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, 2005.

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 and the provisions of section 8 of part II of chapter 59 of the laws of 2004.

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

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [ ] is old law to be omitted.
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, 2005.

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 2004.

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, 2005. 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 2004.

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, 2005.
For payment according to the following schedule:

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>State Operations</th>
<th>Aid to Localities</th>
<th>Capital Projects</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>GF-St/Local</td>
<td>2,289,000</td>
<td>74,124,300</td>
<td>0</td>
<td>76,413,300</td>
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<tr>
<td>SR-Federal</td>
<td>10,250,000</td>
<td>107,600,000</td>
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<td>117,850,000</td>
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<tr>
<td>SR-Other</td>
<td>300,000</td>
<td>4,000,000</td>
<td>0</td>
<td>4,300,000</td>
</tr>
<tr>
<td>Enterprise</td>
<td>100,000</td>
<td>0</td>
<td>0</td>
<td>100,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>12,939,000</td>
<td>185,724,300</td>
<td>0</td>
<td>198,663,300</td>
</tr>
</tbody>
</table>

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

SCHEDULE

ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM ............ 12,939,000

General Fund / State Operations
State Purposes Account - 003

Personal service ................................ 1,983,000
Nonpersonal service .............................. 306,000
Program account subtotal ..................... 2,289,000

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:
For the grant period October 1, 2004 to September 30, 2005 .................... 4,500,000
For the grant period October 1, 2005 to September 30, 2006 .................... 4,200,000
Program fund subtotal .................... 8,700,000

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:
OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES   2005-06

For the grant period October 1, 2004 to September 30, 2005 ....................... 800,000
For the grant period October 1, 2005 to September 30, 2006 ....................... 400,000

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:

Federal funds authorized October 1, 2003 for the grant period beginning July 1, 2004 .. 60,000
Federal funds authorized October 1, 2004 for the grant period beginning July 1, 2005 .. 290,000

Program account subtotal .................. 350,000

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

For services and expenses of the state office for the aging ..................... 250,000

Program account subtotal .................. 250,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - F04
Long Term Care Insurance Resource Center Account

For services and expenses of the state office for the aging associated with coordinating the long term care insurance education and outreach program in accordance with section 217-a of the elder law .......................... 50,000

Program account subtotal .................. 50,000

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

For services and expenses related to video and other media .......................... 100,000

Program account subtotal .................. 100,000

COMMUNITY SERVICES PROGRAM ............................... 185,724,300
General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses, including the
payment of liabilities incurred prior to
April 1, 2005, related to the community
services elderly grant program. No expend-
itures shall be made from this appropri-
ation 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 appro-
priated 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 main-
tenance 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 .................... 16,621,000

For planning and implementation, including
the payment of liabilities incurred prior
to April 1, 2005, of a program of expanded
in-home, case management and ancillary
community services for the elderly
(EISEP). No expenditures shall be made
from this appropriation until the director
of the budget has approved a plan submit-
ted by the office outlining the amounts
and purposes of such expenditures and the
allocation of funds among the counties,
including the city of New York .......... 34,972,000

For services and expenses related to the
congregate services initiative. No expend-
itures shall be made from this appropri-
ation 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 .................... 866,000

For services and expenses of grants to area
agencies on aging for the establishment
and operation of caregiver resource
centers ................................. 360,000

For services and expenses, including the
payment of liabilities incurred prior to
April 1, 2005, associated with the supple-
mental 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 ................................. 17,209,000
Local grants for services and expenses of
the long-term care ombudsman program ..... 746,000
For services and expenses of the retired and
senior volunteer program (RSVP) ........... 442,000
For services and expenses of the EAC/Nassau
senior respite program ................... 242,000
For services and expenses of the long-term
senior respite care .......................... 145,000
For services and expenses of the New York
foundation for senior citizens home shar-
ing and respite care program ............. 175,000
For services and expenses related to renewal
of the 18 existing contracts for the so-
cial model adult day services program .... 946,300
For services and expenses related to renewal
of the 14 existing contracts for naturally
occurring retirement communities (NORC) .. 1,200,000
For services and expenses of the foster
grandparents program ........................ 200,000
--------------
Program account subtotal ................ 74,124,300
--------------
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:
For the grant period October 1, 2004 to
September 30, 2005:
Title III-b social services ................... 17,000,000
Title III-c nutrition programs ............... 23,000,000
Title III-e caregivers ........................ 7,000,000
Health and human services programs ....... 2,500,000
Nