to contribute to the union's cost of purchasing health insurance coverage under the family health plus (FHPlus) buy-in for child care providers represented by the union who do not otherwise qualify for coverage under FHPlus 2,765,000

For grants to the United Federation of Teachers, Local 2, AFT, AFL-CIO to contribute to the union's cost of purchasing health insurance coverage under the family health plus (FHPlus) buy-in for child care providers represented by the union who do not otherwise qualify for coverage under FHPlus 5,000,000

Notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget, moneys appropriated herein may be transferred to the general fund, state purposes account for services and expenses related to the independent audit of the internal controls of the school and preschool supportive health services programs as required by the New York state school supportive health services program compliance agreement with the centers for medicare and medicaid services.

Notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget, the amount appropriated herein may be increased or decreased by interchange with any appropriation of the department of health 400,000

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

of alcoholism and substance abuse services
..... 3,550,000,000

Program account subtotal 10,142,771,000

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

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

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

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

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

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

Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of the public health law, subdivision 2-b of section 2808 of the public health law, section 21 of chapter 1 of the laws of 1999, and any other contrary provision of law, in determining rates of payments by state governmental agencies effective for services provided on and after April 1, 2010 through March 31, 2011, for inpatient and outpatient services provided by general hospitals, for inpatient services and adult day health care outpatient services provided by residential health care facilities pursuant to article 28 of the public health law, except for residential health care facilities that provide extensive nursing, medical, psychological and counseling support services to children, for home health care services provided pursuant to article 36 of the public health law by certified home health agencies, long term home health care programs and AIDS home care programs, and for personal care services provided pursuant to section 365-a of the social services law, the commissioner of health shall apply zero trend factor projections attributable to the 2010 calendar year in accordance with paragraph (c) of subdivision 10 of section

2807-c of the public health law, provided, however, that such zero trend factor projections for such 2010 calendar year shall also be applied to rates of payment for personal care services provided in those local social service districts, including New York city, whose rates of payment for such services are established by such local social service districts pursuant to a rate-setting exemption issued by the commissioner of health to such local social service districts in accordance with applicable regulations, and provided further, however, that for rates of payment for assisted living program services provided on and after April 1, 2010 through March 31, 2011, trend factor projections attributable to the 2010 calendar year shall be established at zero percent.

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

Notwithstanding any inconsistent provision of law, rule or regulation, for the period April 1, 2010 through March 31, 2011, the indirect graduate medical education payment per discharge calculated pursuant to paragraph 1 of subdivision (b) of section 86-1.20 of title 10 (health) of the official compilation of codes, rules and regulations of the state of New York and the amount of indirect graduate medical education excluded from the statewide base price calculated pursuant to paragraph 2 of subdivision (b) of section 86-1.20 of title 10 (health) of the official compilation of codes, rules and regulations of the state of New York shall be reduced by one percentage point; provided, however, if this chapter provides sufficient additional funding to support the aforementioned rate calculations made pursuant to section 86-1.20 of title 10 (health) of the official compilation of codes, rules and regulations of the state of New York without the one percentage point reduction, then the provisions of this section shall be deemed null and void as of March 31, 2010 and no additional funding associated with the one percentage point reduction of indirect graduate

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

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

Notwithstanding any inconsistent provision of law, rule or regulation, hospital inpatient rate adjustments made in accordance with the methodology specified in subdivision 6 of section 2500-d of the public health law shall be reduced by up to $1,000,000 for the period April 1, 2010 through March 31, 2011; provided, however, if this chapter provides sufficient additional funding to support such rate adjustments without the aggregate reductions, then the provisions of this

section shall be deemed null and void as of March 31, 2010 4,407,944,000

For services and expenses of the medical assistance program including hospital outpatient and emergency room services 982,403,000

For services and expenses of the medical assistance program including clinic services 928,570,000

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

Notwithstanding any inconsistent provision of law or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, the commissioner of health shall not be required to revise certified rates of payment established pursuant to the public health law prior to April 1, 2011, based on consideration of rate appeals filed by residential health care facilities pursuant to section 2808 of the public health law or based upon adjustments to capital cost reimbursement as a result of approval by the commissioner of health of an application for construction under section 2802 of the public health law, in excess of aggregate amount of $80,000,000, provided, however, that in revising such rates within such fiscal limits the commissioner may prioritize rate appeals for facilities which the commissioner determines are facing significant financial hardship and, further, the commissioner is authorized to enter into agreements with such facilities to resolve multiple pending rate appeals based upon a negotiated aggregate amount and may offset such negotiated aggregate amounts against any amounts owed by the facility to the department of health, including, but not limited to, amounts owed pursuant to section 2807-d of the public health law, provided further, however, that such rate adjustment made pursuant to this section remain fully subject to approval by the director of the budget in accordance with the provisions of subdivision 2 of section 2807 of the public health law. Provided, however, if this chapter appropriates sufficient additional funds to support processing of residential health care facility rate appeal adjustments as otherwise provided

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, a "reserved bed day" is defined as a day for which a governmental agency pays a residential health care facility to reserve a bed for a person eligible for medical assistance pursuant to title 11 of article 5 of the social services law while he or she is temporarily hospitalized or on leave of absence from the facility; provided further that for reserved bed days provided on behalf of persons 21 years of age or older: (i) payments for reserved bed days shall be made at 95 percent of the medicaid rate otherwise payable to the facility for services provided on behalf of such person; (ii) payment to a facility for reserved bed days provided on behalf of such person for temporary hospitalizations may not exceed 14 days in any 12 month period; and (iii) payment to a facility for reserved bed days provided on behalf of such person for non-hospitalization leaves of absence may not exceed 10 days in any 12 month period. Provided, however, if this chapter appropriates sufficient additional funds to permit payment for reserved bed days to be made at the full medicaid rate otherwise payable to the facility for services provided on behalf of such person, and to not restrict payments for reserved bed days to such 14 day and 10 day limitations, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010.

Notwithstanding paragraph (b) of subdivision 2-b of section 2808 of the public health law, section 2 of part D of chapter 58 of the laws of 2009, or any other contrary provision of law, for the period April 1, 2010 through March 31, 2011, upon a determination by the commissioner of health and the director of the budget that rates of payment computed pursuant to section 2808(2-b)(b) of the public health law for the period April 1, 2010 through March 31,

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

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

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

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, under the medical assistance program, personal care services, including personal emergency response services, shared aide and an individual aide, furnished to an individual who has attained the age of 21 and who is not an inpatient or resident of a hospital, nursing facility, intermediate care facility for the mentally retarded, or institution for mental disease, shall not exceed an average of 12 hours per day in any authorization period; provided, however, that medically necessary personal care services that exceed an average of 12 hours per day in any authorization period may be provided to an individual who is receiving services from a certified home health agency, or is enrolled in the long term home health care program, a managed long term care plan, the AIDS home care program, the nursing home transition and diversion waiver, or the consumer directed personal assistance program, in accordance with the terms of those programs; and provided, further, that, if this chapter appropriates sufficient additional funds to permit personal care services to be provided without regard to such of 12 hours per day average in any authorization period limitation, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, personal care services under the medical assistance consumer directed personal assistance program provided to an individual who has attained the age of 21, and who is not receiving such services from a certified home health

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, and notwithstanding the availability of federal financial participation, a person may participate in the medical assistance nursing home transition and diversion program if the person has a medical need for services that are described in paragraph (e) of subdivision 2 of section 365-a of the social services law or in section 365-f of the social services law but that exceed a limit imposed by such provisions; and is otherwise ineligible for, or is unable to access, long-term community-based services available under the social services law; and otherwise meets the criteria for participation set forth in subdivision 6-a of section 366 of the social services law; provided, however, that, if this chapter appropriates sufficient additional funds to permit personal care services to be provided without regard to an average of 12 hours per day in any authorization period limitation, and without regard to a consumer directed personal assistance program average 12 hours per day limitation, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, continued provision of long term home health care program, AIDS home care program or certified home health agency services paid for by government funds shall be based upon a comprehensive

assessment of the medical, social and environmental needs of the recipient of the services which shall be performed at least every 180 days by the provider of a long term home health care program, AIDS home care program or the certified home health agency providing services for the patient and the local department of social services; provided, however, if this chapter appropriates sufficient additional funds to require that such assessments be performed no less frequently than once every 120 days, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010 3,206,511,000

For services and expenses of the medical assistance program including managed care services 4,806,689,000

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, medical assistance payment to a specialized HIV pharmacy, as defined in paragraph (f) of subdivision 9 of section 367-a of the social services law, for drugs which may not be dispensed without a prescription shall be made at the following amounts: if the drug dispensed is a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the centers for medicare and medicaid

services, the lower of the estimated acquisition cost of such drug to pharmacies, or the dispensing pharmacy's usual and customary price charged to the general public; for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less sixteen and twenty-five one hundredths percent thereof, and updated monthly by the department; for multiple source generic drugs, estimated acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 25 percent thereof, or the maximum acquisition cost, if any, established pursuant to paragraph (e) of subdivision 9 of section 367-a of the social services law; provided, however, that, if this chapter appropriates sufficient additional funds to permit, for a specialized HIV pharmacy, acquisition cost to mean, for sole and multiple source brand name drugs, the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 12 percent thereof, and updated monthly by the department and, for multiple source generic drugs, acquisition cost to mean the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 12 percent thereof, or the maximum acquisition cost, if any, established pursuant to paragraph (e) of subdivision 9 of section 367-a of the social services law, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010 2,516,880,000

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, the commissioner of health is authorized to assume responsibility from a local social services official for the provision and reimbursement of medicaid transportation costs under section 365-h of the social services law. If the commissioner elects to assume such responsibility, the commissioner shall notify the local social services official in writing as to the election, the date upon which the election shall be effective and such information as to transition of responsibilities as the commissioner deems prudent. The commissioner is authorized to contract with a transportation manager or managers that have experience in coordinating transportation services in New York state to manage the provision of such services. Such a contract or contracts may include, without limitation, responsibility for: review, approval and processing of transportation orders; management of the appropriate level of transportation based on documented patient medical need; and development of new technologies and approaches leading to efficient transportation services. Notwithstanding any inconsistent provision of sections 112 and 163 of the state finance law, or section 142 of the economic development law, or any other law, the commissioner is authorized to enter into such contract without a competitive bid or request for proposal process. Provided, however, if this chapter appropriates sufficient additional funds to permit local social services officials to maintain responsibility for management of medicaid transportation services without assumption of such responsibility by the commissioner of health, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010 223,287,000

For services and expenses of the medical assistance program including dental services 150,987,000

For services and expenses of the medical assistance program including noninstitutional and other spending.

Notwithstanding any inconsistent provision of law, rule or regulation, for the early intervention program, for the period April 1, 2010 through March 31, 2011, early intervention program providers who received payment of $500,000 or more for services that were covered under the medical assistance program, as determined by the department based upon the most recent year for which complete information exists, shall, in the first instance and where applicable, seek payment from the medical assistance program or an insurance policy or plan for those children covered under both the medical assistance program and an insurance policy or plan, prior to claiming payment from a municipality for services rendered to such children, provided, however, that if this chapter appropriates sufficient additional funds to support continued municipal claiming to the medical assistance program for all providers who render services under the early intervention program in accordance with section 2559 of the public health law, including those that receive payment of $500,000 dollars or more for services covered under the medical assistance program then this language shall be considered null and void as of March 31, 2010.

Notwithstanding any inconsistent provision of law, rule or regulation, for early intervention program purposes, for the period April 1, 2010 through March 31, 2011, where a policy of accident and health insurance or a contract subject to the provisions of the insurance law, including a contract issued pursuant to article 43 of the insurance law, provides coverage for a service provided to the insured under title 2-A of article 25 of the public health law, the individualized family services plan as defined in section 2541 of the public health law and certified by the early intervention official shall be deemed to meet any precertification, preauthorization and medical necessity requirements imposed on benefits under the policy or contract, provided, however, that the early intervention official shall remove or redact any informa-

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

(i) the location where services are provided;

(ii) the duration of the insured's condition and/or that the insured's condition is not amenable to significant improvement within a certain period of time as specified in the policy;

(iii) that the provider of services is not a participating provider in the insurer's network; or

(iv) the absence of a primary care referral,

provided, however, that if this chapter appropriates additional funds sufficient to support early intervention program costs that will be incurred if insurers (i) are not required to deem a child's individualized family services plan as meeting any precertification, preauthorization and medical necessity requirement imposed under the policy or plan, and (ii) are not prohibited from denying claims for covered services provided under the early intervention program upon the bases set forth herein, then this language shall be considered null and void as of March 31, 2010.

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

ized to define the term "estate" to include not only real and personal property and other assets passing under the terms of a valid will or by intestacy, but also any other property in which the individual had any legal title or interest at the time of death, including jointly held property, retained life estates, and interests in trusts, to the extent of such interests. Provided, however, if this chapter appropriates sufficient additional funds to permit the commissioner of health to use a definition of estate that is limited to real and personal property and other assets passing under the terms of a valid will or by intestacy, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2010 through March 31, 2011, moneys paid by an applicant or recipient of supplemental security income benefits under section 209 of the social services law or of medical assistance under section 366 of such law, to a funeral firm, funeral director, undertaker, cemetery, or any other person, firm or corporation, under or in connection with an agreement, or any option to enter into an agreement, for the sale of merchandise to be used in connection with a funeral or burial, or for the furnishing of personal services of a funeral director or undertaker, wherein the merchandise is not to be actually physically delivered or the personal services are not to be rendered until the occurrence of the death of the person for whose funeral or burial such merchandise or services are to be furnished, shall be placed into an irrevocable trust if the person for whose funeral or burial such merchandise or services are to be furnished is a family member of such applicant and recipient. Under the terms of such an irrevocable trust, such applicant or recipient (and after the death of such applicant or recipient, the family member) shall have the right to select any funeral firm, funeral director, undertaker, cemetery or

any other person, firm or corporation to whom such payment is made and to change such selection any time to any type of funeral or any funeral firm, funeral director, cemetery or any other person, firm or corporation to whom such payment is made, located in the state of New York or any other state. Any funds remaining in such an irrevocable trust after the payment of all funeral expenses must be paid over to the social services official responsible for arranging for burials under section 141 of the social services law in the local government subdivision where the decedent resided. Any such agreement, and any promotional literature prepared by a funeral firm, funeral director, undertaker, cemetery, or any other person, firm or corporation for prearranged funeral and burial services must contain language disclosing the irrevocable nature of burial trusts established for a family member by an applicant or recipient of supplemental security income benefits or medical assistance. Provided, however, if this chapter appropriates sufficient additional funds to permit such agreements purchased for family members by applicants or recipients of supplemental security income benefits or medical assistance to be revocable, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2010 4,298,582,000

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

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

Notwithstanding any other provision of law, the money herein appropriated, is available for transfer or suballocation to the state university of New York and its subsidiaries, or to contract without

competition for services with the state university of New York research foundation, to provide support for the administration of the medical assistance program including activities such as dental prior approval, retrospective and prospective drug utilization review, development of evidence based utilization thresholds, data analysis, clinical consultation and peer review, clinical support for the pharmacy and therapeutic committee, and other activities related to utilization management and for health information technology support for the medicaid program 6,000,000

For grants in aid to up to three not-for-profit entities for public education, counseling and advocacy related to changes in the medical assistance personal care services benefit. Notwithstanding sections 112 and 163 of the state finance law, or section 142 of the economic development law, or any other law, the commissioner is authorized to issue such grants without a request for proposal process or any other competitive process 1,000,000

Notwithstanding any inconsistent provision of section 112 or 163 of the state finance law or any other contrary provision of the state finance law or any other contrary provision of law, the commissioner of health may, without a competitive bid or request for proposal process, enter into contracts with one or more certified public accounting firms for the purpose of conducting audits of disproportionate share hospital payments made by the state of New York to general hospitals and for the purpose of conducting audits of hospital cost reports as submitted to the state of New York in accordance with article 28 of the public health law. Notwithstanding any inconsistent provisions of law, subject to the approval of the director of the budget, up to the amount appropriated herein 2,300,000

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

the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services 3,550,000,000

For services and expenses of the medical assistance program including hospital inpatient, hospital outpatient and emergency room, clinic, nursing home, other long term care, managed care, pharmacy, transportation, dental, non-institutional and other spending, medical services provided at state facilities operated by the office of mental health, the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services and for any other medical assistance services resulting from an increase in the federal medical assistance percentage pursuant to the American Recovery and Reinvestment Act. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act ... 4,202,000,000

Program account subtotal 33,085,537,000

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

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

For services and expenses related to the medical assistance program 130,100,000

For services and expenses of the medical assistance program related to the treatment of breast and cervical cancer 2,100,000

For services and expenses of the medical assistance program related to primary care case management. All or a portion of this

appropriation may be transferred to state operations appropriations 2,000,000
For services and expenses of the medical assistance program related to disabled persons 23,500,000
For services and expenses of the medical assistance program related to physician services 85,200,000
For services and expenses of the medical assistance program related, but not limited to, pharmacy, inpatient, and nursing home services 1,852,356,000
For services and expenses of the medical assistance program related to the city of New York 124,700,000
For services and expenses of the medical assistance program related to providing distributions for supplemental medical insurance for medicare part B premiums, physician services, outpatient services, medical equipment, supplies and other health services 68,000,000
For services and expenses of the medical assistance program related to the family health plus program 590,900,000
For services and expenses of the medical assistance program related to providing financial assistance to residential health care facilities 15,000,000
For services and expenses of the medical assistance program related to free-standing diagnostic and treatment center rate increases for recruitment and retention of health care workers 900,000
For services and expenses of the medical assistance program related to supporting workforce recruitment and retention of personal care services or any worker with direct patient care responsibility for local social service districts which include a city with a population of over one million persons 136,000,000
For services and expenses of the medical assistance program related to supporting workforce recruitment and retention of personal care services for local social service districts that do not include a city with a population of over one million persons 11,200,000
For services and expenses of the medical assistance program related to supporting rate increases for certified home health

agencies, long term home health care programs, AIDS home care programs, hospice programs, managed long term care plans and approved managed long term care operating demonstrations for recruitment and retention of health care workers 50,000,000

Program account subtotal 3,091,956,000

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

For the purpose of making payments to providers of medical care pursuant to section 367-b of the social services law, and for payment of state aid to municipalities where payment systems through fiscal intermediaries are not operational, to reimburse such providers for costs attributable to the provision of care to patients eligible for medical assistance. Payments from this appropriation to general hospitals related to indigent care pursuant to article 28 of the public health law respectively, when combined with federal funds for services and expenses for the medical assistance program pursuant to title XIX of the federal social security act or its successor program, shall equal the amount of the funds received related to health care reform act allowances and surcharges pursuant to article 28 of the public health law and deposited to this account less any such amounts withheld pursuant to subdivision 21 of section 2807-c of the public health law.
Notwithstanding any inconsistent provisions of sections 2807-k and 2807-w of the public health law or any other contrary provision of law, and subject to the availability of federal financial participation, for the period April 1, 2010 through March 31, 2011, payments shall be made to general hospitals in accordance with the following:
(a) for the period April 1, 2010 through June 30, 2010 payments shall be made to general hospitals in accordance with the provisions of sections 2807-k and 2807-w

of the public health law as in effect on March 31, 2010; and

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

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

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

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

(iv) $75,000,000 shall be distributed as medicaid DSH payments to eligible general hospitals, other than major public general hospitals, pursuant to a formula such that, to the extent of funds available, no eligible general hospital's reduction in payments as a result of the application of the provisions of this subdivision exceeds, on an annualized basis, a percentage reduction, as determined by the commissioner, from the projected distributions such hospital would have received pursuant to sections 2807-k and 2807-w of the public health law for the 2010 calendar year. Such payments shall be distributed to eligible general hospitals on a proportional basis, based on the degree of each such general hospital's projected reduction in distribution; and

(v) the balance of the funds not otherwise allocated pursuant to subsection (b) of this section shall be distributed propor-

tionally as medicaid DSH payments to eligible general hospitals, other than major public general hospitals, on the basis of each facility's uncompensated care need share, as determined in accordance with the scale set forth in subsection (b)(vi) of this section; and

(vi) the scale utilized for development of each eligible general hospital's uncompensated care need share payment amount, as computed in accordance with the provisions of paragraph (c) of subdivision 5-a of section 2807-k of the public health law, shall be as follows, provided, however, that the reduction described in subparagraph (iii) of paragraph (c) of subdivision 5-a of section 2807-k of the public health law shall be computed as 10 percent.

Uncompensated Need Percentage

0-4%

4-6%

6+%

Percentage of Reimbursement Attributable to that Portion of Uncompensated Need

70%

80%

90%

(c) provided, however, if this chapter provides sufficient additional funding to support indigent care payments to general hospitals pursuant to sections 2807-k and 2807-w of the public health law then the provisions of this section shall be deemed null and void as of March 31, 2010 1,017,700,000

Program account subtotal 1,017,700,000

Special Revenue Funds - Other / Aid to Localities

Miscellaneous Special Revenue Fund - 339

Medical Assistance Account

For the purpose of making payments to providers of medical care pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and the federal government where payment systems through fiscal intermediaries are not operational, to reimburse such providers for costs attributable to

the provision of care to patients eligible for medical assistance.

For services and expenses of the medical assistance program including nursing home, personal care, certified home health agency, long term home health care program and hospital services 915,400,000

Program account subtotal 915,400,000

OFFICE OF HEALTH INSURANCE PROGRAMS 1,248,919,000

General Fund / State Operations
State Purposes Account - 003

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the medicaid inspector general, office of mental health, office of mental retardation and developmental disabilities and office of alcoholism and substance abuse services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

PERSONAL SERVICE

Personal service--regular 28,567,400
Temporary service 1,000
Holiday/overtime compensation 350,000

Amount available for personal service 28,918,400

NONPERSONAL SERVICE

Supplies and materials 536,000
Travel 823,000
Contractual services 27,500,000
Equipment 831,000

Amount available for nonpersonal service 29,690,000

MAINTENANCE UNDISTRIBUTED

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

Contractual services 27,000,000

Program account subtotal 85,608,400

General Fund / Aid to Localities
Local Assistance Account - 001

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

Program account subtotal 1,391,200

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

For services and expenses for the medical assistance program and administration of the medical assistance program and survey and certification program, provided pursuant to title XIX of the federal social security act.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of other state agencies and appropriations of the department of health. Notwithstanding any inconsistent provision of law and subject to approval of the director of the budget, moneys hereby appropriated may be transferred or suballocated to other state

agencies for reimbursement to local government entities for services and expenses related to administration of the medical assistance program 846,414,000

Program fund subtotal 846,414,000

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

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

PERSONAL SERVICE

Personal service--regular 227,900

NONPERSONAL SERVICE

Supplies and materials 25,000
Contractual services 494,000
Fringe benefits 88,000
Indirect costs 82,000

Amount available for nonpersonal service 689,000

Program account subtotal 916,900

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

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

PERSONAL SERVICE

Personal service--regular 989,000
Temporary services 20,000
Holiday/overtime compensation 10,000

Amount available for personal service 1,019,000

NONPERSONAL SERVICE

Supplies and materials 30,000
Travel 29,000
Contractual services 5,172,000
Equipment 29,000
Fringe benefits 422,000
Indirect costs 290,000

Amount available for nonpersonal service 5,972,000

Program account subtotal 6,991,000

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

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

PERSONAL SERVICE

Personal service--regular 1,001,200
Holiday/overtime compensation 3,000

Amount available for personal service 1,004,200

NONPERSONAL SERVICE

Supplies and materials 15,000
Travel 20,000
Contractual services 73,000
Equipment 100,000
Fringe benefits 443,500
Indirect costs 341,800

Amount available for nonpersonal service 993,300

Program account subtotal 1,997,500

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

For services and expenses related to disease management.

NONPERSONAL SERVICE

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

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

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

	300,000,000
Program account subtotal	300,000,000

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

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

NONPERSONAL SERVICE

Contractual services	600,000

Program account subtotal 600,000

OFFICE OF HEALTH SYSTEMS MANAGEMENT 103,669,700

General Fund / State Operations
State Purposes Account - 003

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

PERSONAL SERVICE

Personal service--regular	22,076,700
Temporary service	53,000
Holiday/overtime compensation	546,000
Amount available for personal service	22,675,700

NONPERSONAL SERVICE

Supplies and materials	186,000
Travel	237,000
Contractual services	5,966,000
Equipment	201,000
Amount available for nonpersonal service	6,590,000

MAINTENANCE UNDISTRIBUTED

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

Personal service--regular	131,000
Supplies and materials	18,000
Travel	50,000
Equipment	74,000
Amount available for maintenance undistributed	273,000

Program account subtotal 29,538,700

General Fund / Aid to Localities
Local Assistance Account - 001

For contractual services related to medical necessity and quality of care reviews related to medicaid patients and to monitor health care services provided to persons with AIDS. A portion of this appropriation may be transferred to state operations appropriations 10,800,600
For services and expenses for patient health information and quality improvement initiatives. A portion of this appropriation may be transferred to state operations appropriations 368,000
For services and expenses for cardiac services access and cardiac data quality/outcomes initiatives 1,381,800
For services and expenses related to the operation of the incident reporting system (NYPORTS). A portion of this appropriation may be transferred to state operations appropriations 625,100
For services and expenses for consulting services related to health information technology. A portion of this appropriation may be transferred to state operations appropriations 176,000
For services and expenses to support the center for liver transplant and the alliance for donation 372,000
For services and expenses of the brain trauma foundation 490,000
For services and expenses for a statewide campaign to promote awareness of the New York state donor registry to increase organ and tissue donation. A portion of this appropriation may be transferred to state operations appropriations 245,000

Program account subtotal 14,458,500

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

For expenses incurred in the administration of the prescription drug monitoring program relating to the prescribing and

dispensing of controlled substances (NASPER) 343,000

Program account subtotal 343,000

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

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

Program account subtotal 400,000

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

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

PERSONAL SERVICE

Personal service--regular 2,672,300
Temporary service 5,000
Holiday/overtime compensation 75,000

Amount available for personal service 2,752,300

NONPERSONAL SERVICE

Supplies and materials 110,000
Travel 160,000
Contractual services 14,494,000
Equipment 280,000
Fringe benefits 1,136,000
Indirect costs 858,400

Amount available for nonpersonal service 17,038,400

Program account subtotal 19,790,700

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

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

PERSONAL SERVICE

Personal service--regular 288,400
Temporary service 5,000

Amount available for personal service 293,400

NONPERSONAL SERVICE

Supplies and materials 20,000
Travel 62,500
Contractual services 179,600
Equipment 34,500
Fringe benefits 129,600
Indirect costs 99,500

Amount available for nonpersonal service 525,700

Program account subtotal 819,100

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

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

PERSONAL SERVICE

Personal service--regular 500,500
Temporary service 40,000

Amount available for personal service 540,500

NONPERSONAL SERVICE

Supplies and materials 5,000
Travel 10,300
Contractual services 1,176,800
Equipment 10,000
Fringe benefits 239,100
Indirect costs 184,300

Amount available for nonpersonal service 1,625,500

Program account subtotal 2,166,000

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

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

PERSONAL SERVICE

Personal service--regular 549,000
Temporary service 5,000
Holiday/overtime compensation 5,000

Amount available for personal service 559,000

NONPERSONAL SERVICE

Supplies and materials 5,400
Travel 7,600
Contractual services 15,000
Equipment 15,000
Fringe benefits 246,500
Indirect costs 189,900

Amount available for nonpersonal service 479,400

Program account subtotal 1,038,400

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

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

PERSONAL SERVICE

Personal service--regular	476,500
Temporary service	2,000
Holiday/overtime compensation	7,000
Amount available for personal service	485,500

NONPERSONAL SERVICE

Supplies and materials	2,000
Travel	8,000
Contractual services	19,000
Equipment	15,000
Fringe benefits	196,000
Indirect costs	145,500
Amount available for nonpersonal service	385,500
Program account subtotal	871,000

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

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

PERSONAL SERVICE

Personal service--regular	2,818,700
Holiday/overtime compensation	10,000
Amount available for personal service	2,828,700

NONPERSONAL SERVICE

Supplies and materials	21,000
Travel	33,000
Contractual services	1,899,000

Equipment 32,600
Fringe benefits 1,215,000
Indirect costs 914,500

Amount available for nonpersonal service 4,115,100

Program account subtotal 6,943,800

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

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

PERSONAL SERVICE

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

Amount available for personal service 232,000

NONPERSONAL SERVICE

Supplies and materials 14,000
Travel 24,000
Contractual services 45,000
Equipment 25,000
Fringe benefits 102,100
Indirect costs 76,100

Amount available for nonpersonal service 286,200

Program account subtotal 518,200

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

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

NONPERSONAL SERVICE

Contractual services 949,000

Program account subtotal 949,000

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

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

PERSONAL SERVICE

Personal service--regular 10,115,900
Temporary service 340,000
Holiday/overtime compensation 49,000
Amount available for personal service 10,504,900

NONPERSONAL SERVICE

Supplies and materials 154,000
Travel 276,000
Contractual services 5,512,000
Equipment 250,000
Fringe benefits 4,609,600
Indirect costs 3,536,800
Amount available for nonpersonal service 14,338,400

MAINTENANCE UNDISTRIBUTED

For services and expenses of the medical society contract authorized pursuant to chapter 582 of the laws of 1984 990,000
Program account subtotal 25,833,300

OFFICE OF LONG TERM CARE 86,225,800

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular 24,159,700
Temporary service 82,000
Holiday/overtime compensation 854,000

Amount available for personal service 25,095,700

NONPERSONAL SERVICE

Supplies and materials 350,000
Travel 1,065,000
Contractual services 17,845,000
Equipment 415,000

Amount available for nonpersonal service 19,675,000

MAINTENANCE UNDISTRIBUTED

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

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

Amount available for maintenance undistributed 2,000,000

Program account subtotal 46,770,700

General Fund / Aid to Localities
Local Assistance Account - 001

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

For services and expenses, including grants, of the uniform assessment program. All or a portion of this appropriation may be transferred to state operations appropriations 4,806,000

For services and expenses related to traumatic brain injury including but not limited to services rendered to individuals enrolled in the federally approved home and community based services (HCBS) waiver and including personal and nonpersonal services spending originally author-

ized by appropriations and reappropriations enacted prior to 1996. All or part of this appropriation may be transferred to state operations appropriations 13,200,400

For services and expenses of a quality program for adult care facilities, including enriched housing facilities.

Such program shall be targeted at improving the quality of life for adult care facility residents. The department subject to the approval of the director of the division of budget, shall develop an allocation methodology taking into account financial status of the facility as well as resident needs. Such allocation shall serve as the basis of distribution to eligible facilities 2,605,000

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

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

The monies hereby appropriated shall be available for the cost of housing subsidies to certain participants in the nursing home transition and diversion waiver program as authorized by chapters 615 and 627 of the laws of 2004. A portion of such funds may be used for administration of the housing subsidies, either by state staff or a not-for-profit agency. A portion of this appropriation may be transferred to state operations appropriations. Up to 100 percent of this appropriation may be suballocated to the division of housing and community renewal 2,303,000

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

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

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

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

For services and expenses, including suballocation to the state office for aging, for coordinating patient care Alzheimer's disease program. A portion of this appropriation may be transferred to state operations appropriations for administration of this program 360,000

Program account subtotal 25,234,300

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

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

NONPERSONAL SERVICE

Contractual services 955,000

Program account subtotal 955,000

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

For services and expenses of a quality program for adult care facilities, including enriched housing facilities.
Such program shall be targeted at improving the quality of life for adult care facility residents. The department subject to the approval of the director of the divi-

sion of budget, shall develop an allocation methodology taking into account financial status of the facility as well as resident needs. Such allocation shall serve as the basis of distribution to eligible facilities 4,311,700

Program account subtotal 4,311,700

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

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

NONPERSONAL SERVICE

Contractual services 500,000

Program account subtotal 500,000

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

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

PERSONAL SERVICE

Personal service--regular 1,093,200
Holiday/overtime compensation 35,000

Amount available for personal service 1,128,200

NONPERSONAL SERVICE

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

Fringe benefits 442,000
Indirect costs 343,000

Amount available for nonpersonal service 981,000

Program account subtotal 2,109,200

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

For services and expenses related to the establishment of continuing care retirement communities including expenses of the life care community council.

PERSONAL SERVICE

Personal service--regular 33,500

NONPERSONAL SERVICE

Supplies and materials 3,000
Travel 5,000
Contractual services 158,000
Fringe benefits 14,000
Indirect costs 34,000

Amount available for nonpersonal service 214,000

Program account subtotal 247,500

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

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

PERSONAL SERVICE

Personal service--regular 174,000
Holiday/overtime compensation 1,000

Amount available for personal service 175,000

NONPERSONAL SERVICE

Supplies and materials	10,000
Travel	5,000
Contractual services	3,741,600
Equipment	8,000
Fringe benefits	78,900
Indirect costs	61,300
Amount available for nonpersonal service	3,904,800
Program account subtotal	4,079,800

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

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

PERSONAL SERVICE

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

NONPERSONAL SERVICE

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

WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM	133,822,000

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular	27,732,500
Temporary service	70,000
Holiday/overtime compensation	800,500
Amount available for personal service	28,603,000

NONPERSONAL SERVICE

Supplies and materials	3,352,000
Travel	76,000
Contractual services	6,588,000
Equipment	5,305,000
Amount available for nonpersonal service	15,321,000
Program account subtotal	43,924,000

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

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

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

For health prevention, diagnostic, detection and treatment services	11,373,000

Program account subtotal 11,373,000

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

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

Program account subtotal 3,682,000

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

For breast cancer research and education pursuant to section 97-yy of the state finance law as amended by chapter 550 of the laws of 2000.

NONPERSONAL SERVICE

Contractual services 2,536,000

Program account subtotal 2,536,000

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

For research into the causes and treatment of pediatric multiple sclerosis pursuant to section 95-d of the state finance law.

NONPERSONAL SERVICE

Contractual services 20,000

Program account subtotal 20,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Clinical Laboratory Reference System Assessment Account

For services and expenses of the clinical laboratory reference and accreditation program.

PERSONAL SERVICE

Personal service--regular	7,829,000
Holiday/overtime compensation	100,000
Amount available for personal service	7,929,000

NONPERSONAL SERVICE

Supplies and materials	846,000
Travel	300,000
Contractual services	1,665,000
Equipment	1,441,000
Fringe benefits	3,447,000
Indirect costs	4,407,000
Amount available for nonpersonal service	12,106,000
Program account subtotal	20,035,000

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

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

PERSONAL SERVICE

Personal service--regular	1,949,000
Holiday/overtime compensation	20,000
Amount available for personal service	1,969,000

NONPERSONAL SERVICE

Supplies and materials	215,000
Travel	130,000
Contractual services	170,000
Equipment	103,000
Fringe benefits	832,300
Indirect costs	1,167,700
Amount available for nonpersonal service	2,618,000
Program account subtotal	4,587,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Spinal Cord Injury Research Fund Account

For services and expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998, in accordance with the following.

PERSONAL SERVICE

Personal service--regular	221,000

NONPERSONAL SERVICE

Fringe benefits	88,000
Indirect costs	129,000
Amount available for nonpersonal service	217,000
Program account subtotal	438,000

Special Revenue Fund - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Empire State Stem Cell Research Account

For services and expenses, including grants, related to stem cell research pursuant to chapter 58 of the laws of 2007:

NONPERSONAL SERVICE

Contractual services	44,800,000
Program account subtotal	44,800,000

Total new appropriations for state operations and aid to localities	55,399,135,277

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 1, of the laws of 2009:
Contractual services ... 19,352,000 ..... (re. $5,959,000)
For services and expenses of health e-link.
Contractual services ... 750,000 ..... (re. $747,000)

By chapter 54, section 1, of the laws of 2008:
Contractual services ... 19,352,000 ..... (re. $6,000,000)
For services and expenses related to the improvement of data protection and interoperability.
Contractual services ... 1,000,000 ..... (re. $926,000)
For services and expenses related to the improvement of electronic content and the production and presentation of electronically stored information (e-Discovery).
Contractual services ... 1,000,000 ..... (re. $164,000)

By chapter 54, section 1, of the laws of 2007:
Contractual services ... 18,517,000 ..... (re. $6,000,000)

By chapter 54, section 1, of the laws of 2002:
Maintenance undistributed
For services and expenses related to a time and activity system .....
3,000,000 ..... (re. $770,000)

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

By chapter 54, section 1, of the laws of 2009:
For various food and nutritional services .....
818,000 ..... (re. $818,000)

By chapter 54, section 1, of the laws of 2008:
For various food and nutritional services .....
976,000 ..... (re. $204,000)

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

By chapter 54, section 1, of the laws of 2009:
For various food and nutritional services .....
1,983,000 ..... (re. $1,983,000)

By chapter 54, section 1, of the laws of 2008:
For various food and nutritional services .....
1,952,000 ..... (re. $409,000)

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

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

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

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

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

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

By chapter 54, section 1, of the laws of 2009:
For federal grants for Health Information Technology System Construction and equipment funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act ... 25,700,000 ..... (re. $25,700,000)
For federal grants for the office of National Coordinator for Health Information Technology funded by the American recovery and reinvestment Act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act ... 34,300,000 ..... (re. $34,300,000)
For federal grants for state electronic health records revolving loan program funded by the American Recovery and Reinvestment Act of 2009. These funds may be transferred to the dormitory authority of the state of New York for the purposes of establishing a loan fund pursuant to section 2821 of the public health law, subject to the approval of the director of the budget. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements in such act ... 50,000,000 ..... (re. $50,000,000)

AIDS INSTITUTE PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

For services and expenses related to the operation of the communities of color initiative ... 3,581,000 ..... (re. $3,000,000)
For additional grants to existing community service programs to meet the increased demands of HIV education, prevention, outreach, legal and supportive services to high risk groups and to address increased operating costs of these programs. Such grants shall be equitably distributed ... 432,400 ..... (re. $432,400)
For additional grants to existing community based organizations and to article 28 of the public health law diagnostic and treatment centers that must operate in a neighborhood or geographic area with high concentrations of at risk populations and provide services and programs that are culturally sensitive to the special social and cultural needs of the at risk populations. Such grants shall be used to meet increased demands for HIV education, prevention, outreach, and legal programs. Such grants shall be equitably distributed ..... 432,400 ..... (re. $432,400)
For additional services and expenses of the New York AIDS Coalition ... 18,800 ..... (re. $18,800)
For services and expenses of the Legal Aid Society of New York City ... 100,768 ..... (re. $100,768)
For services and expenses of the Legal Services for New York City .... 100,768 ..... (re. $100,768)
For additional services and expenses related to a joint project between the state and the city of New York, known as the New York/New York III Supportive Housing Agreement. No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee.
The amounts appropriated pursuant to such appropriation may be suballocated to other state agencies, authorities, or accounts for expenditures incurred in the operation of programs funded by such appropriation ... 1,300,000 ..... (re. $1,300,000)
For services and expenses for the harm reduction materials program 1,000,000 ..... (re. $1,000,000)
For grants to programs in New York state for the provision of HIV/AIDS legal and supportive services ... 600,000 ..... (re. $600,000)

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

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

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

CENTER FOR COMMUNITY HEALTH PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2009:
For services and expenses, including grants, related to the reporting of body mass index on school physical forms. A portion of this appropriation may be transferred to state operations appropriations for administration of this program ... 1,861,000 .. (re. $1,861,000)
For services and expenses of an obesity prevention program in support of healthy eating collaboratives. A portion of this appropriation may be transferred to state operations appropriations for administration of this program ... 1,645,000 ..... (re. $1,645,000)
For services and expenses to implement the early intervention program act of 1992.
The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued or hereafter to accrue.
Notwithstanding the provisions of any other law to the contrary, for state fiscal year 2009-2010 the liability of the state and the amount to be distributed or otherwise expended by the state pursuant to section 2557 of the public health law shall be determined by first calculating the amount of the expenditure or other liability pursuant to such law, and then reducing the amount so calculated by two percent of such amount ... 160,000,000 ..... (re. $25,300,000)
For services and expenses related to the statewide breast cancer support, education and outreach program, notwithstanding any inconsistent provision of law to the contrary, funds shall be available for the statewide breast cancer support, education and outreach

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

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

Threshold Center for Alternative Youth Services .....
21,879 ..... (re. $21,879)
University of Rochester ... 49,010 ..... (re. $49,010)
Via Health-Rochester General Hospital ... 16,628 ..... (re. $16,628)
William F. Ryan Community Health Center ... 17,504 ..... (re. $17,504)
For services and expenses to support community coalitions for obesity prevention (CCOP)to plan and create environmental and policy changes that support access to sustainable healthy, affordable food and accessible safe environments for physical activity and play. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009 .....
1,000,000 ..... (re. $804,693)
For additional state grants for a program of family planning services pursuant to article 2 of the public health law .....
507,600 ..... (re. $507,600)
For additional services and expenses of existing Alzheimer's disease assistance centers as established pursuant to chapter 586 of the laws of 1987 ... 75,200 ..... (re. $75,200)
For additional state grants to improve access to infertility services, treatments, and procedures ... 752,000 ..... (re. $752,000)
For additional services and expenses associated with new and existing school based health centers ... 507,600 ..... (re. $507,600)
For additional services and expenses for the Alzheimer's Community Assistance Program as established pursuant to chapter 657 of the laws of 1997 ... 225,600 ..... (re. $225,600)
For services and expenses of a chernobyl thyroid cancer screening pilot project ... 406,080 ..... (re. $406,080)
For services and expenses related to perinatal care networks .....
94,000 ..... (re. $94,000)
For services and expenses of a health care based literacy program ....
75,200 ..... (re. $75,200)
For services and expenses of the Huntington's Disease Society of America related to Huntington's Disease centers of excellence .....
37,600 ..... (re. $37,600)
For services and expenses related to the New York State breast cancer network ... 37,600 ..... (re. $37,600)
For additional state grants to the American Red Cross .....
373,744 ..... (re. $373,744)
For services and expenses related to amyotrophic lateral sclerosis ...
75,200 ..... (re. $75,200)
For services and expenses related to the statewide health and social services sexuality-related programs, notwithstanding any inconsistent provision of law to the contrary, funds shall be available for the statewide health and social services sexuality-related programs to establish health and social services and provide technical assistance pursuant to the following sub-schedule .....
1,540,322 ..... (re. $1,540,322)

sub-schedule

Ali Forney	11,216
Asian Pacific Islander Coalition of HIV/AIDS (Manhattan/Queens)	44,865
Audre Lorde Project	56,081
Bronx Community Pride Center	56,081
Brooklyn AIDS Task Force - Shades of Lavender Project	25,391
Callen-Lorde Community Health Center	44,865
CANDLE (Community Awareness Network for a Drug-Free life and Environment)	35,350
Capital District Gay and Lesbian Community Council	25,391
Center Lane, Westchester Jewish Community Services	34,741
Empire State Pride Agenda	75,485
Ferre Institute	20,189
Gay Alliance of the Genesee Valley	56,081
Gay & Lesbian Switchboard	11,216
Gay and Lesbian Youth Services of Western New York	56,081
Gay Men of African Descent	25,391
Gay Men's Health Crisis	44,865
Greenwich Village Youth Council - New Neutral Zone	30,475
Heights Hill Mental Health Service - LGBT Affirmative Program	25,391
Hetrick Martin Institute	56,081
In Our Own Voices	53,838
Latino Commission on AIDS - Mano A Mano	25,391
Lesbian, Gay, Bisexual and Transgender Community Center	112,162
LGBT Wellness Program at Community Action Center	22,432
LOFT	26,658
Long Island Gay and Lesbian Youth	81,470
Men of Color Health Awareness Project	25,391
Metropolitan Community Church of New York	25,391
New York City Gay and Lesbian Anti-Violence Project	76,186

People of Color in Crisis 25,391
Planned Parenthood Health Services of Northeastern New York 22,432
Planned Parenthood of Niagara County 11,216
Positive Health Project 28,041
Pride Center of Western New York (Buffalo) 21,181
Pride for Youth/Long Island Crisis Center 56,081
Queens LGBT Pride Community Center 11,216
Queens Lesbian and Gay Community Center INC 25,391
Rainbow Access Initiative Albany 16,825
Rainbow Seniors of Western New York 8,412
Safety Zone 11,216
SAGE Upstate 21,181
Senior Action in a Gay Environment (SAGE) - Rainbow Aging Awareness Program 97,381

For services and expenses of the health and social services sexuality-related programs domestic violence network pursuant to the following sub-schedule ... 282,000 ..... (re. $282,000)

sub-schedule

In Our Own Voices 18,800
Men of Color Health Awareness Project 18,800
Alternatives for Battered Women 18,800
Gay Alliance Of the Genesee Valley 18,800
Empire Justice Center 18,800
The New York City Gay & Lesbian Anti-Violence Project 37,600
Safe Horizon 18,800
Syracuse Area Domestic Violence & Sexual Violence Coalition, Vera House 18,800
Rockland Family Shelter 18,800
Advocacy Center 18,800
Victim Assistance Services 18,800
NYS Coalition Against Domestic Violence 18,800
Lgbt Dv Committee Of Western NY 18,800

Good Shepard Services 18,800

For services and expenses of the New York University College of Dentistry - Mobile Dental Clinics ... 188,000 ..... (re. $188,000)
For services and expenses of the Coalition for the Institutionalized Aged and Disabled ... 75,200 ..... (re. $75,200)
For services and expenses of the School Based Health Coalition ..... 37,600 ..... (re. $37,600)
For services and expenses of the Primary Care Development Corporation ..... 394,800 . (re. $394,800)
For services and expenses of the Center for Health Care Access ..... 101,520 ..... (re. $101,520)
For services and expenses of the Lesbian, Gay, Bisexual, and Transgender Health and Human Services Network ..... 2,048,000 ..... (re. $2,048,000)

By chapter 54, section 1, of the laws of 2009, as amended by chapter 502, section 4, of the laws of 2009:
For services and expenses related to providing nutritional services and to provide nutritional education to pregnant women, infants, and children, including suballocations to the department of agriculture and markets for the farmer's market nutrition program and migrant worker services and the office of temporary and disability assistance for prenatal care assistance program activities. A portion of this appropriation may be transferred to state operations appropriations for administration of this program; provided, however, that the amount of this appropriation available for expenditure and disbursement on and after November 1, 2009 shall be reduced by 12.5 percent of the amount that was undisbursed as of November 1, 2009 ... 20,610,000 ..... (re. $17,700,000)
For services and expenses, including operating expenses related to providing nutritional services and nutrition education for hunger prevention and nutrition assistance. A portion of this appropriation may be transferred to state operations appropriations for administration of this program; provided, however, that the amount of this appropriation available for expenditure and disbursement on and after November 1, 2009 shall be reduced by 12.5 percent of the amount that was undisbursed as of November 1, 2009 ..... 30,900,000 ..... (re. $2,500,000)
For additional services and expenses associated with red cross emergency response preparedness, including support for capital projects and ensuring an adequate blood supply. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner of health and approved by the director of the budget.
Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009; provided, however, that the amount of this appropriation available for expenditure and disbursement on and after November 1, 2009 shall be reduced by 12.5 percent of the amount that was undisbursed as of November 1, 2009 ... 1,600,000 ..... (re. $1,400,000)

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

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

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
For services and expenses related to providing nutritional services and to provide nutritional education to pregnant women, infants, and children, including suballocations to the department of agriculture and markets for the farmer's market nutrition program and migrant worker services and the office of temporary and disability assistance for prenatal care assistance program activities. A portion of this appropriation may be transferred to state operations appropriations for administration of this program, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ... 21,600,000 ..... (re. $4,128,128)
For services and expenses of a universal prenatal and postpartum home visitation program, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ..... 2,080,000 ..... (re. $1,955,200)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses of the department of health related to the special supplemental nutrition program for women, infants and children.
Contractual services ... 5,000,000 ..... (re. $5,000,000)

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

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

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

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

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

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

By chapter 54, section 1, of the laws of 2009:
For various health prevention, diagnostic, detection and treatment services. The amounts appropriated pursuant to such appropriation may be suballocated to other state agencies or accounts for expenditures incurred in the operation of programs funded by such appropriation subject to the approval of the director of the budget .....
41,938,000 ..... (re. $41,938,000)
For federal prevention and wellness programs funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act .....
30,000,000 ..... (re. $30,000,000)

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

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

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

By chapter 54, section 1, of the laws of 2009:
For various health prevention, diagnostic, detection and treatment services. The amounts appropriated pursuant to such appropriation may be suballocated to other state agencies or accounts for expenditures incurred in the operation of programs funded by such appropriation subject to the approval of the director of the budget .....
24,023,000 ..... (re. $24,023,000)

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

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

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

By chapter 54, section 1, of the laws of 2009:
For various health prevention, diagnostic, detection and treatment services. The commissioner of health is hereby authorized to waive any provisions of the public health law and regulations, to issue appropriate operating certificates, and to enter into contracts with article 28 facilities, to provide funds, to establish, support and conduct projects to provide improved and expanded school health services for preschool and school-age children. No more than 10 per centum of the amount appropriated for such purpose shall be expended for services and expenses in connection with the administration and evaluation of such grants. Grants awarded under this appropriation shall be distributed and administered in accordance with regulations established by the commissioner of health. The amounts appropriated pursuant to such appropriation may be suballocated to other state agencies or accounts for expenditures incurred in the operation of programs funded by such appropriation subject to the approval of the director of the budget ... 57,475,000 ..... (re. $57,475,000)

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

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

By chapter 54, section 1, of the laws of 2009:
For activities related to a handicapped infants and toddlers program ... 24,265,000 ..... (re. $23,657,000)
For activities related to a handicapped infants and toddlers program funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act. The amount appropriated for state operations may be interchanged to the appropri-

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

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

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

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

By chapter 54, section 1, of the laws of 2009:
For activities related to a handicapped infants and toddlers program ... 51,578,000 ..... (re. $51,578,000)
For activities related to a handicapped infants and toddlers program funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act. The amount appropriated for state operations may be interchanged to the appropriation for federal prevention and wellness state operations without limitation ... 2,000,000 ..... (re. $2,000,000)

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

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

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

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services.
For the grant period October 1, 2007 to September 30, 2008 .....
10,370,000 ..... (re. $10,285,000)

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

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

appropriate operating certificates, and to enter into contracts with article 28 facilities, to provide funds, to establish, support and conduct projects to provide improved and expanded school health services for preschool and school-age children. No more than 10 per centum of the amount appropriated for such purpose shall be expended for services and expenses in connection with the administration and evaluation of such grants. Grants awarded under this appropriation shall be distributed and administered in accordance with regulations established by the commissioner of health.

For the grant period October 1, 2007 to September 30, 2008 .....
26,732,000 ..... (re. $25,215,000)

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

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

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

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

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

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

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

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

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

CENTER FOR ENVIRONMENTAL HEALTH PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHILD HEALTH INSURANCE PROGRAM

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

By chapter 54, section 1, of the laws of 2009:
The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
For services and expenses related to the children's health insurance program provided pursuant to title XXI of the federal social security act ... 64,130,000 ..... (re. $64,130,000)

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

By chapter 54, section 1, of the laws of 2009:
The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
For services and expenses related to the children's health insurance program, pursuant to title XXI of the federal social security act ... 487,800,000 ..... (re. $487,800,000)
For services and expenses related to the children's health insurance program. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009 ... 31,400,000 ..... (re. $31,400,000)

HEALTH CARE FINANCING PROGRAM

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

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

HEALTH CARE REFORM ACT PROGRAM

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

By chapter 54, section 1, of the laws of 2009, as amended by chapter 502, section 4, of the laws of 2009:
For services and expenses of the physician loan repayment program pursuant to subdivision 5-a of section 2807-m of the public health law. All or part of this appropriation may be suballocated to the NYS higher education services corporation. Notwithstanding any other provision of law to the contrary, for state fiscal year 2009-2010 the liability of the state and the amount to be distributed or otherwise expended by the state on or after November 1, 2009 shall be determined by first calculating the amount of the expenditure or other liability pursuant to such law, and then reducing the amount so calculated by 12.5 percent of such amount, and that the amount of this appropriation available for disbursement on or after November 1, 2009 shall be reduced by 12.5 percent of the amount that is undisbursed as of such date ... 1,960,000 ..... (re. $1,715,000)
For services and expenses of the physician practice support program pursuant to subdivision 5-a of section 2807-m of the public health law. Notwithstanding any other provision of law to the contrary, for state fiscal year 2009-2010 the liability of the state and the amount to be distributed or otherwise expended by the state on or after November 1, 2009 shall be determined by first calculating the amount of the expenditure or other liability pursuant to such law, and then reducing the amount so calculated by 12.5 percent of such amount, and that the amount of this appropriation available for disbursement on or after November 1, 2009 shall be reduced by 12.5 percent of the amount that is undisbursed as of such date ..... 4,900,000 ..... (re. $4,287,500)
For state grants for the health workforce retraining program. Notwithstanding section 2807-g of the public health law, or any other provision of law to the contrary, funds hereby appropriated may be made available to other state agencies and facilities operated by the department of health for services and expenses related to the worker retraining program as disbursed pursuant to section 2807-g of the public health law. Of this amount $8,900,000 shall be made available to fund training for workers in jobs and job skills that meet the changing requirements of the health care industry

pursuant to section 2807-g(5) of the public health law. Provided, however, that the director of the budget must approve the release of any request for proposal or request for application or any other procurement initiatives issued on or after April 1, 2007. Further provided that any contract executed on or after April 1, 2007 must receive the prior approval of the director of the budget. A portion of this appropriation may be transferred to state operations appropriations. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009. Notwithstanding any other provision of law to the contrary, for state fiscal year 2009-2010 the liability of the state and the amount to be distributed or otherwise expended by the state on or after November 1, 2009 shall be determined by first calculating the amount of the expenditure or other liability pursuant to such law, and then reducing the amount so calculated by 12.5 percent of such amount, and that the amount of this appropriation available for disbursement on or after November 1, 2009 shall be reduced by 12.5 percent of the amount that is undisbursed as of such date ... 21,100,000 ..... (re. $18,462,500)

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

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

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

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

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

For services, expenses, grants and transfers necessary to continue existing or planned contracts or other financing arrangements for the purposes of implementing the health care reform act program in accordance with section 2807-j, 2807-k, 2807-l, 2807-m, 2807-s, and 2807-v of the public health law and utilizing allocations authorized prior to July 1, 2005. The moneys hereby appropriated shall be available for payments heretofore accrued or hereafter to accrue.

Notwithstanding any inconsistent provision of law, the moneys hereby appropriated may be increased or decreased by interchange or transfer with any appropriation of the department of health or by transfer or suballocation to any appropriation of the department of insurance, the office of mental health or the state office for the aging subject to the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee ..... 600,000,000 ..... (re. $100,000,000)

MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to the operation of an electronic medicaid eligibility verification system and operation of a medicaid override application system, and operation of a medicaid management information system, and development and operation of a replacement medicaid system. The moneys hereby appropriated shall be available for payment of liabilities heretofore accrued and hereafter to accrue.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, the amount appropriated herein may be increased or decreased by interchange with any other appropriation or with any other item or items within the amounts appropriated within the department of health special revenue funds - federal with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee ..... 105,254,000 ..... (re. $65,100,000)

OFFICE OF MEDICAID MANAGEMENT PROGRAM

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to an analysis of proposals for achieving universal health coverage in New York. The commissioner of health shall contract with an independent entity, in accordance with applicable law, to conduct the analysis and report on its results. All records of the entity and the department relating to the methodology, findings and recommendations of the analysis shall be subject to article six of the public officers law. Proposals to be analyzed shall include, but not be limited to: proposals for providing or promoting universal health coverage through variations on existing private and public health coverage mechanisms; proposals for providing universal health coverage through publicly-sponsored health

coverage financed entirely or predominantly through broad-based public financing; and combinations of such mechanisms. When evaluating different proposals, the entity shall consider, among other factors, how each proposal advances the goal of universal health coverage; controls the cost of health coverage and health care; affects the scope of benefits, the quality of care, and choice of providers for consumers; overcomes the obstacles to universal health coverage; fairly and equitably distributes the cost of health coverage and health care; deals with the level and distribution of costs as a barrier to health coverage or health care; affects employers and employment, particularly small business, the self-employed, sole-proprietors, collective bargaining arrangements, people with multiple, seasonal or sporadic employment and people who are underemployed or unable to work; and promotes the economic viability of hospitals, community health centers, health care professionals, and other health care providers. The entity may, with the approval of the commissioner, accept grants or other assistance from any government agency or not-for-profit entity to support or assist it in carrying out the analysis ... 200,000 ..... (re. $200,000)

For suballocation to the state office for the aging for the health insurance information, counseling and assistance program ..... 1,000,000 ..... (re. $1,000,000)

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

For services and expenses of the medical assistance program. The moneys hereby appropriated are for activities related to the maximization of the Federal Medicare Part D drug program ..... 2,000,000 ..... (re. $2,000,000)

General Fund / Aid to Localities
Local Assistance Account - 001

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

For transfer to the state office for the aging for the managed care consumer assistance program for the purpose of providing education, outreach, one-on-one counseling, monitoring of the implementation of medicare part D, and assistance with drug appeals and fair hearings related to medicare part D coverage for persons who are eligible for medical assistance and who are also beneficiaries under part D of title XVIII of the federal social security act and for participants of the elderly pharmaceutical insurance coverage program in accordance with the following sub-schedule ..... 2,000,000 ..... (re. $896,000)

sub-schedule

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

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

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

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

sub-schedule

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

MEDICAL ASSISTANCE ADMINISTRATION PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

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

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

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

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

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

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

By chapter 54, section 1, of the laws of 2008:
For reimbursement of local administrative expenses of medical assistance programs provided pursuant to title XIX of the federal social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, shall be available to the department net of disallowances, refunds, reimbursements, and credits. The amounts appropriated herein may be available for costs associated with a common benefit identification card, and subject to the approval of the director of the budget, these funds may be transferred to the credit of the state operations account medicaid management information systems program.
Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental health, the office of mental retardation and developmental disabilities, the office of alcoholism and substance abuse services, the department of family assistance office of temporary and disability assistance and office of children and family services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.
Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law ... 481,800,000 ..... (re. $75,000,000)

By chapter 54, section 1, of the laws of 2007:
For reimbursement of local administrative expenses of medical assistance programs provided pursuant to title XIX of the federal social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, shall be available to the department net of disallowances, refunds, reimbursements, and credits. The amounts

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

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

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

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

MEDICAL ASSISTANCE PROGRAM

GENERAL FUND / STATE OPERATIONS
STATE PURPOSES ACCOUNT - 003

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

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

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

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

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

General Fund / Aid to Localities
Local Assistance Account - 001

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

For services and expenses related to the medical assistance program for expanding participation in the Consumer Directed Personal assistance program. Such activities shall include but not be limited to contracting with peer based programs to assist persons eligible for the consumer directed personal assistance program, providing general education and outreach to increase awareness training for discharge planners, local districts and others. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009 ..... 500,000 ..... (re. $500,000)

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

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

Notwithstanding any other provision of law, the money herein appropriated, together with any available federal matching funds, is available for transfer or suballocation to the state university of New York and its subsidiaries, or to contract without competition for services with the state university of New York research foundation,

to provide support for the administration of the medical assistance program including activities such as dental prior approval, retrospective and prospective drug utilization review, development of evidence based utilization thresholds, data analysis, clinical consultation and peer review, clinical support for the pharmacy and therapeutic committee, and other activities related to utilization management for the medicaid program .....
6,000,000 ..... (re. $6,000,000)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

under federal law and regulation to receive federal financial participation in the costs of services described herein, the commissioner of health is authorized to pay financial incentives to prescribing practitioners and to pharmacies for the purpose of encouraging the use of electronic prescriptions for drugs for which payments are made under this subdivision; provided that such payments shall be in the following amounts: for prescribing practitioners, eighty cents per dispensed electronic prescription; for dispensing pharmacies, twenty cents per dispensed electronic prescription; provided, however, that electronic prescribing software shall not use any means or permit any other person to use any means, including, but not limited to, advertising, instant messaging, and pop-up ads, to influence or attempt to influence, through economic incentives or otherwise, the prescribing decision of a prescribing practitioner at the point of care and that such means shall not be triggered or in specific response to the input, selection, or act of a prescribing practitioner or his or her agent in prescribing a certain pharmaceutical or directing a patient to a certain pharmacy. Provided however that if this chapter provides sufficient additional funding to eliminate financial incentives to prescribing practitioners and to pharmacies for the purpose of encouraging the use of electronic prescriptions for drugs for which payments are made under this subdivision, then the provisions of this section shall be deemed null and void as of February 28, 2009
2,028,383,000 ..... (re. $2,028,383,000)

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

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

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

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

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

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

management for the medicaid program .....
6,000,000 ..... (re. $6,000,000)

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

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

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

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

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

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

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

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

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

Notwithstanding any inconsistent provision of section 2807-c of the public health law or any other contrary provision of law, and subject to the availability of federal financial participation, rates of payment by governmental agencies for general hospital inpatient services with regard to discharges occurring on and after

December 1, 2009 through March 31, 2010, shall be in accordance with the following:

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

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

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

(iii) Such rates shall reflect the application of hospital specific wage equalization factors and power equalization factors reflecting differences in wage rates and utility costs;

(iv) Such rates shall reflect the utilization of the all patient refined (APR) case mix methodology, utilizing diagnostic related groups with assigned weights that incorporate differing levels of severity of patient condition and the associated risk of mortality, and as may be periodically updated by the commissioner of health;

(v) Such regulations may incorporate quality related measures pertaining to potentially preventable complications and readmissions;

(vi) Such regulations shall address adjustments based on the costs of high cost outlier patients;

(vii) Such rates shall continue to reflect trend factor adjustments as otherwise provided in paragraph (c) of subdivision 10 of section 2807-c of the public health law;

(viii) Such rates shall not include any adjustments pursuant to subdivision 9 of section 2807-c of the public health law;

(ix) Rates for non-public, not-for-profit general hospitals which have not, as of the effective date of this section, published an ancillary charges schedule as provided in paragraph (j) of subdivision 1 of section 2803 of the public health law shall have their inlier payments increased by an amount equal to the statewide average of cost outlier payments as determined by such regulations;

(x) Administrative rate appeals shall be permitted only with regard to: (A) the correction of computational errors or omissions of data, including with regard to the hospital specific computations pertaining to graduate medical education, wage equalization factor adjustments and power equalization factor adjustments, and (B) capital cost reimbursement.

(xi) Rates for teaching general hospitals shall include reimbursement for direct and indirect graduate medical education and the commissioner of health shall specify the reports and information required to assess the cost, quality and health system needs for medical education provided; and

(b) The provisions of this section shall not apply to those general hospitals or distinct units of general hospitals whose inpatient reimbursement does not, as of November 30, 2009, reflect case-based payments per diagnosis related group; and

(c) Notwithstanding section 112 or 163 of the state finance law or any other law, rule or regulation to the contrary, the commissioner of health may contract with a vendor for consideration to develop the specifications for the diagnosis-related groups methodology as provided for in this section if the commissioner of health certifies to the state comptroller that such contract is in the best interest of the health of the people of the state. Notwithstanding that such specifications shall be available pursuant to article 6 of the public officers law, such contract may provide that the specifications for such adjusted or additional diagnosis-related groups provided by the vendor shall be subject to copyright protection pursuant to federal copyright law; and

(d) Notwithstanding any inconsistent provision of this section or any other contrary provision of law, the commissioner of health may, for rate periods on and after July 1, 2009 through March 31, 2010, and subject to the availability of federal financial participation, make additional adjustments of up to $33,500,000 in aggregate to the inpatient rates of payment of eligible general hospitals, to facilitate improvements in hospital operations and finances, in accordance with the following:

(i) Such payments shall be available to non-public hospitals which, as determined by the commissioner of health, experience a reduction in their medicaid inpatient revenue as determined by the commissioner of health, as a result of the application of the provisions of paragraph (a) of this section.

(ii) Such payments shall be allocated based on each eligible facility's relative need as determined by the commissioner of health.

(iii) Such payments shall not be subject to retroactive adjustment or reconciliation and may be added to rates of payment or made as lump sum payments.

(iv) Each hospital receiving such payments shall, as a condition for eligibility for such payments, adopt a resolution of the board of directors of each such hospital setting forth its current financial condition and a plan for reforming and improving such financial condition, including ongoing board oversight, provided, however, if such report is not issued and adopted by each such board of directors, or if such report fails to set forth adequate progress, as determined by the commissioner of health, the commissioner of health may deem such facility ineligible for further such payments and may redistribute such further payments to other eligible facilities in accordance with the provisions of this paragraph. The commissioner of health shall be provided with copies of all such resolutions and reports; and

(e) Inpatient rate adjustments made pursuant to paragraphs (a) through (c) of this section shall result in a net statewide decrease in aggregate medicaid payments of no less than $75,000,000 for the period December 1, 2009 through March 31, 2010; and

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

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

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

(a) For each of the regions within the state as described in paragraph (e) of this section the commissioner of health shall determine the average per diem cost incurred by general hospitals in that region subject to the provisions of this section with regard to inpatients requiring medically managed detoxification services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services. In determining such costs the commissioner of health shall utilize 2006 costs and statistics as reported by such hospitals to the department of health prior to 2008; and

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

(c) Per diem payments for inpatients requiring medically supervised inpatient detoxification services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall reflect 37.5 percent of the operating cost component of the rates of payment effective December 31, 2007 and 62.5 percent of the per diem amounts computed pursuant to paragraph (a) of this section for the applicable region in which the facility is located for the period April 1, 2009 through December 31, 2009, and as trended forward to adjust for inflation, and shall reflect 75 percent of such per diem amounts for periods on and after January 1, 2010 through March 31, 2010, as trended forward to adjust for

inflation, provided, however, that such payments shall be reduced by 50 percent for any services provided on or after the sixth day of services through the tenth day of services, and further provided that no payments shall be made for any services provided on and after the eleventh day; and

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

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

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

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

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

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

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

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

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

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

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

Notwithstanding any inconsistent provision of paragraph (e) of subdivision 4 of section 2807-c of the public health law or any other contrary provision of law and subject to the availability of federal financial participation, the operating cost component of per diem rates of payment by governmental agencies for inpatient services provided by a general hospital or a distinct unit of a general hospital for services, as described below, that would otherwise be subject to the provisions of paragraph (e) of subdivision 4 of section 2807-c of the public health law, shall, with regard to days

of service occurring on and after December 1, 2009 through March 31, 2010, be in accord with the following:

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

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

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

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

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

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

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

(g) Provided, however, if this chapter appropriates sufficient additional funds to support payments for inpatient services provided by a general hospital or a distinct unit of a general hospital, as described in this paragraph, using the methodology in existence on February 28, 2009 as set forth in section 2807-c of the public health law, the provisions of this section shall not apply and shall be considered null and void as of February 28, 2009 .....
4,590,302,000 ..... (re. $4,590,302,000)

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

Notwithstanding any contrary provision of law, for the period April 1, 2009 through March 31, 2010, for rates of payment by government agencies for inpatient services provided by residential health care facilities, in determining the operating component of a facility's rate for care provided for an AIDS patient in a residential health care facility designated as an AIDS facility or having a discrete AIDS unit, the operating component of such rates shall not reflect an occupancy factor increase .....
3,924,050,000 ..... (re. $3,924,050,000)

For services and expenses of the medical assistance program including other long term care services .....
3,014,989,000 ..... (re. $3,014,989,000)

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

For services and expenses of the medical assistance program including hospital inpatient services .....
4,816,106,000 ..... (re. $2,316,106,000)

For services and expenses of the medical assistance program including hospital outpatient and emergency room services .....
671,764,000 ..... (re. $371,764,000)

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

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

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

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

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

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

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

York and its subsidiaries, or to contract without competition for services with the state university of New York research foundation, to provide support for the administration of the medical assistance program including activities such as dental prior approval, retrospective and prospective drug utilization review, development of evidence based utilization thresholds, data analysis, clinical consultation and peer review, clinical support for the pharmacy and therapeutic committee, and other activities related to utilization management for the medicaid program ..... 4,000,000 ..... (re. $4,000,000)

For services and expenses of the medical assistance program including medical services provided at state facilities operated by the office of mental health, the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services ... 2,700,000,000 ..... (re. $1,100,000,000)

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

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

For services and expenses of the medical assistance program related to residential health care facility rate increases for recruitment and retention of health care workers ... 12,000,000 .. (re. $12,000,000)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) 100 percent of such rates shall be based on each general hospital's group category average inpatient reimbursable operating cost per discharge (price) determined in accordance with subdivision 7 of section 2807-c of the public health law; and

(b) only those 2005 base year costs which relate to the cost of services provided to Medicaid inpatients, as determined by the applicable ratio of costs to charges methodology, shall be utilized for ratesetting process, provided, however, that the costs of providing services to inpatients enrolled in medicaid managed care plans or in the family health plus program shall be excluded from such ratesetting computations; and

(c) for the purposes of adjusting such rates to account for inflation from the 2005 base period, the adjustment factor methodology set forth in paragraph (c) of subdivision 10 of section 2807-c of the public health law, as reduced by 25 percent, with regard to trend projections attributable to the period January 1, 2008 through December 31, 2008 shall be utilized, provided, however, that for inflation attributable to the period January 1, 2006 through December 31, 2007, the adjustment methodology utilized shall be the hospital inpatient medicare market basket methodology as described in applicable federal regulations and effective for periods from October 1, 2005 through September 30, 2007; and

(d) such rates shall be deemed as excluding reimbursement for physician services for inpatient services and claims for medicaid fee payments for such physician services for such inpatient care may be submitted separately from such rates in accordance with otherwise applicable law; provided, however, if this chapter appropriates sufficient additional funds to support payments for general hospital inpatient services using the methodology in existence on June 30, 2008 as set forth in section 2807-c of the public health law the

provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2008.

Notwithstanding any contrary provision of law, and contingent upon the availability of federal financial participation, for the period April 1, 2008 through March 31, 2009, the operating cost component of rates of payment by governmental agencies to general hospitals which are certified by the office of alcoholism and substance abuse services to provide inpatient detoxification and withdrawal services and, with regard to inpatient services provided to patients discharges during such period who are determined to be in diagnosis-related groups numbered 743, 744, 745, 746, 747, 748, 749, 750, or 751, as determined in accordance with applicable regulations, shall be made on a per diem basis in accordance with the following:

(a) for each of the regions within the state as described in subdivision (e) of this section the commissioner of health shall determine the average per diem cost incurred by general hospitals in that region subject to the provisions of this section with regard to inpatients requiring medically managed detoxification services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services. In determining such costs the commissioner of health shall utilize 2006 costs and statistics as reported by such hospitals to the department prior to 2008; and

(b) per diem payments for inpatients requiring medically managed inpatient detoxification services shall reflect 100 percent of the per diem amounts computed pursuant to subdivision (a) of this section for the applicable region in which the facility is located and as trended forward to adjust for inflation, provided however, that such payments shall be reduced by 50 percent for any such services provided on or after the sixth day of services through the tenth day of services, and further provided that no payments shall be made for any services provided on or after the eleventh day; and

(c) per diem payments for inpatients requiring medically supervised inpatient withdrawal services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall reflect 100 percent of the per diem amounts computed pursuant to subdivision (a) of this section for the applicable region in which the facility is located and as trended forward to adjust for inflation, provided, however, that such payments shall be reduced by 50 percent for any services provided on or after the sixth day of services through the tenth day of services, and further provided that no payments shall be made for any services provided on and after the eleventh day; and

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

tation of the initial five days of care as set forth in subdivisions (b) and (c) of this section; and

(e) for the purposes of this section, the regions of the state shall be as follows:

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

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

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

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

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

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

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

(H) Western, consisting of the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming; provided, however, if this chapter appropriates sufficient additional funds to support payments for general hospitals which are certified by the office of alcoholism and substance abuse services to provide inpatient detoxification services and withdrawal services using the methodology in existence on March 31, 2008 as set forth in section 2807-c of the public health law the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2008.

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

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

Notwithstanding any inconsistent provision of law, rule or regulation, in determining rates of payment made by state governmental agencies effective for services provided on and after April 1, 2008 through March 31, 2009, for inpatient and outpatient services provided by

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

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

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

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

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

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

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

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

of the public health law as in effect on March 31, 2008, such methodology shall continue in effect for the period April 1, 2008 through March 31, 2009 and the provisions of this section shall not apply and shall be considered null and void as of March 31, 2008.

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

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

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

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

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

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

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

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health and the office of medicaid inspector general and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental health, office of mental retardation and developmental disabilities, the office of alcoholism and substance abuse services, the department of family assistance office of temporary and disability assistance, office of children and family services, and state office for the aging with the approval of the

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

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

Notwithstanding any inconsistent provision of law, rule or regulation, and contingent on the availability of federal financial participation, for the period commencing April 1, 2007 through March 31, 2008, in order to reimburse public and non-public general hospitals for graduate medical education costs, the commissioner of health shall adjust such hospitals' inpatient medical assistance rates of payment established pursuant to section 2807-c of the public health law, including discrete rates of payment calculated pursuant to paragraph (a-3) of subdivision 1 of section 2807-c of the public health law, in accordance with the methodology set forth in subparagraph (ii) of paragraph (d) of subdivision 25 of section 2807-c of the public health law used to calculate rate adjustments for nonpublic general hospitals for periods prior to April 1, 2007; provided, however, the 75 percent limit set forth in clause (C) of subparagraph (ii) of paragraph (d) of subdivision 25 of section 2807-c of the public health law shall not apply to rate decreases calculated pursuant to this paragraph and no public general hospital shall receive a rate increase calculated pursuant to this paragraph. Provided however, if this chapter appropriates sufficient additional funds to support reimbursement of graduate medical education for the period April 1, 2007 through March 31, 2008, using the methodology set forth in paragraph (d) of subdivision 25 of section 2807-c of the public health law as in effect on March 31, 2007, such methodology shall continue in effect for the period April 1, 2007 through March 31, 2008 and the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2007.

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

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

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

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

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

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

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

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

reported by the prescription drug pricing service used by the department, less 14 percent thereof, and updated monthly by the department; (ii) for multiple source generic drugs, estimated acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 30 percent thereof, or the maximum acquisition cost, if any, established pursuant to paragraph (e) of such subdivision; or, for a specialized HIV pharmacy, acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 22 percent thereof, or the maximum acquisition cost, if any, established pursuant to such paragraph (e).

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

Notwithstanding paragraph (c) of subdivision 3 of section 2807-c of the public health law and any inconsistent provision of law, rule or regulation to the contrary, for the period January 1, 2008 through March 31, 2008, adjustments to medical assistance rates of payment for rate periods on and after January 1, 2008, made pursuant to paragraph (c) of subdivision 3 of section 2807-c of the public health law shall, upon a determination by the commissioner of health and the director of the budget that such adjustments shall result in an aggregate increase in total medicaid payments to general hospitals for inpatient services, make such proportional adjustments to such rates of payments as are necessary to reduce such total aggregate payments to an aggregate total that reflects no such increase, provided, however, if this chapter appropriates sufficient additional funds to fully fund such increase, the provisions of this paragraph shall not apply and shall be considered null and void as of January 1, 2008.

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

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

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

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

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

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

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

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

For the grant period October 1, 2007 to September 30, 2008 ..... 516,529,000 ..... (re. $126,000,000)
For services and expenses of the medical assistance program including nursing home services.
For the grant period October 1, 2006 to September 30, 2007 ..... 1,447,430,000 ..... (re. $325,700,000)
For the grant period October 1, 2007 to September 30, 2008 ..... 2,171,145,000 ..... (re. $826,000,000)
For services and expenses of the medical assistance program including other long term care services.
For the grant period October 1, 2006 to September 30, 2007 ..... 1,041,109,000 ..... (re. $600,400,000)
For the grant period October 1, 2007 to September 30, 2008 ..... 1,561,664,000 ..... (re. $447,100,000)
For services and expenses of the medical assistance program including managed care services.
For the grant period October 1, 2006 to September 30, 2007 ..... 1,354,444,000 ..... (re. $312,200,000)
For the grant period October 1, 2007 to September 30, 2008 ..... 2,031,666,000 ..... (re. $235,500,000)
For services and expenses of the medical assistance program including pharmacy services.
For the grant period October 1, 2006 to September 30, 2007 ..... 754,766,000 ..... (re. $41,000,000)
For the grant period October 1, 2007 to September 30, 2008 ..... 1,125,248,000 ..... (re. $28,000,000)
For services and expenses of the medical assistance program including transportation services.
For the grant period October 1, 2006 to September 30, 2007 ..... 78,361,000 ..... (re. $78,361,000)
For the grant period October 1, 2007 to September 30, 2008 ..... 117,541,000 ..... (re. $64,000,000)
For services and expenses of the medical assistance program including dental services.
For the grant period October 1, 2006 to September 30, 2007 ..... 60,361,000 ..... (re. $38,400,000)
For the grant period October 1, 2007 to September 30, 2008 ..... 90,542,000 ..... (re. $17,000,000)
For services and expenses of the medical assistance program including noninstitutional and other spending.
For the grant period October 1, 2006 to September 30, 2007 ..... 1,749,193,000 ..... (re. $477,700,000)
For the grant period October 1, 2007 to September 30, 2008 ..... 2,623,790,000 ..... (re. $1,723,800,000)

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

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

By chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2007:
For services and expenses for the medical assistance program, including administrative expenses for local social services districts, pursuant to title XIX of the federal social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational, shall be available to the department net of disallowances, refunds, reimbursements, and credits.
Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of family assistance office of temporary and disability assistance, office of children and family services, and state office for the aging with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.
Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.
Notwithstanding any inconsistent provision of law, up to $500,000,000 of the moneys hereby appropriated may be used for services and expenses including grants related to the federal-state health reform partnership program and/or its successor program and may be transferred to the miscellaneous special revenue fund federal-state

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, up to $20,000,000 may be used for the purpose of rebasing residential health care facilities effective January 1, 2007 through March 31, 2007 in accordance with this paragraph, and as provided pursuant to a chapter of the laws of 2006. Notwithstanding any inconsistent provision of this section, or any other contrary provision of law and subject to the availability of federal financial participation, the operating cost component of rates of payment by governmental agencies for inpatient services provided for the period of January 1, 2007 through March 31, 2007, by residential health care facilities shall be in accordance with a chapter of the laws of 2006 which shall provide that for this period: (a) the operating cost component of rates of payment shall reflect the operating cost component of rates effective for October 1, 2006, as adjusted for inflation in accordance with the chapter amendment pursuant to the laws of 2006; (b) the rate shall be further adjusted by a per diem add-on amount, as determined by the commissioner, reflecting the proportional amount of each facility's projected Medicaid benefit to the total projected Medicaid benefit for all facilities of the imputed use of the rate-setting methodology set forth in this subdivision, provided, however, that for those facilities that do not receive a per diem adjustment shall have their rates further adjusted to include the proportionate benefit, as determined by the commissioner of health, of the expiration of the opening paragraph and paragraph (a) of subdivision 16 and paragraph (a) of subdivision 14 of section 2808 of the public health law, provided, however, that the aggregate total of such adjustments shall not exceed $137,500,000 for this rate period; (c) rates for the period of January 1 through March 31, 2007 shall fully reflect the cost of local property taxes and payments made in lieu of local property taxes, as reported in each facility's cost report submitted for the year two years prior to the rate year; (d) rates for the period of January 1 through March 31, 2007, as computed pursuant to this paragraph,

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

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

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

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

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

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

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

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

1614(a)(3) of the federal social security act; "income" has the same meaning given to such term in section 1612 of the federal social security act; "resources" has the same meaning given to such term in section 1613 of the federal social security act, without regard to the exclusion provided for in subsection (a)(1) of such section; "look-back period" means the sixty-month period immediately preceding the date that an institutionalized individual is both institutionalized and has applied for medical assistance; "institutionalized individual" means any individual who is an inpatient in a nursing facility, including an intermediate care facility for the mentally retarded, or who is an in-patient in a medical facility and is receiving a level of care provided in a nursing facility, or who is receiving care, services or supplies pursuant to a waiver granted pursuant to subsection (c) of section 1915 of the federal social security act; "intermediate care facility for the mentally retarded" means a facility certified under article sixteen of the mental hygiene law and which has a valid agreement with the department for providing intermediate care facility services and receiving payment therefor under title XIX of the federal social security act; "nursing facility" means a nursing home as defined by section twenty-eight hundred one of the public health law and an intermediate care facility for the mentally retarded; "nursing facility services" means nursing care and health related services provided in a nursing facility; a level of care provided in a hospital which is equivalent to the care which is provided in a nursing facility; and care, services or supplies provided pursuant to a waiver granted pursuant to subsection (c) of section 1915 of the federal social security act.

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

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

for less than fair market value unless the purchaser resided in such home for a period of at least one year after the date of purchase. The purchase of a promissory note, loan, or mortgage shall be treated as the disposal of an asset for less than fair market value unless such note, loan, or mortgage meets the requirements of section 1917(c)(1) (I) of the federal social security act.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary for the period April 1, 2006 through March 31, 2007, an individual shall not be ineligible for services solely by reason of any such transfer to the extent that the asset transferred was a home and title to the home was transferred to: (A) the spouse of the individual; or (B) a child of the individual who is under the age of twenty-one years or blind or disabled; or (C) a sibling of the individual who has an equity interest in such home and who resided in such home for a period of at least one year immediately before the date the individual became an institutionalized individual; or (D) a child of the individual who was residing in such home for a period of at least two years immediately before the date the individual became an institutionalized individual, and who provided care to the individual which permitted the individual to reside at home rather than in an institution or facility; or the assets (A) were transferred to the individual's spouse, or to another for the sole benefit of the individual's spouse; or (B) were transferred from the individual's spouse to another for the sole benefit of the individual's spouse; or (C) were transferred to the individual's child who is blind or disabled, or to a trust established solely for the benefit of such child; or (D) were transferred to a trust established solely for the benefit of an individual under sixty-five years of age who is disabled; or a satisfactory showing is made that: (A) the individual or the individual's spouse intended to dispose of the assets either at fair market value, or for other valuable consideration; or (B) the assets were transferred exclusively for a purpose other than to qualify for medical assistance; or (C) all assets transferred for less than fair market value have been returned to the individual; or denial of eligibility would cause an undue hardship, such that application of the transfer of assets provision would deprive the individual of medical care such that the individual's health or life would be endangered, or would deprive the individual of food, clothing, shelter, or other necessities of life.

The commissioner of health shall develop a hardship waiver process which shall include a timely process for determining whether an undue hardship waiver will be granted and a timely process under which an adverse determination can be appealed. The commissioner of health shall provide notice of the hardship waiver process in writing to those individuals who are required to comply with the transfer of assets provision under this section. If such an individual is an institutionalized individual, the facility in which he or she is residing shall be permitted to file an undue hardship waiver application on behalf of such individual with the consent of the individual or the personal representative of the individual.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary for the period April 1, 2006 through March 31, 2007,

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

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

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

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

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

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

OFFICE OF HEALTH INSURANCE PROGRAMS

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to creation of a state enrollment portal.
Contractual services ... 32,000,000 ..... (re. $32,000,000)

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2009:
For grants to a New York state based not-for-profit organization with expertise in the New York state medicaid program for studies, reviews and analysis, to be performed in conjunction with the department of health, on medicaid policy, operational and other issues as defined by the department. All or a portion of this appropriation may be transferred to state operations appropriations ..... 1,391,200 ..... (re. $1,391,200)
For services and expenses related to the Vera Institute of Justice Guardianship project. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009 ... 500,000 ..... (re. $500,000)

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

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

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

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

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

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

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

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

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

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

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

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

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

By chapter 54, section 1, of the laws of 2005, as transferred by chapter 54, section 1, of the laws of 2009:
For services and expenses for the medical assistance program and administration of the medical assistance program and survey and certification program, provided pursuant to title XIX of the federal social security act.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of other state agencies and appropriations of the department of health. Notwithstanding any inconsistent provision of law and subject to approval of the director of the budget, moneys hereby appropriated may be transferred or suballocated to other state agencies for reimbursement to local government entities for services and expenses related to administration of the medical assistance program.
For the grant period October 1, 2005 to September 30, 2006 .....
1,836,697,000 ..... (re. $6,000,000)

SPECIAL REVENUE FUNDS - FEDERAL / AID TO LOCALITIES
FEDERAL HEALTH AND HUMAN SERVICES FUND - 265

The appropriation made by chapter 54, section 1, of the laws of 2009, to the special revenue funds - federal / state operations, federal health and human services fund - 265, as transferred and amended by this act, is reappropriated to read:
For services and expenses for the medical assistance program and administration of the medical assistance program and survey and certification program, provided pursuant to title XIX of the federal social security act.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of other state agencies and appropriations of the department of health.
Notwithstanding any inconsistent provision of law and subject to approval of the director of the budget, moneys hereby appropriated may be transferred or suballocated to other state agencies for reimbursement to local government entities for services and expenses related to administration of the medical assistance program .....
75,000,000 ..... (re. $61,000,000)

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

By chapter 54, section 1, of the laws of 2009:
Notwithstanding any inconsistent provision of law, the money appropriated herein shall be available for services and expenses including

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

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

By chapter 54, section 1, of the laws of 2007, as transferred by chapter 54, section 1, of the laws of 2009:
Notwithstanding any inconsistent provision of the law, the money appropriated herein shall be available for services and expenses including grants related to the federal-state health reform partnership program and/or its successor program, provided, however, that the section 1115 waiver demonstration which is entitled the federal-state health reform partnership, is in effect in accordance with the terms and conditions approved by the secretary of the federal department of health and human services, and further provided that funds appropriated for the federal-state health reform partnership program are disbursed only in accordance with those terms and conditions. Subject to the approval of the director of the budget, moneys appropriated herein may be transferred or suballocated to the state office for the aging and other state agencies .....
300,000,000 ..... (re. $213,000,000)

By chapter 54, section 1, of the laws of 2006, as transferred by chapter 54, section 1, of the laws of 2009:
Notwithstanding any inconsistent provision of law, the money appropriated herein shall be available for services and expenses including grants related to the federal-state health reform partnership program and/or its successor program, provided, however, that the

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

OFFICE OF HEALTH SYSTEMS MANAGEMENT

General Fund / State Operations
State Purposes Account - 003

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

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

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

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

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

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

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

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

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

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

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

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

OFFICE OF LONG TERM CARE

General Fund / State Operations
State Purposes Account - 003

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

General Fund / Aid to Localities

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2009:
For services and expenses of the quality incentive payment program ... 2,605,000 ..... (re. $2,605,000)
The monies hereby appropriated shall be available for the cost of housing subsidies to certain participants in the nursing home transition and diversion waiver program as authorized by chapters 615 and 627 of the laws of 2004. A portion of such funds may be used for administration of the housing subsidies, either by state staff or a not-for-profit agency. A portion of this appropriation may be transferred to state operations appropriations. Up to 100 percent of this appropriation may be suballocated to the division of housing and community renewal ... 2,303,000 ..... (re. $2,303,000)
For additional services and expenses of the quality incentive payment program ... 2,068,000 ..... (re. $2,068,000)
For additional services and expenses for the enhancing abilities and life experience (EnAbLE) program for the purpose of providing air conditioning in resident rooms. In distributing such funds, the department shall give priority to those applicants whose residents demonstrate the highest level of need, including but not limited to, those with psychiatric disabilities and the elderly, and consideration to applicants in the greatest financial need of such assistance ... 1,353,600 ..... (re. $1,353,600)

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
The monies hereby appropriated shall be available for the cost of housing subsidies to certain participants in the nursing home transition and diversion waiver program as authorized by chapters 615 and 627 of the laws of 2004. A portion of such funds may be used for administration of the housing subsidies, either by state staff or a not-for-profit agency. A portion of this appropriation may be transferred to state operations appropriations. Up to 100 percent of this appropriation may be suballocated to the division of housing and community renewal, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ..... 2,450,000 ..... (re. $2,303,000)

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to adult home initiatives including but not limited to, social and recreational services; programs to support wellness including smoking cessation; falls prevention; maintaining or improving physical mobility, cognitive functioning or overall health; and advocacy and legal support.

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

For additional services and expenses for the enhancing abilities and life experience (EnAbLE) program to improve the quality of life of residents. Use of program funds may include, but shall not be limited to, providing air conditioning in resident rooms, providing generators to facilities, improving the quality of food services and other quality of life activities. In distributing such funds, the department shall give priority to those applicants whose residents demonstrate the highest level of need, including but not limited to, those with psychiatric disabilities and the elderly, and consideration to applicants in the greatest financial need of such assistance ... 1,833,900 ..... (re. $1,833,900)

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

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

Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the office of mental health, the office for the aging, and the commission on quality of care and advocacy for persons with disabilities. Moneys herein appropriated may be used for the purpose of awarding grants to operators of adult homes, enriched housing programs and residences through the enhancing abilities and life experience (EnAbLE) program to improve the quality of life and independence for residents. Use of program funds may include, but shall not be limited to, independent living skills training, vocational or educational programs; peer specialists; employment specialist; or services and supports to allow residents

to maintain independence in their activities of daily living. Such grants shall be made pursuant to criteria established by the department of health. A preference in funding shall be granted to applicants for use of program funds which would serve residents receiving supplemental security income and/or safety net. No grants shall be made unless the department of health receives satisfactory documentation that the resident council of any facility for which funds are requested has endorsed the proposed use of funds as set forth in the grant application, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 .....
2,636,000 ..... (re. $2,478,000)

For additional services and expenses for the enhancing abilities and life experience (EnAbLE) program to improve the quality of life of residents. Use of program funds may include, but shall not be limited to, providing air conditioning in resident rooms, providing generators to facilities, improving the quality of food services and other quality of life activities. In distributing such funds, the department shall give priority to those applicants whose residents demonstrate the highest level of need, including but not limited to, those with psychiatric disabilities and the elderly, and consideration to applicants in the greatest financial need of such assistance, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ... 1,951,000 ..... (re. $1,834,000)

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

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

Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the office of mental health, the office for the aging, and the commission on quality of care and advocacy for persons with disabilities. Moneys herein appropriated may be used for the purpose of awarding grants to operators of adult homes, enriched housing programs and residences through the enhancing abilities and life experience (EnAbLE) program to improve the quality of life and independence for residents. Use of program funds may include, but shall not be limited to, independent living skills training, vocational or educational programs; peer specialists; employment specialist; or services and supports to allow residents to maintain independence in their activities of daily living. Such grants shall be made pursuant to criteria established by the department of health. A preference in funding shall be granted to applicants for use of program funds which would serve residents receiving supplemental security income and/or safety net. No grants shall be

made unless the department of health receives satisfactory documentation that the resident council of any facility for which funds are requested has endorsed the proposed use of funds as set forth in the grant application ... 2,750,000 ..... (re. $2,690,000)
For additional services and expenses for the enhancing abilities and life experience (EnAbLE) program for the purpose of providing air conditioning in resident rooms. In distributing such funds, the department shall give priority to those applicants whose residents demonstrate the highest level of need, including but not limited to, those with psychiatric disabilities and the elderly, and consideration to applicants in the greatest finacial need of such assistance ... 2,000,000 ..... (re. $1,739,000)

By chapter 54, section 1, of the laws of 2006, as transferred by chapter 54, section 1, of the laws of 2009:
For additional services and expenses for the enhancing abilities and life experience (EnAbLE) program for the purpose of providing air conditioning in resident rooms. In distributing such funds, the department shall give priority to those applicants whose residents demonstrate the highest level of need, including but not limited to, those with psychiatric disabilities and the elderly, and consideration to applicants in the greatest financial need of such assistance ... 2,000,000 ..... (re. $451,000)

WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM

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

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

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

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

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

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

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

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses of the various health prevention, diagnostic, detection and treatment services .....
3,682,000 ..... (re. $3,682,000)

By chapter 54, section 1, of the laws of 2008:
For services and expenses of the various health prevention, diagnostic, detection and treatment services .....
3,682,000 ..... (re. $2,977,000)

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

By chapter 54, section 1, of the laws of 2007:
For health prevention, diagnostic, detection and treatment services.
For the grant period October 1, 2007 to September 30, 2008 .....
5,291,000 ..... (re. $1,043,000)

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

By chapter 54, section 1, of the laws of 2007:
For services and expenses of the various health prevention, diagnostic, detection and treatment services.
For the grant period October 1, 2007 to September 30, 2008 .....
1,712,000 ..... (re. $888,000)

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

By chapter 54, section 1, of the laws of 2009:
For breast cancer research and education pursuant to section 97-yy of the state finance law as amended by chapter 550 of the laws of 2000.
Contractual services ... 2,600,000 ..... (re. $2,600,000)

By chapter 54, section 1, of the laws of 2005:
For breast cancer research and education pursuant to section 97-yy of the state finance law as amended by chapter 550 of the laws of 2000
... 2,600,000 ..... (re. $2,043,000)

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

By chapter 54, section 1, of the laws of 2009:
For research into the causes and treatment of pediatric multiple sclerosis pursuant to section 95-d of the state finance law.
Contractual services ... 20,000 ..... (re. $20,000)

Special Revenue Fund - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Empire State Stem Cell Research Account

By chapter 54, section 1, of the laws of 2009:
For services and expenses, including grants, related to stem cell research pursuant to chapter 58 of the laws of 2007:
Contractual services ... 50,000,000 ..... (re. $49,795,000)

By chapter 54, section 1, of the laws of 2008:
For services and expenses, including grants, related to stem cell research pursuant to chapter 58 of the laws of 2007:
Contractual services ... 50,000,000 ..... (re. $48,861,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008:
For services and expenses, including grants, related to stem cell research pursuant to chapter 58 of the laws of 2007:
Contractual services ... 100,000,000 ..... (re. $88,127,00)

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Spinal Cord Injury Research Fund Account

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998, in accordance with the following.
Personal service--regular ... 224,000 ..... (re. $224,000)
Supplies and materials ... 50,000 ..... (re. $50,000)
Travel ... 45,000 ..... (re. $45,000)
Contractual services ... 7,978,000 ..... (re. $7,978,000)
Equipment ... 15,000 ..... (re. $15,000)
Fringe benefits ... 88,000 ..... (re. $88,000)
Indirect costs ... 129,000 ..... (re. $129,000)

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998, in accordance with the following.
Contractual services ... 7,860,800 ..... (re. $5,802,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998, in accordance with the following.

Contractual services ... 8,004,794 ..... (re. $5,418,000)

By chapter 54, section 1, of the laws of 2006:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $2,938,000)

By chapter 54, section 1, of the laws of 2005:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $2,870,000)

By chapter 54, section 1, of the laws of 2004:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $1,718,000)

By chapter 54, section 1, of the laws of 2003:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $2,369,000)

By chapter 54, section 1, of the laws of 2002:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 8,500,000 ..... (re. $465,000)

Total reappropriations for state operations and aid to localities 57,529,051,123
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General Fund
Community Projects Fund - 007
Account GG

By chapter 54, section 1, of the laws of 2000, as added by chapter 53, section 6, of the laws of 2000:
For services and expenses of cancer permanency planning - legal and family counseling services ... 500,000 ..... (re. $30,000)

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

Capital Projects Fund 232,600,000
Federal Capital Projects Fund 157,183,000
All Funds 389,783,000

HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORKERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP) 217,000,000

Capital Projects Fund

Health Care System Improvement Purpose

For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery system including operational support intended to maintain facility viability the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE10HE) 192,000,000

For transfer to the Roswell park cancer institute corporation to support capital projects in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program (12RP10HE) 25,000,000

LABORATORIES AND RESEARCH (CCP) 8,000,000

Capital Projects Fund

Preservation of Facilities Purpose

To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12591003) 8,000,000

MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP) 7,600,000

Capital Projects Fund

Preservation of Facilities Purpose

For minor alterations, improvements and preventive maintenance of St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home, and Montrose Nursing Home including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12601003) 7,600,000

WATER RESOURCES (CCP) 157,183,000

Federal Capital Projects Fund

Water Resources Purpose

For federal grants for the safe drinking water revolving fund (12021057) 157,183,000

DEPARTMENT OF HEALTH

CAPITAL PROJECTS 2010-11

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

Capital Projects Fund - Advances	108,000,000
All Funds	108,000,000

Capital Projects Fund

HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORKERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP)	108,000,000

Health Care System Improvement Purpose

An advance for payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. The moneys hereby ppropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12BD10HE) 108,000,000

All or a portion of the disbursements made pursuant to the reappropriations made hereinafter from the capital projects fund may be eligible for reimbursement from proceeds of bonds issued by the dormitory authority. The dormitory authority and the department of health shall report quarterly to the director of the budget the amounts expended from appropriations which are eligible for reimbursement from the proceeds of the bonds. The director of the budget shall review these reports and then certify to the comptroller amounts expended from these appropriations which are reimbursable from bond proceeds. Until such time as the dormitory authority determines that amounts expended from these appropriations are not reimbursable from bond proceeds, all such expenditures shall be considered to be reimbursable from bond proceeds.

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

Capital Projects Fund

Health Care System Improvement Purpose

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

For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery system including operational support intended to maintain facility viability the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE09HE) ..... 192,000,000 ..... (re. $192,000,000)

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

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

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

For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures,

conversions and consolidations within the health care delivery system including operational support intended to maintain facility viability the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE08HE) ..... 133,000,000 ..... (re. $131,900,000)

For services and expenses related to local health care planning including but not limited to: examining racial and ethnic disparities in the provision of health care; developing a process to measure and integrate consumer needs for health care services as the basis for health care provider planning; assessing future long term care needs taking into account consumer preferences for care; and reviewing the impact of the migration of services from hospitals to ambulatory care providers on the cost, quality and availability of services. Notwithstanding section one hundred twelve or section one hundred sixty-three of the state finance law, the commissioner of health, at his or her discretion, may award, without a competitive process, grants up to $2 million to qualified health planning agencies for such purposes. For the purposes of HEAL NY, such activities are deemed to constitute a capital expenditure (12HE08HE) ..... 7,000,000 ..... (re. $6,200,000)

An advance for payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12BD08HE) ..... 85,000,000 ..... (re. $84,200,000)

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

For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery system including the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure.

The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE07HE) .... 140,000,000 ..... (re. $126,500,000)

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

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

By chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2009:
For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery system including the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure.
The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE06HE) ....
140,000,000 ..... (re. $27,000,000)

By chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2008:
An advance for payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue .....
(12BD06HE) ... 85,000,000 ..... (re. $43,593,000)

By chapter 54, section 1, of the laws of 2005, as amended by chapter 54, section 1, of the laws of 2009:
For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery system including the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE05HE) .....
65,000,000 ..... (re. $14,900,000)

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

An advance for payments in accordance with section 2817 of the public health law establishing the community health care centers capital program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12BD05CH) .....
10,000,000 ..... (re. $10,000,000)
An advance for payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12BD05HE) .....
175,000,000 ..... (re. $98,100,000)

LABORATORIES AND RESEARCH (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12590903) ... 8,000,000 ..... (re. $7,400,000)

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

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

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

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

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

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

Umbilical Cord Blood Bank Purpose

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

MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For minor alterations, improvements and preventive maintenance of St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home, and Montrose Nursing Home including prepara-

tion of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects [(12590903)] (12600903) .....
7,600,000 ..... (re. $6,700,000)

By chapter 54, section 1, of the laws of 2008:
For minor alterations, improvements and preventive maintenance of St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home, and Montrose Nursing Home including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12600803) ... 7,600,000 ..... (re. $5,510,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008:
For minor alterations, improvements and preventive maintenance of the St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home, and Montrose Nursing Home including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12600703) ... 7,600,000 ..... (re. $2,600,000)

By chapter 54, section 1, of the laws of 2006:
For minor alterations, improvements and preventive maintenance of the St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home and Montrose Nursing Home including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12600603) ... 7,600,000 ..... (re. $856,000)

By chapter 54, section 1, of the laws of 2005, as amended by chapter 54, section 1, of the laws of 2006:
For minor alterations, improvements and preventive maintenance of the St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home, and Montrose Nursing Home including preparation of plans and for payment to the design and construction manage-

ment account of the centralized services fund of the New York state office of general services. (12600503) ..... 7,600,000 ..... (re. $143,000)

By chapter 54, section 1, of the laws of 2004:
For minor alterations, improvements and preventive maintenance of the St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and Batavia Nursing Home including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services (12600403) ... 7,600,000 ..... (re. $2,363,000)

By chapter 54, section 1, of the laws of 2003:
For minor alterations, improvements and preventive maintenance of St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and Batavia Nursing Home including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services (12600303) ... 7,600,000 ..... (re. $2,556,000)

WATER RESOURCES (CCP)

Federal Capital Projects Fund

Water Resources Purpose

By chapter 54, section 1, of the laws of 2009:
For federal grants for the safe drinking water revolving fund (12020957) ... 35,525,000 ..... (re. $35,525,000)
For federal grants for the safe drinking water revolving fund funded by the American recovery and reinvestment act of 2009. Funds appropriated herein shall be subject to all applicable reporting and accountability requirements contained in such act ..... 87,000,000 ..... (re. $87,000,000)

By chapter 54, section 1, of the laws of 2008:
For federal grants for the safe drinking water revolving fund (12020857) ... 9,980,000 ..... (re. $9,980,000)

By chapter 54, section 1, of the laws of 2007:
For federal grants for the safe drinking water revolving fund (12020757) ... 36,812,000 ..... (re. $28,900,000)

By chapter 54, section 1, of the laws of 2006:
For federal grants for the safe drinking water revolving fund (12020657) ... 32,937,000 ..... (re. $1,200,000)

By chapter 54, section 1, of the laws of 2004:
For federal grants for the safe drinking water revolving fund (12020457) ... 65,000,000 ..... (re. $626,000)

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	33,274,000	0
Special Revenue Funds - Federal	50,804,000	48,127,000
Special Revenue Funds - Other	4,083,000	0
All Funds	88,161,000	48,127,000

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF-St/Local	33,274,000	0	0	33,274,000
SR-Federal	50,804,000	0	0	50,804,000
SR-Other	4,083,000	0	0	4,083,000
All Funds	88,161,000	0	0	88,161,000

SCHEDULE

MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM 88,161,000

General Fund / State Operations
State Purposes Account - 003

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of medicaid inspector general, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, office of mental health, office of mental retardation and developmental disabilities and office of alcoholism and substance abuse services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular	23,341,000
Temporary service	23,000
Holiday/overtime compensation	120,000
Amount available for personal service	23,484,000

NONPERSONAL SERVICE

Supplies and materials	870,000
Travel	309,000
Contractual services	8,949,000
Equipment	2,862,000
Amount available for nonpersonal service	12,990,000

MAINTENANCE UNDISTRIBUTED

For transfer to the state university of New York and its subsidiaries, with any available federal matching funds, or to contract without competition for services with the state university of New York research foundation, to provide support for the medical assistance program; including but not limited to, providing clinical and medical expertise, maximizing the recovery of unclaimed federal medicaid reimbursement funds, performing audits of facility ordered services and physicians, reviewing requests for medical prior approvals, resolving medical and/or surgical claims pended, and conducting clinical eligibility reviews for disabled individuals or for services and expenses, together with any available federal matching funds, for contracts or other expenditures supporting medicaid audit and fraud activities.

Contractual services	500,000
Program account subtotal	36,974,000

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

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of medicaid inspector general, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, office of mental health, office of mental retardation and developmental disabilities and office of alcoholism and substance abuse services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

For services and expenses related to the medicaid fraud and abuse program 50,804,000

Program fund subtotal 50,804,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Quality Assurance and Audit Revenue Activities Account

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of medicaid inspector general, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, office of mental health, office of mental retardation and developmental disabilities and office of alcoholism and substance abuse services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

For additional administrative expenses of medicaid audit and fraud prevention.

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

PERSONAL SERVICE

Personal service--regular 252,000

NONPERSONAL SERVICE

Fringe benefits 123,000
Indirect costs 8,000

Amount available for nonpersonal service 131,000

Program account subtotal 383,000

MAINTENANCE UNDISTRIBUTED 0

General Fund / State Operations
State Purposes Account - 003

Less the amount appropriated as an offset from the special revenue funds - other, miscellaneous special revenue fund - 339, recoveries and revenue account. Notwithstanding any contrary provision of law, this offset shall reduce general fund appropriations within the medicaid audit and fraud prevention program of the office of medicaid inspector general funded from the state purposes account ..... (3,700,000)

Program account subtotal ..... (3,700,000)

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Recoveries and Revenue Account

Amount appropriated as an offset to the general fund - state purposes account of the office of medicaid inspector general. The director of the budget is hereby authorized to apportion funds to the medicaid audit and fraud prevention program of this agency from this appropriation by certificate of approval 3,700,000

Program account subtotal 3,700,000

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

1	Total new appropriations for state operations and aid to	
2	localities	88,161,000
3		==========

DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM

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

By chapter 54, section 1, of the laws of 2009:
Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of medicaid inspector general, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, office of mental health, office of mental retardation and developmental disabilities and office of alcoholism and substance abuse services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.
For services and expenses related to the medicaid fraud and abuse program ... 52,284,000 ..... (re. $48,127,000)

Total reappropriations for state operations and aid to localities 48,127,000
==========

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
Special Revenue Funds - Other	600,000,000	0
All Funds	600,000,000	0

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

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

SCHEDULE

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

Amount appropriated for the various offices of the department of mental hygiene and for employee fringe benefits of any other state agency. The director of the budget is hereby authorized to transfer this appropriation to state operations and/or local assistance in the office of mental health, office of mental retardation and developmental disabilities, and office of alcoholism and substance abuse services of the department, or to the general fund from this appropriation by certificate of approval 300,000,000

Program account subtotal 300,000,000

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

Amount appropriated for the various offices of the department of mental hygiene and for employee fringe benefits of any other state agency. The director of the budget is hereby authorized to transfer this appropriation to state operations and/or

local assistance in the office of mental health, office of mental retardation and developmental disabilities, and office of alcoholism and substance abuse services of the department, or to the general fund from this appropriation by certificate of approval 300,000,000

Program account subtotal 300,000,000

Total new appropriations for state operations and aid to localities 600,000,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	153,000,000	146,740
Special Revenue Funds - Federal	146,560,000	196,771,000
Special Revenue Funds - Other	311,984,000	2,000,000
Capital Projects Funds	108,934,000	391,122,000
All Funds	720,478,000	590,039,740

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

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

SCHEDULE

COMMUNITY TREATMENT SERVICES PROGRAM 394,560,000

General Fund / Aid to Localities
Local Assistance Account - 001

For payment, net of disallowances, of state financial assistance in accordance with the mental hygiene law related to treatment services.

Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has demonstrated that it has applied for and received, or received formal notification of refusal of, all forms of third-party reimbursement, including federal aid and patient fees. The moneys hereby appropriated are available to reimburse or advance to localities and voluntary nonprofit agencies for expenditures heretofore accrued or hereafter to accrue during local fiscal periods commencing January 1,

2010 or July 1, 2010 and for advances for the period beginning January 1, 2011.

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

Notwithstanding any other provision of law, subject to the approval of the director of the budget, a portion of the money appropriated herein may be made available for obligations and payments heretofore or hereafter accrued by the department of health for community alcoholism, chemical dependence, and substance abuse treatment services, including the state share of medical assistance payments.

Notwithstanding any inconsistent provision of law, a portion of the money appropriated herein may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997, as amended.

Notwithstanding any inconsistent provisions of law, moneys from this appropriation may be used for expenses of localities, nonprofit and for-profit agencies that may arise from the assumption of operational responsibilities for programs when operating certificates for such programs cease to be in effect and/or programs are placed into receivership pursuant to section 19.41 of the mental hygiene law.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending

March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Nothwithstanding any inconsistent provision of law, moneys from this appropriation shall not be available for unified services after June 30, 2010.

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

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

The state comptroller is hereby authorized to receive funds from the office of alcoholism and substance abuse services that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of the local assistance account of the general

fund for the purpose of reimbursing the 2010-11 appropriation.

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

For services and expenses related to problem gambling and chemical dependence outpatient services 119,000,000

For the state share of medical assistance payments for outpatient services and the state share of disproportionate share payments 34,000,000

Program account subtotal 153,000,000

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

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

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

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures 82,000,000

For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to trans-

fer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services 5,000,000

Program fund subtotal 87,000,000

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

For services and expenses related to homeless grants. Subject to a plan approved by the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless grants. The director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services and/or any other federal fund in which federal homeless grants are actually received 14,000,000

For services and expenses associated with federal grant awards yet to be allocated. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services 5,000,000

For services and expenses related to enforcing the underage drinking laws program grant. Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms of the federal award 360,000

Program fund subtotal 19,360,000

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

Mental Hygiene Program Fund Account

For payment, net of disallowances, of state financial assistance in accordance with the mental hygiene law related to treatment services.

Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has demonstrated that it has applied for and received, or received formal notification of refusal of, all forms of third-party reimbursement, including federal aid and patient fees. The moneys hereby appropriated are available to reimburse or advance to localities and voluntary nonprofit agencies for expenditures heretofore accrued or hereafter to accrue during local fiscal periods commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011.

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

Notwithstanding any inconsistent provisions of law, moneys from this appropriation may be used for expenses of localities, nonprofit and for-profit agencies that may arise from the assumption of operational responsibilities for programs when operating certificates for such programs cease to be in effect and/or programs are placed into receivership pursuant to section 19.41 of the mental hygiene law.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period

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

Nothwithstanding any inconsistent provision of law, moneys from this appropriation shall not be available for unified services after June 30, 2010.

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

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

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

The state comptroller is hereby authorized to receive funds from the office of alcoholism and substance abuse services that

were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of this fund for the purpose of reimbursing the 2010-11 appropriation.

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

For services and expenses related to inpatient rehabilitation services 200,000

For services and expenses related to residential services 89,000,000

For services and expenses related to crisis services 15,000,000

For expenses related to debt service payments for capital projects funded by the proceeds of bonds and notes issued by the dormitory authority of the state of New York 31,000,000

Program account subtotal 135,200,000

EXECUTIVE DIRECTION PROGRAM 58,552,000

Special Revenue Funds - Federal / State Operations

Federal Health and Human Services Fund - 265

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

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

Personal service 3,778,000

Nonpersonal service 977,000

Program fund subtotal 4,755,000

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

For services and expenses associated with the administration of the federal safe and drug free schools and communities act consistent with the terms and conditions of the federal award.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms of the federal award 147,000

Program fund subtotal 147,000

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

For services and expenses related to the statewide data collection program as mandated in the 1988 federal anti-drug abuse act.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services 343,000

Program account subtotal 343,000

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

For services and expenses related to the credentialing of prevention, alcohol and substance abuse, and problem gambling counselors.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of

the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services.

PERSONAL SERVICE

Personal service--regular	626,000
Holiday/overtime compensation	8,000
Amount available for personal service	634,000

NONPERSONAL SERVICE

Fringe benefits	303,000
Indirect costs	25,000
Amount available for nonpersonal service	328,000
Program account subtotal	962,000

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of mental retardation and developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance

law to the mental hygiene program fund account.

PERSONAL SERVICE

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

NONPERSONAL SERVICE

Supplies and materials	1,200,000
Travel	750,000
Contractual services	8,600,000
Equipment	300,000
Indirect costs	1,100,000
Fringe benefits	12,000,000
Amount available for nonpersonal service	23,950,000
Program account subtotal	49,975,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Methadone Registry Services Account

For services and expenses related to the operation of methadone services and a patient registry for the prevention of simultaneous enrollment in multiple methadone treatment programs.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services.

NONPERSONAL SERVICE

Contractual services	300,000
Program account subtotal	300,000

Special Revenue Funds - Other / State Operations

Miscellaneous Special Revenue Fund - 339
Special Projects Account

For services and expenses related to special projects.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services.
Notwithstanding any other provision of law, up to $2,000,000 of this appropriation shall be made available for services and expenses to support amounts for administration, research associates, equipment, travel, conference expenses, contractual services, grant writers to increase income from non-state sources, and other research initiatives. Funding will be provided through research foundation for mental hygiene, inc. resources, including, but not limited to, indirect costs recoveries, direct grant reimbursement, interest earnings and operating balances.

NONPERSONAL SERVICE

Supplies and materials	15,000
Travel	5,000
Contractual services	2,050,000
Program account subtotal	2,070,000
INSTITUTIONAL SERVICES	71,798,000

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

For services and expenses associated with administering the substance abuse prevention and treatment (SAPT) block grant.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be trans-

ferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.

Personal service	865,000
Nonpersonal service	335,000
Program fund subtotal	1,200,000

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

Personal service--regular	19,000,000
Temporary service	750,000
Holiday/overtime compensation	1,000,000
Amount available for personal service	20,750,000

NONPERSONAL SERVICE

Supplies and materials	5,800,000
Travel	300,000
Contractual services	9,600,000
Equipment	400,000

Indirect costs 900,000
Fringe benefits 10,000,000

Amount available for nonpersonal service 27,000,000

Program account subtotal 47,750,000

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

PERSONAL SERVICE

Personal service--regular 15,129,000

NONPERSONAL SERVICE

Indirect costs 614,000
Fringe benefits 7,105,000

Amount available for nonpersonal service 7,719,000

Program account subtotal 22,848,000

PREVENTION AND PROGRAM SUPPORT 86,634,000

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

For services and expenses related to prevention, intervention and treatment programs provided by the substance abuse prevention and treatment (SAPT) block grant.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures 29,000,000

Program fund subtotal 29,000,000

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

For services and expenses related to prevention from the federal safe and drug-free schools and communities act consistent with the terms and conditions of the federal award.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts

which were executed on or before March 31, 2010 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures 4,755,000

Program fund subtotal 4,755,000

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

For payment, net of disallowances, of state financial assistance in accordance with the mental hygiene law related to problem gambling and chemical dependency school and community-based prevention, education, and recovery programs, and program support.

Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has demonstrated it has applied for and received, or received formal notification of refusal of, all forms of third-party reimbursement, including federal aid and patient fees. The moneys hereby appropriated are available to reimburse or advance to localities and voluntary nonprofit agencies for expenditures heretofore accrued or hereafter to accrue during local fiscal periods commencing January 1, 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 payments, contracts or any other form of reimbursement.

Nothwithstanding any inconsistent provision of law, moneys from this appropriation shall not be available for unified services after June 30, 2010.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services for problem gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures. Of the

amounts appropriated herein, at least $15,549,568 shall be made available to the New York City Department of Education for the continuation of such school-operated prevention programs provided by school district employees 45,000,000

Program account subtotal 45,000,000

Special Revenue Fund - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
License Plate Account

For services and expenses related to prevention efforts targeted at youth.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services 39,000

Program account subtotal 39,000

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

For services and expenses of community chemical dependence treatment and prevention services programs including services and expenses related to staff training, evaluation, and workforce development activities.
Notwithstanding any provision of law, rule or regulation to the contrary, a portion of this appropriation related to enforcement action fine and/or levy moneys may be made available to localities and nonprofit and for-profit agencies for payment of expenses for facilities operating under a receivership pursuant to section 19.41 of the mental hygiene law. Such funds may also be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services and appropriations of the department of health, the office of medicaid inspector

general, the office of mental health, and the office of mental retardation and developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee 7,840,000

Program fund subtotal 7,840,000

Total new appropriations for state operations and aid to localities 611,544,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

COMMUNITY TREATMENT SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2008, as amended by chapter 1, section 3, of the laws of 2009:
New York Council on Problem Gambling ... 90,240 ..... (re. $90,240)
Our Lady of Lourdes Memorial Hospital, Inc. .....
226,000 ..... (re. $56,500)

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses of prevention, intervention, and treatment programs provided by the SAPT block grants.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures ... 81,058,000 ..... (re. $81,058,000)
For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services.
Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services .....
5,000,000 ..... (re. $5,000,000)

By chapter 54, section 1, of the laws of 2008:
For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services.
Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services .....
5,000,000 ..... (re. $4,998,000)

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

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

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

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2008 with entities providing services for compulsive gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures ... 81,058,000 ..... (re. $22,213,000)

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

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

For services and expenses related to homeless grants. Subject to a plan approved by the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless grants. The director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services and/or any other federal fund in which federal homeless grants are actually received 11,000,000 ..... (re. $11,000,000)

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

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

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

For services and expenses related to homeless grants. Subject to a plan approved by the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless grants. The director of the budget is hereby authorized to transfer appropriation authority

contained herein to any other federal fund in which federal homeless grants are actually received ... 11,000,000 ..... (re. $7,325,000)

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

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

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms of the federal award ..... 360,000 ..... (re. $350,000)

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

For services and expenses related to homeless grants. Subject to a plan approved by the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless grants. The director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund in which federal homeless grants are actually received.

For grants beginning prior to April 1, 2007 ..... 11,000,000 ..... (re. $6,401,000)

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

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations in the office of alcoholism and substance abuse services consistent with the terms of the federal award for administrative and support services, including fringe benefits, associated with this grant.

For grants beginning on or after April 1, 2007 ..... 360,000 ..... (re. $32,000)

EXECUTIVE DIRECTION PROGRAM

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

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

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

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse

services consistent with the terms and conditions of the SAPT block grant award.
Personal service ... 3,578,000 ..... (re. $1,500,000)
Nonpersonal service ... 977,000 ..... (re. $500,000)

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses associated with the administration of the federal safe and drug free schools and communities act consistent with the terms and conditions of the federal award.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms of the federal award ..... 147,000 ..... (re. $147,000)

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to the statewide data collection program as mandated in the 1988 federal anti-drug abuse act.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services ..... 543,000 ..... (re. $543,000)

INSTITUTIONAL SERVICES

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses associated with administering the substance abuse prevention and treatment (SAPT) block grant.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.
Personal service ... 865,000 ..... (re. $615,000)
Nonpersonal service ... 335,000 ..... (re. $205,000)

PREVENTION AND PROGRAM SUPPORT

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to prevention, intervention and treatment programs provided by the substance abuse prevention and treatment (SAPT) block grant.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures ... 28,300,000 ..... (re. $28,300,000)

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to prevention, intervention and treatment programs provided by the substance abuse prevention and treatment (SAPT) block grant. Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2008 with entities providing services for compulsive gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures ... 28,300,000 ..... (re. $1,820,000)

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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

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

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to prevention from the federal safe and drug-free schools and communities act consistent with the terms and conditions of the federal award.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures ... 4,755,000 ..... (re. $4,755,000)

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to prevention from the federal safe and drug-free schools and communities act consistent with the terms and conditions of the federal award.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2008 with entities providing services for compulsive gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures ... 4,755,000 ..... (re. $4,755,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to prevention from the federal safe and drug-free schools and communities act consistent with the terms and conditions of the federal award.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2007 with entities providing services for compulsive gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures.
For grants beginning on or after April 1, 2007 .....
4,755,000 ..... (re. $261,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

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

By chapter 54, section 1, of the laws of 2009:
Notwithstanding any inconsistent provision of law up to $2,000,000 of this appropriation may be transferred and/or suballocated, pursuant to a memoranda of understanding between the office of alcoholism and substance abuse services and the department of health, to the AIDS institute for the provision of primary health care services for persons enrolled in drug treatment programs. Funds appropriated herein are supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American recovery and reinvestment act of 2009 ..... 2,000,000 ..... (re. $2,000,000)

Total reappropriations for state operations and aid to localities 198,917,740
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DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS 2010-11

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

Capital Projects Fund	10,888,000
Mental Hygiene Capital Improvement Fund - 389	98,046,000
All Funds	108,934,000

ADMINISTRATION PROGRAM (CCP)	1,328,000

Capital Projects Fund

Administration Purpose

For payment of personal service and nonpersonal service including fringe benefits related to the administration of capital projects provided by the office of alcoholism and substance abuse services from new and reappropriated funds (53A11050) 1,328,000

COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP)	99,356,000

Capital Projects Fund

Minor Rehabilitation Purpose

For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2010, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53031089) 4,810,000

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however,

that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53031003) 42,273,000

New Facilities Purpose

For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA1007) 42,273,000

For the acquisition of property, design, construction and rehabilitation of residential treatment beds to be developed for operation by voluntary-operated or local government operated chemical dependency treatment providers related to drug law reform. Notwithstanding any other inconsistent provision of law, the moneys hereby appropriated may support up to 100 percent of approved capital costs of such chemical dependency facilities. Notwithstanding any other inconsistent provision of law, and subject to approval of the director of the budget, funds from this appropriation may be paid to the dormitory authority of the state of New York or the office of general services to the design and construction management account pursuant to one or more certificates approved by the director of the budget for purposes of carrying out the projects provided for herein. No expenditure shall be made from this appropriation until a spending plan for the proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53JD1007) 10,000,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS 2010-11

DESIGN AND CONSTRUCTION SUPERVISION (CCP) 3,500,000

Capital Projects Fund

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new projects (53A61030) 3,000,000

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new projects (53061030) 500,000

INSTITUTIONAL SERVICES PROGRAM (CCP) 4,000,000

Capital Projects Fund

Minor Rehabilitation Purpose

For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2010, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan

of projects has been approved by the director of the budget (53HD1089) 1,000,000

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A21003) 3,000,000

NON-BONDABLE PROJECTS (CCP) 750,000

Capital Projects Fund

Non-Bondable Purpose

For transfer to the Mental Hygiene Capital Improvement Fund for reimbursement of the non-bondable cost of community facilities authorized by appropriations or reappropriations funded from the Mental Hygiene Capital Improvement Fund including liabilities incurred prior to April 1, 2010 or for payment to the dormitory authority of the state of New York for defeasance of bonds. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53NB10NB) 750,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

By chapter 54, section 1, of the laws of 2009:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2009, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030989) .....
4,810,000 ..... (re. $4,810,000)

By chapter 54, section 1, of the laws of 2008:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2008, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030889) .....
4,810,000 ..... (re. $4,810,000)

By chapter 54, section 1, of the laws of 2007:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2007, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030789) .....
4,810,000 ..... (re. $4,810,000)

By chapter 54, section 1, of the laws of 2006:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2006, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030689) .....
4,810,000 ..... (re. $4,810,000)

By chapter 54, section 1, of the laws of 2005:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2005, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030589) .....
5,310,000 ..... (re. $4,789,000)

By chapter 54, section 1, of the laws of 2004:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2004, provided, however, that no expenditures may be made from this appro-

priation until a comprehensive plan of projects has been approved by the director of the budget (53030489) .....
5,310,000 ..... (re. $532,000)

By chapter 54, section 1, of the laws of 2003:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2003, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030389) .....
5,310,000 ..... (re. $82,000)

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030903) .....
42,273,000 ..... (re. $42,273,000)

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030803) .....
42,273,000 ..... (re. $38,353,000)

By chapter 54, section 1, of the laws of 2007:
For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030703) .....
27,423,000 ..... (re. $19,995,000)

By chapter 54, section 1, of the laws of 2006:
For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030603) .....
17,243,000 ..... (re. $9,938,000)

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030503) .....
13,125,000 ..... (re. $5,455,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0907) .....
42,273,000 ..... (re. $42,273,000)

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

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

By chapter 54, section 1, of the laws of 2007:
For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0707) ..... 27,423,000 ..... (re. $12,359,000)
For the acquisition of property, design, construction and rehabilitation of 100 community residential treatment beds in Suffolk and Nassau counties, to be developed for operation by voluntary-operated or local government operated chemical dependency treatment providers. Notwithstanding any other inconsistent provision of law, the moneys hereby appropriated may support up to 100 percent of approved capital costs of such chemical dependency facilities. Notwithstanding any other inconsistent provision of law, and subject to approval of the director of the budget, funds from this appropriation may be paid to the dormitory authority of the state of New York or the office of general services to the design and construction management account pursuant to one or more certificates approved by the director of the budget for purposes of carrying out the projects provided for herein. No expenditure shall be made from this appropriation until a spending plan for the proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53010707) ..... 26,600,000 ..... (re. $26,600,000)
For the acquisition of property, design, construction and rehabilitation of 100 intensive residential and/or community residential beds for veterans, to be developed for operation by voluntary-operated or local government operated chemical dependency treatment providers. Notwithstanding any other inconsistent provision of law, the moneys hereby appropriated may support up to 100 percent of approved capital costs of such chemical dependency facilities.
Notwithstanding any other inconsistent provision of law, and subject to approval of the director of the budget, funds from this appropriation may be paid to the dormitory authority of the state of New York or the office of general services to the design and construction management account pursuant to one or more certificates approved by the director of the budget for purposes of carrying out the projects provided for herein. No expenditure shall be made from this appropriation until a spending plan for the proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53020707) ... 25,400,000 ..... (re. $25,400,000)

By chapter 54, section 1, of the laws of 2006:
For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expendi-

ture shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0607) .....
17,243,000 ..... (re. $8,659,000)

For the acquisition of property design, construction and rehabilitation of 108 beds for adolescents and/or women and their children, to be developed for operation by voluntary-operated or local government operated chemical dependency treatment providers. Notwithstanding any other inconsistent provision of the law, the moneys hereby appropriated may support up to 100 percent of approved capital costs of such chemical dependency facilities. Notwithstanding any other inconsistent provision of the law, and subject to approval of the director of the budget, funds from this appropriation may be paid to the dormitory authority of the state of New York or the office of general services to the design and construction management account pursuant to one or more certificates approved by the director of the budget for purposes of carrying out the projects provided for herein. No expenditure shall be made from this appropriation until a spending plan for the proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53010607) .....
24,900,000 ..... (re. $22,350,000)

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

For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0507) .....
13,125,000 ..... (re. $2,978,000)

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

For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0407) .....
12,970,000 ..... (re. $8,079,000)

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

For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the

office of alcoholism and substance abuse services and approved by the director of the budget (53AA0307) ..... 12,970,000 ..... (re. $3,115,000)

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Capital Projects Fund

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2009:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new projects (53A60930) ..... 3,000,000 ..... (re. $1,942,000)

By chapter 54, section 1, of the laws of 2008:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new projects (53A60830) ..... 2,000,000 ..... (re. $763,000)

By chapter 54,section 1, of the laws of 2007:
For: (1) the payment of all claims for personal injury, death or property damage for which the New York State Medical Care Facilities Finance Agency, the facilities development corporation, or the dormitory authority of the state of New York might be liable occurring upon, in or about any projects covered by the Agreement of Lease entered into by the facilities development corporation, the department of mental hygiene and the New York State Medical Care Facilities Finance Agency under date of October 1, 1987 as from time to time amended and supplemented and any and all penalties, costs, including attorneys' fees, claims, demands and causes of action due directly or indirectly to the use, disuse, misuse or interest in such projects; (2) in the case of damage, loss or destruction of any such project, or any part of any such project, the payment of the costs of repairing, restoring, rebuilding or replacing the same in accordance with the obligations of the facilities development corporation so to do from the proceeds of insurance under the provisions of paragraph (b) of section 3.04 of the Agreement of Lease; and (3) payments to the New York State Medical Care Facilities Finance Agency of moneys at the times and in the amounts that annual rentals

would be due with respect to each project during such time or times as each such project may be damaged or destroyed and not available for use by the department of mental hygiene in accordance with the terms of the Agreement of Lease.

Notwithstanding the provisions of any general or special law, the facilities development corporation may assign to the New York State Medical Care Facilities Finance Agency all or any portion of the moneys hereby appropriated for the purposes hereinabove set forth. Notwithstanding the foregoing, in the event the appropriation is insufficient to cover the losses, upon notification from the facilities development corporation, the director of the budget shall submit a request for additional appropriations to cover the additional losses. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of mental retardation and developmental disabilities for payment to the dormitory authority of the state of New York for the preparation of plans purpose (53WC0730) ..... 2,000,000 ..... (re. $2,000,000)

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

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new projects (53A60630) ..... 2,000,000 ..... (re. $48,000)

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

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

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new projects (53060930) ..... 500,000 ..... (re. $500,000)

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

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental

impact statements for new projects (53060830) ..... 500,000 ..... (re. $500,000)

INSTITUTIONAL SERVICES PROGRAM (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

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

By chapter 54, section 1, of the laws of 2008:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2008, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0889) ..... 500,000 ..... (re. $500,000)

By chapter 54, section 1, of the laws of 2007:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2007, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0789) ..... 500,000 ..... (re. $500,000)

By chapter 54, section 1, of the laws of 2006:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2006, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0689) ..... 500,000 ..... (re. $500,000)

By chapter 54, section 1, of the laws of 2005:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2005, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0589) ..... 500,000 ..... (re. $91,000)

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2004, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0489) ..... 500,000 ..... (re. $352,000)

By chapter 54, section 1, of the laws of 2003:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2003, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0389) ..... 500,000 ..... (re. $59,000)

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A20903) ..... 3,000,000 ..... (re. $3,000,000)

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A20803) ..... 3,000,000 ..... (re. $3,000,000)

By chapter 54, section 1, of the laws of 2007:
For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budg-

et. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A20703) ..... 1,000,000 ..... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2006:
For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A20603) ..... 7,800,000 ..... (re. $7,800,000)

By chapter 54, section 1, of the laws of 2005:
For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A20503) ..... 2,700,000 ..... (re. $515,000)

By chapter 54, section 1, of the laws of 2004:
For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53A20403) ... 1,000,000 ..... (re. $328,000)

By chapter 54, section 1, of the laws of 2003:
For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no

expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53PR0303) ... 1,000,000 ..... (re. $407,000)

By chapter 54, section 1, of the laws of 2002:
For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53PR0203) ... 2,000,000 ..... (re. $597,000)

By chapter 54, section 1, of the laws of 2001:
For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53PR0103) ... 2,000,000 ..... (re. $1,042,000)

By chapter 54, section 1, of the laws of 2000:
For alterations and improvements for preservation of various facilities including rehabilitation projects, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of alcoholism and substance abuse services and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (53PR0003) ... 1,937,000 ..... (re. $707,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	561,054,000	3,635,000
Special Revenue Funds - Federal	48,845,000	31,715,000
Special Revenue Funds - Other	2,791,162,000	0
Capital Projects Funds	234,291,000	1,931,019,000
Enterprise Funds	8,606,000	0
Internal Service Funds	2,810,000	0
All Funds	3,646,768,000	1,966,369,000

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF-St/Local	800,000	560,254,000	0	561,054,000
SR-Federal	2,038,000	46,807,000	0	48,845,000
SR-Other	2,117,040,000	674,122,000	0	2,791,162,000
Cap Proj	0	0	234,291,000	234,291,000
Enterprise	8,606,000	0	0	8,606,000
Internal Srv	2,810,000	0	0	2,810,000
All Funds	2,131,294,000	1,281,183,000	234,291,000	3,646,768,000

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.

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.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Personal service 193,000
Nonpersonal service 20,000
Fringe benefits 87,000

Amount available 300,000

For administration of programs to assist and transition from homelessness(PATH) grants.

Personal service 125,000
Fringe benefits 55,000

Amount available 180,000

Program fund subtotal 1,838,000

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

Personal service 139,000
Fringe benefits 61,000

Program fund subtotal 200,000

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

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

NONPERSONAL SERVICE

Supplies and materials 200,000
Travel 35,000
Contractual services 125,000
Equipment 140,000

Program account subtotal 500,000

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

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

NONPERSONAL SERVICE

Supplies and materials	70,000
Program account subtotal	70,000

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

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

NONPERSONAL SERVICE

Supplies and materials	1,650,000
Contractual services	1,650,000
Program account subtotal	3,300,000

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

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of mental health, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental retardation and developmental disabilities, and the office of alcoholism and substance abuse services with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

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

Notwithstanding any inconsistent provision of law, this appropriation is not available to support the development or production of reports required pursuant to chapter 119 of the laws of 2007 for the period beginning April 1, 2010 and ending March 31, 2011.

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

PERSONAL SERVICE

Personal service--regular	43,529,000
Temporary service	939,000
Holiday/overtime compensation	287,000
Amount available for personal service	44,755,000

NONPERSONAL SERVICE

Supplies and materials	3,702,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Travel		1,861,000
Contractual services		23,023,000
Equipment		3,623,000
Fringe benefits		21,007,000
Indirect costs		235,000
Amount available for nonpersonal service		53,451,000
Program account subtotal		98,206,000

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

PERSONAL SERVICE

Temporary service	2,042,000

NONPERSONAL SERVICE

Supplies and materials	757,000
Travel	123,000
Contractual services	2,657,000
Equipment	257,000
Amount available for nonpersonal service	3,794,000
Program account subtotal	5,836,000

Enterprise Funds / State Operations
Mental Hygiene Community Stores Account - 353

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

PERSONAL SERVICE

Personal service--regular	1,136,000

NONPERSONAL SERVICE

Supplies and materials	461,000
Travel	7,000
Contractual services	388,000
Equipment	236,000
Fringe benefits	564,000
Indirect costs	18,000
Amount available for nonpersonal service	1,674,000
Program account subtotal	2,810,000
ADULT SERVICES PROGRAM	2,471,029,000

General Fund / State Operations
State Purposes Account - 003

Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene.

NONPERSONAL SERVICE

Travel	800,000
Program account subtotal	800,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of various adult community mental health services, including transfer to the department of health

to reimburse the department for the state share of medical assistance for various community mental health services.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2010 and ending June 30, 2011 and shall be available for expenditure from July 1, 2010 through September 15, 2011.

An amount of this appropriation shall be available for the development of a demonstration program approved by the commissioner and director of the budget, and notwithstanding the provisions of any other law to the contrary, for the purpose of testing and evaluating new methods or arrangements for organizing, financing, staffing and providing services for persons with serious mental illness, in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga and Wyoming counties.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for

proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 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 payments, contracts or any other form of reimbursement. Notwithstanding any inconsistent provision of law, funding shall not be available for unified services after June 30, 2010.

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the

approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13, 41.18, and 41.47 74,388,000

For services and expenses of various community mental health emergency programs, including comprehensive psychiatric emergency programs pursuant to section 41.51 of the mental hygiene law 6,881,000

For transfer to the department of health to reimburse the department for the state share of medical assistance payments for various mental health services. Notwithstanding any inconsistent provision of law, a portion of the money herein appropriated may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997 as amended. For the period April 1, 2010 through March 31, 2011, the office of mental health is authorized to recover from community residences and family-based treatment providers licensed by the office of mental health, consistent with contractual obligations of such providers and notwithstanding any other inconsistent provision of law to the contrary, for the January 1, 2003 through December 31, 2004 periods for programs located outside of the city of New York and July 1, 2003 through June 30, 2005 periods for programs located in the city of New York, in an amount equal to 50 percent of the income received by such providers which exceed the fixed amount of annual medicaid revenue limitations, as established by the commissioner of mental health 321,327,000

Program account subtotal 402,596,000

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

For programs to assist and transition from homelessness (PATH) grants. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the grant 4,800,000

For services and expenses related to adult mental health services funded by the community mental health services block grant. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the block grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the federal block grant 17,206,000

For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of mental health services for aid to localities, administrative and support services, including fringe benefits, associated with the awarded grant 5,000,000

For services and expenses associated with the federal New York makes work pay grant allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of mental health services for aid to localities, administrative and support services,

including fringe benefits, associated with the awarded grant 6,000,000

Program fund subtotal 33,006,000

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

For services and expenses related to homeless and shelter plus care grants. Subject to a plan approved by the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless and shelter plus care grants 8,000,000

Program fund subtotal 8,000,000

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

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

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

Program account subtotal 300,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Medication Reimbursement Account

For services and expenses related to adult mental health services, including assisted outpatient treatment pursuant to article 9 and other provisions of the mental hygiene law 7,580,000

Program account subtotal 7,580,000

Special Revenue Fund - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income Account

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. Notwithstanding any inconsistent provision of law, including subdivision (e) of section 7.17 or section 41.55 of the mental hygiene law, this appropriation is available to facilitate the closure or restructuring of wards designated by the commissioner of mental health for the period beginning April 1, 2010 and ending March 31, 2011, and shall not be available for the continued operation of such facilities or wards. Monies from this appropriation shall be made available to the office of mental health for the electronic court appearances of respondents or witnesses at court conferences, proceedings, hearings or trials conducted pursuant to article 10 of mental hygiene law, by means of an independent audio-visual system.

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance

law to the mental hygiene patient income account.

PERSONAL SERVICE

Personal service--regular	678,520,000
Temporary service	4,908,000
Holiday/overtime compensation	49,834,000
Amount available for personal service	733,262,000

NONPERSONAL SERVICE

Supplies and materials	69,636,000
Travel	2,428,000
Contractual services	61,360,000
Equipment	2,637,000
Fringe benefits	349,027,000
Indirect costs	24,624,000
Amount available for nonpersonal service	509,712,000
Program account subtotal	1,242,974,000

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

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons

commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. Notwithstanding any inconsistent provision of law, including subdivision (e) of section 7.17 or section 41.55 of the mental hygiene law, this appropriation is available to facilitate the closure or restructuring of wards designated by the commissioner of mental health for the period beginning April 1, 2010 and ending March 31, 2011, and shall not be available for the continued operation of such facilities or wards. Monies from this appropriation shall be made available to the office of mental health for the electronic court appearances of respondents or witnesses at court conferences, proceedings, hearings or trials conducted pursuant to article 10 of mental hygiene law, by means of an independent audio-visual system.

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

PERSONAL SERVICE

Personal service--regular	82,879,000
Temporary service	113,000
Holiday/overtime compensation	22,448,000
Amount available for personal service	105,440,000

NONPERSONAL SERVICE

Supplies and materials	23,489,000
Travel	742,000
Contractual services	20,788,000
Equipment	704,000
Fringe benefits	45,614,000
Indirect costs	4,708,000
Amount available for nonpersonal service	96,045,000

MAINTENANCE UNDISTRIBUTED

For transfer to the department of health medical assistance local assistance program for payments for outside hospital care 3,165,000

Program account subtotal 204,650,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2010 and ending June 30, 2011 and shall be available for expenditure from July 1, 2010 through September 15, 2011.

An amount of this appropriation shall be available for the development of a demonstration program approved by the commissioner and the director of the budget, and notwithstanding the provisions of any

other law to the contrary, for the purpose of testing and evaluating new methods or arrangements for organizing, financing, staffing and providing services for persons with serious mental illness, in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga and Wyoming counties.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the mental hygiene program fund account for the purpose of reimbursing the 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 payments, contracts or any other form of reimbursement.

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13, 41.18, and 41.47. Notwithstanding any other provision of law to the contrary, up to $1,500,000 of this appropriation shall be made available to the Research Foundation for Mental Hygiene, Inc. pursuant to a contract with the office of mental health for two mental health managed care demonstration programs. One program shall be located in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga and Wyoming counties, and the other program shall be located in the city of New York. An amount from this appropriation when combined with the appropriation for the miscellaneous special revenue fund - 339 medication reimbursement account shall provide up to $15,000,000 for grants to the counties and city of New York to provide medication, and other services necessary to prescribe and administer medication pursuant to a plan approved by the commissioner of mental health, as authorized under chapter 408 of the laws of 1999 as amended 220,065,000

For services and expenses associated with the provision of education, assessments, training, and monitoring to residents of adult homes, to implement a remediation

plan resulting from a 2009 federal district court decision 1,000,000

For services and expenses of various community mental health residential programs, including but not limited to community residences pursuant to sections 41.44 and 41.38 of the mental hygiene law. Notwithstanding the provisions of section 31.03 of the mental hygiene law and any other inconsistent provision of law, moneys appropriated for family care shall be available for, but not limited to, the purchase of substitute caretakers up to a maximum of 14 days and payments limited to $686 per year based upon financial need for the personal needs of each client residing in the family care home 350,058,000

Program account subtotal 571,123,000

CHILDREN AND YOUTH SERVICES PROGRAM 477,869,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of various children and families community mental health services, including transfer to the department of health to reimburse the department for the state share of medical assistance for various community mental health services.

This appropriation anticipates the transfer of funds from the state education department to the office of mental health of tuition funds advanced in previous years and reimbursed by the child's school district of origin to the state of New York pursuant to chapter 810 of the laws of 1986 and applicable provisions of the education law.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available

to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2010 and ending June 30, 2011 and shall be available for expenditure from July 1, 2010 through September 15, 2011.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the local assist-

ance account of the general 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 payments, contracts or any other form of reimbursement.

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13 and 41.18 17,935,000

For services and expenses of various community mental health emergency programs 2,438,000

For transfer to the department of health to reimburse the department for the state share of medical assistance payments for various mental health services. Notwithstanding any inconsistent provision of law, a portion of the money herein appropriated may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997 as amended. Notwithstanding any provision of law to the contrary, the

state comptroller is hereby authorized to refund moneys from the department of health to the office of mental health, consisting of medicaid reimbursement for expenses previously incurred by the office of mental health in prior fiscal years to fund services provided by residential treatment facilities for children and youth. Such funds shall be credited to the local assistance account of the general fund for the purpose of reimbursing the 2010-11 appropriation. For the period April 1, 2010 through March 31, 2011, the office of mental health is authorized to recover from community residences and family-based treatment providers licensed by the office of mental health, consistent with contractual obligations of such providers and notwithstanding any other inconsistent provision of law to the contrary, for the January 1, 2003 through December 31, 2004 periods for programs located outside of the city of New York and July 1, 2003 through June 30, 2005 periods for programs located in the city of New York, in an amount equal to 50 percent of the income received by such providers which exceed the fixed amount of annual medicaid revenue limitations, as established by the commissioner of mental health 137,285,000

Program account subtotal 157,658,000

Special Revenue Funds - Federal / Aid to Localities
Federal Health and Human Services Fund - 265

For services and expenses related to children's mental health services funded by the community mental health services block grant. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the block grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the federal block grant 5,801,000

Program fund subtotal 5,801,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

Personal service--regular 125,248,000
Temporary service 2,468,000
Holiday/overtime compensation 9,602,000

Amount available for personal service 137,318,000

NONPERSONAL SERVICE

Supplies and materials 13,038,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Travel	683,000
Contractual services	11,203,000
Equipment	868,000
Fringe benefits	61,240,000
Indirect costs	2,907,000
Amount available for nonpersonal service	89,939,000
Program account subtotal	227,257,000

Special Revenue Funds- Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

For services and expenses of various children and families community mental health services, including transfer to the department of health to reimburse the department for the state share of medical assistance for various community mental health services. This appropriation anticipates the transfer of funds from the state education department to the office of mental health of tuition funds advanced in previous years and reimbursed by the child's school district of origin to the state of New York pursuant to chapter 810 of the laws of 1986 and applicable provisions of the education law.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011 for

local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2010 and ending June 30, 2011 and shall be available for expenditure from July 1, 2010 through September 15, 2011.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the mental hygiene program fund account for the purpose of reimbursing the 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 payments, contracts or any other form of reimbursement.

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13 and 41.18 71,372,000

For services and expenses of various community mental health emergency programs 13,684,000

For services and expenses of various community mental health residential programs, including but not limited to community residences pursuant to sections 41.44 and 41.38 of the mental hygiene law 2,097,000

Program account subtotal 87,153,000

COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT PROGRAM 7,766,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivi-

sion 5 of section 4 of the state finance law to the mental hygiene program fund account.

For services and expenses of community mental health support and workforce reinvestment services pursuant to chapter 62 of the laws of 2003, including transfer to the department of health to reimburse the department for the state share of medical assistance for various community mental health services.

Notwithstanding chapter 62 of the laws of 2003 or any provision of law to the contrary, this special revenue appropriation shall represent the full and complete obligation of the state and the office of mental health community mental health support workforce reinvestment program in fiscal year 2010-11.

For payment of state financial assistance, net of disallowances, for community mental health programs pursuant to article 41 and other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2010 or July 1, 2010 and for advances for the period beginning January 1, 2011 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2010 and ending June 30, 2011 and shall be available for expenditure from July 1, 2010 through September 15, 2011.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2010 with entities providing services to persons with mental

illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the mental hygiene program fund account for the purpose of reimbursing the 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 payments, contracts or any other form of reimbursement.

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who

shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various adult community mental health residential programs 7,766,000

ENHANCED COMMUNITY SERVICES PROGRAM 500,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Enhanced Community Services Account

For transfer to the department of health comprehensive care center for eating disorders development fund 500,000

FORENSIC SERVICES PROGRAM 251,915,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are

employed at facilities located on Ward's island operated by the department of mental hygiene. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

Personal service--regular	133,001,000
Temporary service	2,484,000
Holiday/overtime compensation	16,050,000
Amount available for personal service	151,535,000

NONPERSONAL SERVICE

Supplies and materials	13,978,000
Travel	943,000
Contractual services	6,320,000
Equipment	467,000
Fringe benefits	69,227,000
Indirect costs	9,445,000
Amount available for nonpersonal service	100,380,000

RESEARCH IN MENTAL ILLNESS PROGRAM 87,868,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
OMH-Research Recovery Account

For services and expenses to support central administration, research associates, equipment provided through external grants, travel, conference expenses, including the annual research conference, contractual services, grant writers to increase income from non-state sources, and other research initiatives. Funding will be provided through research foundation for mental hygiene, inc. resources, including, but not limited to, indirect costs recoveries, direct grant reimburse-

ment, interest earnings and operating balances.

PERSONAL SERVICE

Personal service--regular	1,915,000

NONPERSONAL SERVICE

Contractual services	4,665,000
Fringe benefits	650,000
Amount available for nonpersonal service	5,315,000
Program account subtotal	7,230,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

Notwithstanding any other provision of law to the contrary, any of the amounts appropriated herein may be increased or decreased by interchange or transfer without limit, with any appropriation of the office of mental health or by transfer or suballocation to any department, agency or public authority for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of

the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

Personal service--regular	46,169,000	
Temporary service	86,000	
Holiday/overtime compensation	968,000	
Amount available for personal service	47,223,000	

NONPERSONAL SERVICE

Supplies and materials	4,229,000	
Travel	114,000	
Contractual services	4,743,000	
Equipment	104,000	
Fringe benefits	21,154,000	
Indirect costs	3,071,000	
Amount available for nonpersonal service	33,415,000	
Program account subtotal	80,638,000	
Total new appropriations for state operations and aid to localities		3,412,477,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

ADMINISTRATION AND FINANCE PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

By chapter 54, section 1, of the laws of 2009:
Personal service ... 814,000 ..... (re. $814,000)
Nonpersonal service ... 178,000 ..... (re. $178,000)
Fringe benefits ... 366,000 ..... (re. $366,000)

By chapter 54, section 1, of the laws of 2008:
Personal service ... 814,000 ..... (re. $482,000)
Nonpersonal service ... 178,000 ..... (re. $106,000)
Fringe benefits ... 366,000 ..... (re. $133,000)

ADULT SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2007:
For services and expenses to support a public awareness and education campaign specifically focused on suicide prevention among young Latina and elderly Asian women. The office of mental health shall contract through a request for proposal process with organizations with demonstrated experience in outreach to non-English speaking communities. The selected organizations shall partner with community-based organizations with experience providing mental health services to Latina, East Asian, South Asian, Southeast Asian, and Pacific Islander communities ... 1,000,000 ..... (re. $600,000)
For grants to community-based organizations providing support to parents with psychiatric disabilities. The office of mental health shall contract through a request for proposal process with community-based organizations for services and expenses of the following programs: (a) programs offering counseling services and parenting skills that enable individuals to be more effective parents and (b) programs providing training for legal professionals to recognize psychiatric disabilities in parents and connect such parents to services that enhance their parenting skills in an effort to prevent their children from entering the child welfare system. Of the amount appropriated herein no less than $200,000 and up to $350,000 shall be made available for transfer to the Commission on Quality of Care and Advocacy for Persons with Disabilities to increase legal services for parents with psychiatric disabilities through a request for proposal process ... 850,000 ..... (re. $550,000)
For services and expenses associated with a needs based request for proposals initiative assist community recovery providers efforts in critical physical plant improvements, transportation amelioration and/or renovation and rehabilitation enhancements ..... 500,000 ..... (re. $500,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

By chapter 54, section 1, of the laws of 2006:
For services and expenses related to the addition of a minimum of 55 scattered site supported apartments and attendant services to provide independent housing for persons with serious mental illness currently residing in impacted adult homes ..... 810,000 ..... (re. $810,000)
For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies: Eating Disorders program initiatives ... 300,000 ..... (re. $85,000)

By chapter 54, section 1, of the laws of 2005:
For services and expenses of contracts with municipalities and/or not-for-profit agencies:
Hospital audiences ... 175,000 ..... (re. $10,000)
Mental Health Projects ... 350,000 ..... (re. $5,000)

Special Revenue Funds - Federal / Aid to Localities
Federal Health and Human Services Fund - 265

By chapter 54, section 1, of the laws of 2009:
For programs to assist and transition from homelessness (PATH) grants. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the grant ..... 4,800,000 ..... (re. $4,234,000)
For services and expenses related to adult mental health services funded by the community mental health services block grant. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the block grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the federal block grant ... 16,777,000 ..... (re. $8,285,000)
For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of mental health services for aid to localities, administrative and support services, including fringe benefits, associated with the awarded grant ... 1,200,000 ..... (re. $1,200,000)

By chapter 54, section 1, of the laws of 2008:
For programs to assist and transition from homelessness (PATH) grants. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support

services, including fringe benefits, associated with the grant ..... 4,287,000 ..... (re. $3,095,000)

Special Revenue Funds - Federal / Aid to Localities
Federal Operating Grants Fund - 290

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to homeless and shelter plus care grants. Subject to a plan approved by the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless and shelter plus care grants ... 8,000,000 ..... (re. $8,000,000)

CHILDREN AND YOUTH SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2008, as amended by chapter 1, section 3, of the laws of 2009:
North Country Children's Mental Health Programs ..... 75,000 ..... (re. $75,000)

By chapter 54, section 1, of the laws of 2006:
For new and existing family support providers to work with and strengthen families of children being admitted to and/or currently receiving treatment from or soon to be discharged from mental health services, including but not limited to residential treatment facilities, community residences, hospitals, day treatment programs and home and community-based waiver programs ..... 1,000,000 ..... (re. $1,000,000)

Special Revenue Funds - Federal / Aid to Localities
Federal Health and Human Services Fund - 265

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to children's mental health services funded by the community mental health services block grant.
Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the block grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the federal block grant ... 7,062,000 ..... (re. $4,822,000)

Total reappropriations for state operations and aid to localities 35,350,000
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DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2010-11

For the comprehensive construction programs, purposes and projects as herein specified in accordance with the following:

Capital Projects Fund	37,600,000
Mental Hygiene Capital Improvement Fund	196,691,000
All Funds	234,291,000
COMMUNITY MENTAL HEALTH FACILITIES (CCP)	11,639,000

Capital Projects Fund

Minor Rehabilitation Purpose

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, with-in the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50101089) 6,000,000

Mental Hygiene Capital Improvement Fund - 389

Administration Purpose

For payment of personal service and nonpersonal service, including fringe benefits related to the administration of the community capital program provided by the office of mental health for new and reappropriated community capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50121050) 639,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2010-11

Preservation of Facilities Purpose

For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50231003) 5,000,000

DESIGN AND CONSTRUCTION SUPERVISION (CCP) 14,000,000

Capital Projects Fund

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50DC1030) 2,000,000

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New

York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50311030) 12,000,000

EXECUTIVE DIRECTION (CCP) 3,717,000

Mental Hygiene Capital Improvement Fund - 389

Administration Purpose

For payment of personal service and nonpersonal service, including fringe benefits, related to the administration of the capital programs provided by the office of mental health for new and reappropriated state operated institutional capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50991050) 3,717,000

MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP) ... 203,935,000

Capital Projects Fund

Energy Conservation Purpose

For payment of the cost of construction, reconstruction and improvements, includ-

ing the preparation of designs, plans, specifications and estimates for energy conservation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50051005) 4,500,000

Environmental Protection or Improvements Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP1006) 4,100,000

Health and Safety Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50HS1001) 6,000,000

Preservation of Facilities Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (50PF1003) 14,000,000

Mental Hygiene Capital Improvement Fund - 389

Accreditation Purpose

For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50061002) 9,565,000

Environmental Protection or Improvements Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50061006) 1,000,000

Health and Safety Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs

associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50011001) 37,066,000

Preservation of Facilities Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50031003) 110,767,000

Program Improvement or Program Change Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to improvements or changes to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50081008) 16,937,000

NON-BONDABLE PROJECTS (CCP) 1,000,000

Capital Projects Fund

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2010-11

Non-Bondable Purpose

For transfer to the Mental Hygiene Capital Improvement Fund for reimbursement of the non-bondable cost of projects for community facilities authorized by appropriations or reappropriations funded from the Mental Hygiene Capital Improvement Fund including liabilities incurred prior to April 1, 2010 or for payment to the dormitory authority of the state of New York for defeasance of bonds. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (502910NB) 1,000,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

COMMUNITY MENTAL HEALTH FACILITIES (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

By chapter 54, section 1, of the laws of 2009:
State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/ mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100989) .....
6,000,000 ..... (re. $6,000,000)

By chapter 54, section 1, of the laws of 2008:
State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100889) .....
6,000,000 ..... (re. $6,000,000)

By chapter 54, section 1, of the laws of 2007:
State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100789) .....
6,000,000 ..... (re. $6,000,000)

By chapter 54, section 1, of the laws of 2006:
State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/ mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100

per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100689) ..... 6,000,000 ..... (re. $4,843,000)

By chapter 54, section 1, of the laws of 2005:
State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100589) ..... 6,000,000 ..... (re. $3,061,000)

By chapter 54, section 1, of the laws of 2004:
State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100489) ..... 6,000,000 ..... (re. $2,645,000)

By chapter 54, section 1, of the laws of 2003:
State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100389) ..... 7,000,000 ..... (re. $3,288,000)

By chapter 54, section 1, of the laws of 2002:
State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisi-

tion, rehabilitation, and/or improvements (50100289) .....
6,000,000 ..... (re. $1,199,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 1998:
State aid to not-for-profit agencies for acquisition of property, construction and rehabilitation of 200 supported/SRO beds, approved by the commissioner of the office of mental health, pursuant to Article 41 of the mental hygiene law. The moneys hereby appropriated shall be available for payment of state aid grants for up to 50 per centum of the reasonable capital costs of those premises acquired, constructed or rehabilitated for the purpose of housing mentally ill persons (3/99) (50139807) ... 8,000,000 ..... (re. $3,062,000)

By chapter 54, section 1, of the laws of 1994, for:
State aid to municipalities and other public and not-for-profit private agencies for acquisition of property, design, construction and rehabilitation of community mental health facilities and associated programs including, but not limited to, article 28 or article 31 community mental health facilities or supported housing beds, and for state aid grants for facilities intended to serve mentally ill persons (50239407) ... 16,070,000 ..... (re. $580,000)

Mental Hygiene Capital Improvement Fund - 389

New Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For payment to municipalities and not-for-profit community providers for the acquisition of property, design, construction and rehabilitation of housing for mentally ill persons. To the extent that any portion of such appropriation is utilized to develop housing in any city having a population of one million or more, that portion of the appropriation shall be matched on a 50/50 basis (50VY0807) .....
145,000,000 ..... (re. $145,000,000)

By chapter 54, section 1, of the laws of 2007:
For payment to municipalities and not-for- profit community providers for the acquisition of property, design, construction and rehabilitation of housing for mentally ill persons. To the extent that any portion of such appropriation is utilized to develop housing in any city having a population of one million or more, that portion of the appropriation shall be matched on a 50/50 basis (50VY0707) .....
200,000,000 ..... (re. $200,000,000)

By chapter 54, section 1, of the laws of 2006:
For payment to municipalities and other public and not-for-profit community providers approved by the commissioner of the office of mental health, pursuant to mental hygiene law, for the acquisition

of property, construction and rehabilitation of supportive housing for mentally ill homeless persons (50VY0607) .....
211,000,000 ..... (re. $171,354,000)

By chapter 54, section 1, of the laws of 2005:
For payment to municipalities and not-for-profit community providers for the acquisition of property, design, construction and rehabilitation of housing for mentally ill persons. Of such appropriation up to eighty percent shall be matched on a 50/50 basis (50VY0507) ....
75,000,000 ..... (re. $46,808,000)

By chapter 54, section 1, of the laws of 2003:
For payment to municipalities and not-for-profit community providers for the acquisition of property, design, construction and rehabilitation of housing for mentally ill persons. Of such appropriation up to eighty percent shall be matched on a 50/50 basis (50VY0307) ....
65,000,000 ..... (re. $33,930,000)

By chapter 54, section 1, of the laws of 1999:
For payment to municipalities and not-for-profit community providers for the acquisition of property, design, construction and rehabilitation of housing for mentally ill persons. Of such appropriation eighty percent shall be matched on a 50/50 basis and twenty percent shall not require a match (50VY9907) .....
50,000,000 ..... (re. $21,998,000)

By chapter 54, section 1, of the laws of 1998:
For payment to municipalities and not-for-profit community providers for the acquisition of property, design, construction and rehabilitation of SRO/supportive housing for mentally ill homeless persons, to be matched on a 50/50 basis (50279807) .....
40,000,000 ..... (re. $762,000)

By chapter 54, section 1, of the laws of 1993, as amended by chapter 54, section 1, of the laws of 1996:
For the acquisition of property, construction and rehabilitation of article 31 community mental health facilities and associated programs and facilities under the auspice of municipalities and other public and not-for-profit private agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law. The funds hereby appropriated shall be used for the acquisition of property, construction and rehabilitation of community facilities (50149307) .....
42,000,000 ..... (re. $1,211,000)
For acquisition of property, design, construction and rehabilitation of community facilities under the auspice of municipalities and other public and not-for-profit private agencies approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law. The funds hereby appropriated shall be available for the costs of those portions of acquired, constructed

or rehabilitated facilities intended to house mentally ill persons. All disbursements from funds apportioned from this appropriation shall, for bonding purposes, be considered disbursements of the Mental Hygiene Capital Improvement Fund (50139307) ..... 13,000,000 ..... (re. $594,000)

By chapter 54, section 1, of the laws of 1990:

For the acquisition of property, construction and rehabilitation of article 31 community mental health facilities under the auspice of municipalities and other public and not-for-profit private agencies approved by the commissioner of the office of mental health, pursuant to article 41 of the Mental Hygiene Law. Notwithstanding any inconsistent provision of law to the contrary, these funds may be expended for personal service and non-personal service, including fringe benefits, related to the administration of projects financed through the issuance of medical care facilities finance agency mental health services facilities improvement bonds authorized by this appropriation or any prior appropriation in force. The funds hereby appropriated shall be made available in accordance with a comprehensive plan for proposed projects approved by the director of the budget, and pursuant to a certificate of approval of availability issued by the director of the budget with copies of the certificate filed with the state comptroller, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee (50109007) ... 30,000,000 ..... (re. $2,338,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:

For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230903) ... 5,000,000 ..... (re. $5,000,000)

By chapter 54, section 1, of the laws of 2008:

For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230803) ... 28,000,000 ..... (re. $28,000,000)

By chapter 54, section 1, of the laws of 2007:

For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office

of mental health, pursuant to article 41 of the mental hygiene law (50230703) ... 112,000,000 ..... (re. $94,737,000)

By chapter 54, section 1, of the laws of 2006:
For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230603) ... 15,000,000 ..... (re. $8,505,000)

By chapter 54, section 1, of the laws of 2001:
For the acquisition of property, construction, rehabilitation and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230103) ..... 5,000,000 ..... (re. $226,000)

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Capital Projects Fund

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2009:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50DC0930) ..... 2,000,000 ..... (re. $2,000,000)

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2009:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision,

inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310930) ... 12,000,000 ..... (re. $12,000,000)

By chapter 54, section 1, of the laws of 2008:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310830) ... 12,000,000 ..... (re. $4,000,000)

By chapter 54, section 1, of the laws of 2007:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310730) ... 12,000,000 ..... (re. $5,457,000)

By chapter 54, section 1, of the laws of 2006:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications,

estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310630) ... 8,000,000 ..... (re. $2,000,000)

By chapter 54, section 1, of the laws of 2005:

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310530) ... 8,000,000 ..... (re. $1,885,000)

By chapter 54, section 1, of the laws of 2004:

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310430) ... 8,000,000 ..... (re. $2,563,000)

EXECUTIVE DIRECTION (CCP)

Mental Hygiene Capital Improvement Fund - 389

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

Administration Purpose

By chapter 54, section 1, of the laws of 2009:
For payment of personal service and nonpersonal service, including fringe benefits, related to the administration of the capital programs provided by the office of mental health for new and reappropriated state operated institutional capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50990950) ..... 3,717,000 ..... (re. $3,717,000)

By chapter 54, section 1, of the laws of 2008:
For payment of personal service and nonpersonal service, including fringe benefits, related to the administration of the capital programs provided by the office of mental health for new and reappropriated state operated institutional capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50990850) ..... 3,717,000 ..... (re. $1,976,000)

By chapter 54, section 1, of the laws of 2004, as amended by chapter 54, section 1, of the laws of 2005, as supplemented by a certificate of transfer:
For payment of personal service and nonpersonal service, including fringe benefits, related to the administration of the capital programs provided by the office of mental health for new and reappropriated state operated institutional capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50990450) ..... 3,591,000 ..... (re. $428,000)

MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP)

Capital Projects Fund

Energy Conservation Purpose

By chapter 54, section 1, of the laws of 2009:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for energy conservation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50050905) ... 4,500,000 ..... (re. $4,500,000)

By chapter 54, section 1, of the laws of 2008:

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for energy conservation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50050805) ... 4,500,000 ..... (re. $1,948,000)

Environmental Protection or Improvements Purpose

By chapter 54, section 1, of the laws of 2009:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0906) .....
4,100,000 ..... (re. $4,100,000)

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0806) .....
4,100,000 ..... (re. $3,152,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0706) .....
8,010,000 ..... (re. $1,633,000)

By chapter 54, section 1, of the laws of 2006:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0606) .....
6,550,000 ..... (re. $393,000)

Health and Safety Purpose

By chapter 54, section 1, of the laws of 2009:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50HS0901) .....
8,410,000 ..... (re. $8,410,000)

By chapter 54, section 1, of the laws of 2008:

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50HS0801) .....
7,010,000 ..... (re. $4,926,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (50PF0903) ... 12,000,000 ..... (re. $12,000,000)

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (50PF0803) ... 18,400,000 ..... (re. $12,698,000)

By chapter 54, section 1, of the laws of 2006:
For payment for the renovation, improvements, space management and/or utilization activities at the St. Lawrence Psychiatric Center (50SL0603) ... 5,000,000 ..... (re. $5,000,000)

Mental Hygiene Capital Improvement Fund - 389

Accreditation Purpose

By chapter 54, section 1, of the laws of 2009:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060902) .....
347,480,000 ..... (re. $347,480,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060802) ... 95,624,000 ..... (re. $92,064,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060702) .....
164,153,000 ..... (re. $156,368,000)

By chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2008:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060602) .....
70,352,000 ..... (re. $30,464,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060502) .....
45,212,000 ..... (re. $5,461,000)

By chapter 54, section 1, of the laws of 2004:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory

authority of the state of New York (50060402) .....
8,500,000 ..... (re. $1,371,000)

Environmental Protection or Improvements Purpose

By chapter 54, section 1, of the laws of 2009:
For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060906) .....
1,000,000 ..... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060806) .....
1,000,000 ..... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060706) .....
500,000 ..... (re. $174,000)

By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50160306) .....
2,000,000 ..... (re. $599,000)

Health and Safety Purpose

By chapter 54, section 1, of the laws of 2009:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation

may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010901) .....
38,125,000 ..... (re. $38,125,000)

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010801) .....
60,276,000 ..... (re. $51,006,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010701) .....
28,963,000 ..... (re. $10,957,000)

By chapter 54, section 1, of the laws of 2006:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010601) .....
19,130,000 ..... (re. $1,634,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications

and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010501) .....
43,797,000 ..... (re. $3,265,000)

By chapter 54, section 1, of the laws of 2004:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010401) .....
29,350,000 ..... (re. $807,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50030903) ...
45,396,000 ..... (re. $45,396,000)

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to

the dormitory authority of the state of New York (50030803) ..... 24,688,000 ..... (re. $19,724,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50030703) ... 34,946,000 ..... (re. $17,822,000)

By chapter 54, section 1, of the laws of 2006:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50030603) ... 21,804,000 ..... (re. $4,634,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50030503) ... 25,045,000 ..... (re. $4,746,000)

By chapter 54, section 1, of the laws of 2004:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50030403) ... 29,350,000 ..... (re. $4,383,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

Program Improvement or Program Change Purpose

By chapter 54, section 1, of the laws of 2009:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to improvements or changes to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50080908) ... 85,185,000 ..... (re. $85,185,000)

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to improvements or changes to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50080808) ... 32,952,000 ..... (re. $32,935,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to improvements or changes to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50080708) ... 46,208,000 ..... (re. $34,403,000)

By chapter 54, section 1, of the laws of 2006:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to improvements or changes to existing facilities and programs, including for costs associated with the civil commitment of persons convicted of sexually violent offenses in accordance with the mental hygiene law directly upon their release or conditional release from a correctional facility. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50080608) ..... 85,473,000 ..... (re. $38,700,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to improvements or changes to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the

budget, this appropriation may be transferred to the dormitory authority of the state of New York (50080508) ..... 14,146,000 ..... (re. $1,899,000)

NON-BONDABLE PROJECTS (CCP)

Capital Projects Fund

Non-Bondable Purpose

By chapter 54, section 1, of the laws of 2000:

For transfer to the Mental Hygiene Capital Improvement Fund for reimbursement of the non-bondable cost of institutional projects authorized by appropriations or reappropriations funded from the Mental Hygiene Capital Improvement Fund including liabilities incurred prior to April 1, 2000 or for payment to the dormitory authority of the state of New York for defeasance of bonds. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50FO00NB) ..... 8,000,000 ..... (re. $5,045,000)

(APPROPRIATED TO THE FACILITIES DEVELOPMENT CORPORATION)

EXECUTIVE DIRECTION (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 1, section 8, of the laws of 1965, as amended by chapter 54, section 1, of the laws of 2006:

(1) The payment of all claims for personal injury, death or property damage for which the New York State Medical Care Facilities Finance Agency or the facilities development corporation or the dormitory authority might be liable occurring upon, in or about any projects covered by the Agreement of Lease entered into by the facilities development corporation, the department of mental hygiene and the New York State Medical Care Facilities Finance Agency under date of October 1, 1987 as from time to time amended and supplemented and any and all penalties, costs, including attorneys' fees, claims, demands and causes of action due directly or indirectly to the use, disuse, misuse or interest in such projects; (2) in the case of damage, loss or destruction of any such project, or any part of any such project, the payment of the costs of repairing, restoring, rebuilding or replacing the same in accordance with the obligations of the facilities development corporation so to do from the proceeds of insurance under the provisions of paragraph (b) of section 3.04 of the Agreement of Lease; and (3) payments to the New York State Medical Care Facilities Finance Agency of moneys at the times and in

the amounts that annual rentals would be due with respect to each project during such time or times as each such project may be damaged or destroyed and not available for use by the department of mental hygiene in accordance with the terms of the Agreement of Lease.

Notwithstanding the provisions of any general or special law, the facilities development corporation may assign to the New York State Medical Care Facilities Finance Agency all or any portion of the moneys hereby appropriated for the purposes hereinabove set forth.

Notwithstanding the foregoing, in the event the appropriation is insufficient to cover the losses, upon notification from the Facilities Development Corporation, the director of the division of the budget shall submit a request for additional appropriations to cover the additional losses. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York (00638103) .....
4,000,000 ..... (re. $2,445,000)

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	1,607,322,000	923,000
Special Revenue Funds - Federal	751,000	3,998,000
Special Revenue Funds - Other	3,017,666,000	0
Capital Projects Funds	139,560,000	309,730,000
Enterprise Funds	2,668,000	0
Internal Service Funds	350,000	0
All Funds	4,768,317,000	314,651,000

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF-St/Local	0	1,607,322,000	0	1,607,322,000
SR-Federal	751,000	0	0	751,000
SR-Other	2,255,692,000	761,974,000	0	3,017,666,000
Cap Proj	0	0	139,560,000	139,560,000
Enterprise	2,668,000	0	0	2,668,000
Internal Srv	350,000	0	0	350,000
All Funds	2,259,461,000	2,369,296,000	139,560,000	4,768,317,000

SCHEDULE

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 department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

PERSONAL SERVICE

Personal service--regular 61,750,000
Temporary service 572,000
Holiday/overtime compensation 202,000
Amount available for personal service 62,524,000

NONPERSONAL SERVICE

Supplies and materials 651,000
Travel 2,206,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Contractual services 19,487,000
Equipment 3,809,000
Fringe benefits 28,762,000
Indirect costs 1,951,000

Amount available for nonpersonal service 56,866,000

Program account subtotal 119,390,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

For services and expenses of the assets for independence program and other health and human services programs.

NONPERSONAL SERVICE

Contractual services 1,000,000

Program account subtotal 1,000,000

Internal Service Fund / State Operations
Miscellaneous Internal Service Fund - 334
OMRDD Copy Center Account

For services and expenses associated with the office of mental retardation and developmental disabilities copy center.

NONPERSONAL SERVICE

Contractual services 350,000

Program account subtotal 350,000

COMMUNITY SERVICES PROGRAM 3,737,459,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of the community services program, net of disallowances, for community mental retardation and developmental disabilities programs pursu-

ant to article 41 of the mental hygiene law, and/or chapter 620 of the laws of 1974, chapter 660 of the laws of 1977, chapter 412 of the laws of 1981, chapter 27 of the laws of 1987, chapter 729 of the laws of 1989, chapter 329 of the laws of 1993 and other provisions of the mental hygiene law. Notwithstanding any inconsistent provision of law, the following appropriation shall be net of refunds, rebates, reimbursements, and credits.

Notwithstanding any inconsistent provision of law, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.

Notwithstanding any other provision of law, advances and reimbursement made pursuant to subdivision (d) of section 41.15 and section 41.18 of the mental hygiene law shall be allocated pursuant to a plan and in a manner prescribed by the agency head and approved by the director of the budget. No expenditure shall be made until a certificate of allocation has been approved by the director of the budget and copies thereof filed with the state comptroller, and the chairs of the senate finance and assembly ways and means committees. The moneys hereby appropriated are available to reimburse or advance localities and voluntary non-profit agencies for expenditures made during local fiscal periods commencing January 1, 2010, April 1, 2010 or July 1, 2010, and for advances for the 3 month period beginning January 1, 2011.

Notwithstanding the provisions of article 41 of the mental hygiene law or any other inconsistent provision of law, rule or regulation, the commissioner, pursuant to such contract and in the manner provided therein, may pay all or a portion of the expenses incurred by such voluntary agencies arising out of loans which are funded from the proceeds of bonds and notes issued by the dormitory authority of the state of New York.

Notwithstanding any other provision of law, the money hereby appropriated may be

transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net deficit costs of day training programs and family support services.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, moneys from this appropriation shall not be available for unified services after June 30, 2010.

Notwithstanding any inconsistent provision of law, and pursuant to criteria established by the commissioner of the office of mental retardation and developmental disabilities and approved by the director of the budget, expenditures may be made from this appropriation for residential facilities which are pending recertification as intermediate care facilities for the developmentally disabled.

Notwithstanding the provisions of section 41.36 of the mental hygiene law and any other inconsistent provision of law, moneys from this appropriation may be used for payment up to $250 per year per client, at such times and in such manner as determined by the commissioner on the basis of financial need for the personal needs of each client residing in voluntary-operated community residences and volun-

tary-operated community residential alternatives, including individualized residential alternatives under the home and community based services waiver. The commissioner shall, subject to the approval of the director of the budget, alter existing advance payment schedules for voluntary-operated community residences established pursuant to subdivision (h) of section 41.36 of the mental hygiene law.

Notwithstanding the provisions of section 16.23 of the mental hygiene law and any other inconsistent provision of law, with relation to the operation of certified family care homes, including family care homes sponsored by voluntary not-for-profit agencies, moneys from this appropriation may be used for payments to purchase general services including but not limited to respite providers, up to a maximum of 14 days, at rates to be established by the commissioner and approved by the director of the budget in consideration of factors including, but not limited to, geographic area and number of clients cared for in the home and for payment at the rate of $600 per year on the basis of financial need for the personal needs of each client residing in the family care home.

Notwithstanding the provisions of subdivision 12 of section 8 of the state finance law and any other inconsistent provision of law, moneys from this appropriation may be used for expenses of family care homes including payments to operators of certified family care homes for damages caused by clients to personal and real property in accordance with standards established by the commissioner and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for appropriate day program services and residential services including, but not limited to, direct housing subsidies to individuals, start-up expenses for family care providers, environmental modifications, adaptive technologies, appraisals, property options,

feasibility studies and preoperational expenses.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for the operation of clinics licensed pursuant to article 16 of the mental hygiene law including, but not limited to, supportive and habilitative services consistent with the home and community based services waiver.

Funds appropriated herein shall be available in accordance with the following:

For the state share of medical assistance services expenses incurred by the department of health for the provision of medical assistance services to the developmentally disabled 1,477,523,000

For services and expenses related to the provision of residential services to the developmentally disabled 19,014,000

For services and expenses related to the provision of family support services to the developmentally disabled 62,023,000

For services and expenses related to the provision of workshop, day training and employment services to the developmentally disabled 46,229,000

For other services and expenses provided to the developmentally disabled including but not limited to hepatitis B, care at home waiver, epilepsy services, Special Olympics New York, Inc. and voluntary fingerprinting 2,533,000

Program account subtotal 1,607,322,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income Account

Notwithstanding any inconsistent provision of law, the state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

Notwithstanding any other provision of law, the money hereby appropriated may be

transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

PERSONAL SERVICE

Personal service--regular	516,092,000
Temporary service	1,251,000
Holiday/overtime compensation	42,238,000
Amount available for personal service	559,581,000

NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.

Supplies and materials	42,364,000
Travel	4,464,000
Contractual services	68,072,000
Equipment	21,205,000
Fringe benefits	257,419,000
Indirect costs	17,462,000
Amount available for nonpersonal service	410,986,000

MAINTENANCE UNDISTRIBUTED

For expenses related to the payment of a provider of services assessment for the period April 1, 2010 through March 31, 2011 pursuant to section 43.04 of the mental hygiene law	10,116,000
Program account subtotal	980,683,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339

Mental Hygiene Patient Income Account

Notwithstanding any inconsistent provision of law, moneys for this appropriation may be used for any purpose associated with an aid to localities appropriation provided, however, that these moneys may not be used for payment of the state share of medical assistance programs for which federal reimbursement will be claimed.

Notwithstanding any other provisions of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, the following appropriation amounts shall be net of refunds, rebates, reimbursements, and credits. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008 and part L of chapter 58 of the laws of 2009, for the period commencing on April 1, 2009 and ending March 31, 2011 the commissioner shall not apply any cost of living adjustment for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Funds appropriated herein shall be available in accordance with the following:

For services and expenses related to the provision of residential services to the developmentally disabled 193,416,000

For services and expenses related to the

provision of day program services to the developmentally disabled 112,567,000
For services and expenses related to the provision of family support services to the developmentally disabled 16,916,000
For other services and expenses provided to the developmentally disabled including but not limited to hepatitis B, care at home waiver, epilepsy services, Special Olympics New York, Inc. and voluntary fingerprinting 3,825,000

Program account subtotal 326,724,000

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.

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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.

Supplies and materials	2,654,000
Travel	918,000
Contractual services	9,083,000
Equipment	2,964,000
Fringe benefits	114,823,000
Indirect costs	7,798,000
Amount available for nonpersonal service	138,240,000
Program account subtotal	387,480,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
OMRDD Joint Clinic Operating Account

For services and expenses of operating clinic treatment facilities serving persons with developmental disabilities. Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee

	250,000
Program account subtotal	250,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
OMRDD - Provider of Service Account

For services and expenses related to mental retardation and developmental disabilities services associated with the New York state options for people through services

initiative, in accordance with a programmatic and fiscal plan to be approved by the director of the budget.
Notwithstanding any provision of law to the contrary, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.
Notwithstanding any provision of law to the contrary, the moneys hereby appropriated, or so much thereof as may be necessary, are to be available for the purposes herein specified for obligations heretofore accrued or hereafter to accrue 337,000,000

Program account subtotal 337,000,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
OMRDD - Day Services Account

For services and expenses related to the provision of HCBS waiver day services to individuals residing in intermediate care facilities.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee 98,000,000

Program account subtotal 98,000,000

INSTITUTIONAL SERVICES PROGRAM 742,913,000

Special Revenue Funds - Other / State Operations
Mental Hygiene Gifts and Donations Fund - 019
Office of Mental Retardation and Developmental Disabilities Gifts and Donations Account

For expenditures on behalf of 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

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of alcoholism and substance abuse services with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

PERSONAL SERVICE

Personal service--regular	229,033,000
Temporary service	426,000
Holiday/overtime compensation	18,444,000
Amount available for personal service	247,903,000

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.

PERSONAL SERVICE

Personal service--regular 82,933,000
Temporary service 154,000
Holiday/overtime compensation 6,701,000

Amount available for personal service 89,788,000

NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.

Supplies and materials 7,826,000
Travel 294,000
Contractual services 7,413,000
Equipment 2,211,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Fringe benefits	38,391,000
Indirect costs	3,507,000
Amount available for nonpersonal service	59,642,000
Program account subtotal	149,430,000

Enterprise Funds / State Operations
Mental Retardation Sheltered Workshop Account - 352
Sheltered Workshop Fund OMRDD Account

For services and expenses including salaries, supplies and materials of sheltered workshops and vocational rehabilitation work activities.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

NONPERSONAL SERVICE

Supplies and materials	700,000
Travel	10,000
Contractual services	800,000
Equipment	40,000
Program account subtotal	1,550,000

Enterprise Funds / State Operations
Mental Hygiene Community Stores Account - 353
MR Community Stores Fund Account

For services and expenses of community stores located at various developmental centers.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental

retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

PERSONAL SERVICE

Personal service--regular	290,000

NONPERSONAL SERVICE

Supplies and materials	722,000
Fringe benefits	94,000
Indirect costs	12,000
Amount available for nonpersonal service	828,000
Program account subtotal	1,118,000
RESEARCH IN MENTAL RETARDATION PROGRAM	26,894,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Research in Mental Retardation Account

Amount available for genetic counseling and research from external grants and contributions.
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

NONPERSONAL SERVICE

Contractual services	150,000
Program account subtotal	150,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Patient Income Account

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, the office of medicaid inspector general, the office of mental health, and the office of alcoholism and substance abuse services with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

PERSONAL SERVICE

Personal service--regular	16,150,000
Holiday/overtime compensation	353,000
Amount available for personal service	16,503,000

NONPERSONAL SERVICE

Supplies and materials	836,000
Travel	7,000
Contractual services	1,129,000
Equipment	157,000
Fringe benefits	7,597,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Indirect costs	515,000	
Amount available for nonpersonal service	10,241,000	
Program account subtotal	26,744,000	
Total new appropriations for state operations and aid to localities		4,628,757,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

CENTRAL COORDINATION AND SUPPORT PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

By chapter 54, section 1, of the laws of 2009:
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to aid to localities 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 of the Assets for Independence program and other health and human services programs .....
1,000,000 ..... (re. $1,000,000)

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265
Real Choice Grant Account

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to the real choice through options for people through services grant.
For grants beginning prior to April 1, 2007 .....
2,865,000 ..... (re. $1,908,000)

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

By chapter 54, section 1, of the laws of 2009:
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.
For services and expenses related to the administration of the federal senior companions program ... 333,000 ..... (re. $333,000)
For services and expenses associated with housing counseling assistance and training programs ... 418,000 ..... (re. $418,000)

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to the administration of the federal senior companions program ... 280,000 ..... (re. $44,000)
For services and expenses associated with housing counseling assistance and training programs ... 350,000 ..... (re. $295,000)

COMMUNITY SERVICES PROGRAM

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2009:
New York Special Olympics ... 250,000 ..... (re. $250,000)

By chapter 54, section 1, of the laws of 2008, as amended by chapter 1, section 3, of the laws of 2009:
For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:
Quality services for the Autism Community (QSAC) .....
113,000 ..... (re. $113,000)

By chapter 54, section 1, of the laws of 2006:
For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:
For services and expenses associated with a direct care worker recruitment and retention pilot project program .....
2,500,000 ..... (re. $560,000)

Total reappropriations for state operations and aid to localities 4,921,000
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DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2010-11

For the comprehensive construction programs, purposes and projects as herein specified in accordance with the following:

Capital Projects Fund	57,025,000
Mental Hygiene Capital Improvement Fund - 389	82,535,000
All Funds	139,560,000
DESIGN AND CONSTRUCTION SUPERVISION (CCP)	11,000,000

Capital Projects Fund

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects associated with the community services and institutional services programs. Upon the request of the commissioner of the office of mental retardation and developmental disabilities and the approval of the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51F21030) 3,000,000

For: (1) the payment of all claims for personal injury, death or property damage for which the New York State Medical Care Facilities Finance Agency,

the facilities development corporation, or the dormitory authority of the state of New York might be liable occurring upon, in or about any projects covered by the Agreement of Lease entered into by the facilities development corporation, the department of mental hygiene and the New York State Medical Care Facilities Finance Agency under date of October 1, 1987 as from time to time amended and supplemented and any and all penalties, costs, including attorneys' fees, claims, demands and causes of action due directly or indirectly to the use, disuse, misuse or interest in such projects; (2) in the case of damage, loss or destruction of any such project, or any part of any such project, the payment of the costs of repairing, restoring, rebuilding or replacing the same in accordance with the obligations of the facilities development corporation so to do from the proceeds of insurance under the provisions of paragraph (b) of section 3.04 of the Agreement of Lease; and (3) payments to the New York State Medical Care Facilities Finance Agency of moneys at the times and in the amounts that annual rentals would be due with respect to each project during such time or times as each such project may be damaged or destroyed and not available for use by the department of mental hygiene in accordance with the terms of the Agreement of Lease.

Notwithstanding the provisions of any general or special law, the facilities development corporation may assign to the New York State Medical Care Facilities Finance Agency all or any portion of the moneys hereby appropriated for the purposes hereinabove set forth.

Notwithstanding the foregoing, in the event the appropriation is insufficient to cover the losses, upon notification from the facilities development corporation, the director of the budget shall submit a request for additional appropriations to cover the additional loss-

es. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51WC1030) 2,000,000

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects associated with the institutional services program and the community services program. Upon the request of the commissioner of the office of mental retardation and developmental disabilities and the approval of the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51F11030) 6,000,000

INSTITUTIONAL SERVICES PROGRAM (CCP) 57,200,000

Capital Projects Fund

Health and Safety Purpose

For alterations and improvements for health and safety projects at various facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H11001) 7,600,000

Preservation of Facilities Purpose

For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P11003) 4,600,000

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M21003) 4,500,000

Mental Hygiene Capital Improvement Fund - 389

Health and Safety Purpose

For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by

the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H31001) 40,500,000

NON-BONDABLE PROJECTS (CCP) 1,000,000

Capital Projects Fund

Non-Bondable Purpose

For transfer to the Mental Hygiene Capital Improvement Fund for reimbursement of non-bondable costs of projects authorized by appropriations or reappropriations funded from the Mental Hygiene Capital Improvement Fund including liabilities incurred prior to April 1, 2010 or for payment to the dormitory authority of the state of New York for defeasance of bonds. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51FL10NB) 1,000,000

STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP) 53,580,000

Capital Projects Fund

Administration Purpose

For payment of personal service and nonpersonal service costs related to the administration of capital projects for new and reappropriated appropriations. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51A110C1) 2,750,000

Preservation of Facilities Purpose

For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M11003) 19,705,000

New Facilities Purpose

For alterations and improvements of sites leased for state-operated programs, and for the purchase of furniture and equipment for state-operated programs. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51L11007) 1,800,000

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51PR1003) 1,000,000

New Facilities Purpose

For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and

approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R11007) 28,325,000

VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP) 16,780,000

Capital Projects Fund

Preservation of Facilities Purpose

For state aid, to municipalities and other public and not-for-profit agencies, including the payment of liabilities incurred prior to April 1, 2010, for up to 100 per centum of the net cost of services and expenses related to the maintenance and improvement of voluntary not-for-profit provider operated community residential and day service programs (51201003) 5,000,000

New Facilities Purpose

For state aid, to municipalities and other public and not-for-profit agencies, including the payment of liabilities incurred prior to April 1, 2010 for up to 100 per centum of the net cost of feasibility studies, property options, capital renovations, acquisition of property, construction, rehabilitation and capital costs incidental and appurtenant to facilities required to be licensed pursuant to article 16, as defined in the mental hygiene law, and for services and expenses related to environmental modifications and adaptive technology services at voluntary not-for-profit provider operated community

residential facilities, certified family care homes and private residences, as a loan and/or grant to family care providers, for payment to other state and federal housing agencies, private corporations and for capital development of residential housing or day program alternatives not currently defined in the mental hygiene law (51B11007) 5,070,000

Mental Hygiene Capital Improvement Fund - 389

Community Facilities Purpose

For the comprehensive construction programs, purposes and projects as herein specified, and for departmental administrative costs related thereto, consistent with section 41.34 of the mental hygiene law, and for the acquisition of property, construction and rehabilitation, including the payment of preoperational costs incurred prior to occupancy, of article 16 community mental retardation facilities and associated programs and facilities and under the auspice of municipalities and other public and not-for-profit private agencies approved by the commissioner of the office of mental retardation and developmental disabilities, pursuant to article 41 of the mental hygiene law and for management fees associated with voluntary not-for-profit operated projects to be financed through dormitory authority of the state of New York bonds (513210H2) 6,710,000

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2009:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects associated with the institutional services program and the community services program. Upon the request of the commissioner of the office of mental retardation and developmental disabilities and the approval of the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51F10930) .....
6,000,000 ..... (re. $3,750,000)

INSTITUTIONAL SERVICES PROGRAM (CCP)

Capital Projects Fund

Health and Safety Purpose

By chapter 54, section 1, of the laws of 2009:
For alterations and improvements for health and safety projects at various facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H10901) .....
7,500,000 ..... (re. $7,500,000)

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements for health and safety projects at various facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H10801) .....
6,400,000 ..... (re. $6,400,000)

By chapter 54, section 1, of the laws of 2007:
For alterations and improvements for health and safety projects at various facilities. Upon request of the commissioner of the office

of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H10701) ..... 7,325,000 ..... (re. $7,190,000)

By chapter 54, section 1, of the laws of 2006:
For alterations and improvements for health and safety projects at various facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H10601) ..... 4,000,000 ..... (re. $2,540,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10903) ..... 4,420,000 ..... (re. $4,420,000)
For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20903) ... 4,100,000 ..... (re. $4,100,000)

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10803) ..... 7,600,000 ..... (re. $7,600,000)
For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20803) ... 1,400,000 ..... (re. $1,380,000)

By chapter 54, section 1, of the laws of 2007:

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10703) ..... 4,180,000 ..... (re. $3,130,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20703) ... 3,300,000 ..... (re. $2,750,000)

By chapter 54, section 1, of the laws of 2006:

For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10603) ... 8,415,000 ..... (re. $2,770,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20603) ... 1,700,000 ..... (re. $1,150,000)

By chapter 54, section 1, of the laws of 2004:

For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10403) ... 8,180,000 ..... (re. $1,740,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20403) ... 2,600,000 ..... (re. $850,000)

Mental Hygiene Capital Improvement Fund - 389

DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2010-11

Health and Safety Purpose

By chapter 54, section 1, of the laws of 2009:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30901) ... 34,150,000 ..... (re. $34,150,000)

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30801) ... 33,200,000 ..... (re. $33,030,000)

By chapter 54, section 1, of the laws of 2007:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30701) ... 32,290,000 ..... (re. $27,190,000)
For alterations and improvements for health and safety projects at bernard fineson facilities on the creedmoor psychiatric center campus and at Howard park. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51BF0701) ... 11,000,000 ..... (re. $10,990,000)

By chapter 54, section 1, of the laws of 2006:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30601) ... 32,143,000 ..... (re. $21,790,000)

For alterations and improvements for health and safety projects at bernard fineson facilities on the creedmoor psychiatric center campus and at Howard park. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51BF0601) ... 27,000,000 ..... (re. $230,000)

By chapter 54, section 1, of the laws of 2005:
For alterations and improvements for health and safety projects at bernard fineson facilities on the creedmoor psychiatric center campus and at Howard park. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51BF0501) ... 40,000,000 ..... (re. $4,090,000)

By chapter 54, section 1, of the laws of 2004:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30401) ..... 26,270,000 ..... (re. $2,290,000)

By chapter 54, section 1, of the laws of 2003:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30301) ..... 26,004,000 ..... (re. $3,820,000)

By chapter 54, section 1, of the laws of 2001:
For alterations and improvements for health and safety projects at the institute for basic research in developmental disabilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority

of the state of New York (51IB0101) .....
7,000,000 ..... (re. $4,270,000)

STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M10903) .....
19,380,000 ..... (re. $19,380,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For alterations and improvements of sites leased for state-operated programs, and for the purchase of furniture and equipment for state-operated programs. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51L10907) .....
11,600,000 ..... (re. $11,600,000)

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51PR0903) ... 1,000,000 ..... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2008:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be

transferred to the dormitory authority of the state of New York (51PR0803) ... 1,000,000 ..... (re. $990,000)

By chapter 54, section 1, of the laws of 2007:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51PR0703) ... 1,000,000 ..... (re. $160,000)

By chapter 54, section 1, of the laws of 2006:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51PR0603) ... 1,000,000 ..... (re. $580,000)

By chapter 54, section 1, of the laws of 2005:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51PR0503) ... 1,000,000 ..... (re. $300,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10907) ..... 14,675,000 ..... (re. $14,675,000)

By chapter 54, section 1, of the laws of 2008:
For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and

developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10807) ..... 24,575,000 ..... (re. $19,200,000)

By chapter 54, section 1, of the laws of 2007:
For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10707) ..... 22,200,000 ..... (re. $15,200,000)

By chapter 54, section 1, of the laws of 2006:
For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10607) ..... 19,300,000 ..... (re. $5,300,000)

VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For state aid, to municipalities and other public and not-for-profit agencies, including the payment of liabilities incurred prior to April 1, 2009, for up to 100 per centum of the net cost of services and expenses related to the maintenance and improvement of voluntary

not-for-profit provider operated community residential and day service programs (51200903) ... 5,000,000 ..... (re. $5,000,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For state aid, to municipalities and other public and not-for-profit agencies, including the payment of liabilities incurred prior to April 1, 2009 for up to 100 per centum of the net cost of feasibility studies, property options, capital renovations, acquisition of property, construction, rehabilitation and capital costs incidental and appurtenant to facilities required to be licensed pursuant to article 16, as defined in the mental hygiene law, and for services and expenses related to environmental modifications and adaptive technology services at voluntary not-for-profit provider operated community residential facilities, certified family care homes and private residences, as a loan and/or grant to family care providers, for payment to other state and federal housing agencies, private corporations and for capital development of residential housing or day program alternatives not currently defined in the mental hygiene law (51B10907) ... 4,375,000 ..... (re. $4,375,000)

Mental Hygiene Capital Improvement Fund - 389

Community Facilities Purpose

By chapter 54, section 1, of the laws of 2009:
For the comprehensive construction programs, purposes and projects as herein specified, and for departmental administrative costs related thereto, consistent with section 41.34 of the mental hygiene law, and for the acquisition of property, construction and rehabilitation, including the payment of preoperational costs incurred prior to occupancy, of article 16 community mental retardation facilities and associated programs and facilities and under the auspice of municipalities and other public and not-for-profit private agencies approved by the commissioner of the office of mental retardation and developmental disabilities, pursuant to article 41 of the mental hygiene law and for management fees associated with voluntary not-for-profit operated projects to be financed through dormitory authority of the state of New York bonds (513209H2) ..... 6,450,000 ..... (re. $6,450,000)

By chapter 54, section 1, of the laws of 2008:
For the comprehensive construction programs, purposes and projects as herein specified, and for departmental administrative costs related thereto, consistent with section 41.34 of the mental hygiene law, and for the acquisition of property, construction and rehabilitation, including the payment of preoperational costs incurred prior to occupancy, of article 16 community mental retardation facilities and associated programs and facilities and under the auspice of

municipalities and other public and not-for-profit private agencies approved by the commissioner of the office of mental retardation and developmental disabilities, pursuant to article 41 of the mental hygiene law and for management fees associated with voluntary not-for-profit operated projects to be financed through dormitory authority of the state of New York bonds (513208H2) ..... 6,400,000 ..... (re. $6,400,000)

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

For payment according to the following schedule:

	APPROPRIATIONS	REAPPROPRIATIONS
General Fund - State and Local	5,636,000	0
Special Revenue Funds - Federal	8,345,000	11,045,000
Special Revenue Funds - Other	4,663,000	0
Enterprise Funds	45,000	0
All Funds	18,689,000	11,045,000

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

Fund Type	State Operations	Aid to Localities	Capital Projects	Total
GF-St/Local	5,466,000	170,000	0	5,636,000
SR-Federal	8,345,000	0	0	8,345,000
SR-Other	4,185,000	478,000	0	4,663,000
Enterprise	45,000	0	0	45,000
All Funds	18,041,000	648,000	0	18,689,000

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

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

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 appropriation authority contained herein to any other federal fund or program within the commission on quality of care and advocacy for persons with disabilities 300,000

Program fund subtotal 300,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Disability and Technical Assistance Account

For services and expenses related to disability consultant services pursuant to chapter 58 of the laws of 2005.

PERSONAL SERVICE

Personal service--regular 57,000
Holiday/overtime compensation 1,000

Amount available for personal service 58,000

NONPERSONAL SERVICE

Supplies and materials 3,000
Travel 9,000
Contractual services 56,000
Equipment 1,000
Fringe benefits 28,000
Indirect costs 2,000

Amount available for nonpersonal service 99,000

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Program account subtotal 157,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Conference Fee Account

For services and expenses of the commission pursuant to chapter 58 of the laws of 2005.

NONPERSONAL SERVICE

Supplies and materials 15,000
Travel 20,000
Contractual services 36,000

Program account subtotal 71,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Federal Salary Sharing Account

PERSONAL SERVICE

Personal service--regular 2,381,000
Holiday/overtime compensation 14,000

Amount available for personal service 2,395,000

NONPERSONAL SERVICE

Supplies and materials 2,000
Travel 146,000
Contractual services 164,000
Equipment 15,000
Fringe benefits 1,160,000
Indirect costs 75,000

Amount available for nonpersonal service 1,562,000

Program account subtotal 3,957,000

Enterprise Funds / State Operations
Miscellaneous Enterprise Fund - 331
Publications Account

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

NONPERSONAL SERVICE

Supplies and materials	5,000
Contractual services	15,000
Program account subtotal	20,000

Enterprise Funds / State Operations
Miscellaneous Enterprise Fund - 331
TRAID Services Account

For services and expenses related to TRAID project activities including the provision of educational, outreach, training and support services pursuant to chapter 58 of the laws of 2005.

NONPERSONAL SERVICE

Supplies and materials	5,000
Travel	10,000
Contractual services	10,000
Program account subtotal	25,000

ADULT HOMES PROGRAM	230,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses related to the adult homes advocacy program	170,000
Program account subtotal	170,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Adult Home Resident Council Support Project Account

For services and expenses related to the adult homes resident council support project	60,000
Program account subtotal	60,000

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

CLIENT ASSISTANCE PROGRAM 721,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

Personal service 82,000
Nonpersonal service 598,000
Fringe benefits 39,000
Indirect costs 2,000

PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM 252,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements.

Personal service 52,000
Nonpersonal service 174,000
Fringe benefits 25,000
Indirect costs 1,000

PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM 335,000

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

Personal service 61,000
Nonpersonal service 243,000
Fringe benefits 29,000
Indirect costs 2,000

PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED PROGRAM 2,397,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

Personal service 484,000
Nonpersonal service 1,676,000
Fringe benefits 228,000
Indirect costs 9,000

PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS PROGRAM 2,036,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

Personal service 577,000
Nonpersonal service 1,176,000
Fringe benefits 272,000
Indirect costs 11,000

PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM 123,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

Nonpersonal service 123,000

PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM 215,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

Nonpersonal service 215,000

PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM 1,154,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

Personal service 136,000
Nonpersonal service 951,000
Fringe benefits 64,000
Indirect costs 3,000

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2010-11

SURROGATE DECISION-MAKING COMMITTEE PROGRAM 418,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Federal Salary Sharing Account

For surrogate decision-making committee program contracts with local service providers 418,000

Program account subtotal 418,000

TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES 812,000

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267
1031-OT-Education Account

For services and expenses related to TRAID including for contract for the delivery of direct services to persons utilizing regional technology centers or other entities funded through the TRAID project pursuant to chapter 58 of the laws of 2005.

Personal service 184,000
Nonpersonal service 537,000
Fringe benefits 87,000
Indirect costs 4,000

Total new appropriations for state operations and aid to localities 18,689,000

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

ADMINISTRATION PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

By chapter 54, section 1, of the laws of 2009:
For services and expenses associated with federal grant awards yet to be allocated. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the commission on quality of care and advocacy for persons with disabilities ... 300,000 ..... (re. $300,000)

CLIENT ASSISTANCE PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

By chapter 54, section 1, of the laws of 2009:
Personal service ... 80,000 ..... (re. $63,000)
Nonpersonal service ... 533,000 ..... (re. $533,000)
Fringe benefits ... 34,000 ..... (re. $27,000)
Indirect costs ... 7,000 ..... (re. $6,000)

By chapter 54, section 1, of the laws of 2008:
Nonpersonal service ... 571,000 ..... (re. $505,000)

PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements.
Personal service ... 56,000 ..... (re. $56,000)
Nonpersonal service ... 133,000 ..... (re. $133,000)
Fringe benefits ... 24,000 ..... (re. $24,000)
Indirect costs ... 4,000 ..... (re. $4,000)

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements ... 229,000 ..... (re. $97,000)

PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

By chapter 54, section 1, of the laws of 2009:
Personal service ... 106,000 ..... (re. $94,000)
Nonpersonal service ... 243,000 ..... (re. $219,000)
Fringe benefits ... 45,000 ..... (re. $11,000)
Indirect costs ... 9,000 ..... (re. $2,000)

PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

By chapter 54, section 1, of the laws of 2009:
Personal service ... 452,000 ..... (re. $347,000)
Nonpersonal service ... 1,348,000 ..... (re. $1,348,000)
Fringe benefits ... 189,000 ..... (re. $146,000)
Indirect costs ... 36,000 ..... (re. $30,000)

By chapter 54, section 1, of the laws of 2008:
Nonpersonal service ... 1,354,000 ..... (re. $1,326,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2007 to September 30, 2008:
Nonpersonal service ... 1,264,000 ..... (re. $360,000)

PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

By chapter 54, section 1, of the laws of 2009:
Personal service ... 588,000 ..... (re. $465,000)
Nonpersonal service ... 796,000 ..... (re. $796,000)
Fringe benefits ... 246,000 ..... (re. $195,000)
Indirect costs ... 47,000 ..... (re. $40,000)

By chapter 54, section 1, of the laws of 2008:
Nonpersonal service ... 887,000 ..... (re. $721,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2007 to September 30, 2008:
Nonpersonal service ... 706,000 ..... (re. $ 97,000)

PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

By chapter 54, section 1, of the laws of 2009:
Nonpersonal service ... 167,000 ..... (re. $167,000)

By chapter 54, section 1, of the laws of 2008:

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

Nonpersonal service ... 89,000 ..... (re. $17,000)

PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265

By chapter 54, section 1, of the laws of 2009:
Nonpersonal service ... 223,000 ..... (re. $223,000)

By chapter 54, section 1, of the laws of 2008:
Nonpersonal service ... 181,000 ..... (re. $87,000)

PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267

By chapter 54, section 1, of the laws of 2009:
Personal service ... 155,000 ..... (re. $121,000)
Nonpersonal service ... 668,000 ..... (re. $668,000)
Fringe benefits ... 65,000 ..... (re. $51,000)
Indirect costs ... 13,000 ..... (re. $11,000)

By chapter 54, section 1, of the laws of 2008:
Nonpersonal service ... 704,000 ..... (re. $542,000)

TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267
1031-OT-Education Account

By chapter 54, section 1, of the laws of 2009:
For services and expenses related to TRAID including for contract for the delivery of direct services to persons utilizing regional technology centers or other entities funded through the TRAID project pursuant to chapter 58 of the laws of 2005.
Personal service ... 185,000 ..... (re. $185,000)
Nonpersonal service ... 431,000 ..... (re. $431,000)
Fringe benefits ... 77,000 ..... (re. $77,000)
Indirect costs ... 14,000 ..... (re. $14,000)

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to TRAID including for contract for the delivery of direct services to persons utilizing regional technology centers or other entities funded through the TRAID project pursuant to chapter 58 of the laws of 2005 .....
845,000 ..... (re. $506,000)

COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

1	Total reappropriations for state operations and aid to	
2	localities	11,045,000
3		==========

S 2. The several amounts specified in this section, or so much thereof as may be sufficient to accomplish the purposes designated by the appropriations, are hereby appropriated and authorized to be paid as hereinafter provided, for the several purposes specified.

CONTINGENT AND OTHER APPROPRIATIONS

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2010-11

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 2, of the laws of 2002:
For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ... 13,500,000 ..... (re. $13,500,000)

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Health Services Account

By chapter 54, section 1, of the laws of 1997, as amended by chapter 54, section 2, of the laws of 2002:
For advances to Roswell Park cancer institute account, the Helen Hayes hospital account, the New York city veterans' home account, the New York state home for veterans and their dependents at Oxford account, New York state home for veterans in the lower-Hudson Valley account, and the Western New York veterans' home account. Notwithstanding any existing provision of law, amounts from this appropriation may be made available only upon request of the commissioner of the department of health and issuance of a certificate of approval by the director of the budget. No moneys may be allocated from this appropriation until a repayment agreement has been signed between the commissioner of the department of health and the director of the budget regarding the outstanding balance in the miscellaneous special revenue fund - health services account. Each allocation must be repaid within 90 days of the date of the respective certificate provided, however, an outstanding balance amount up to $500,000 for each institutional account may be carried over into the ensuing fiscal year ... 20,000,000 ..... (re. $20,000,000)

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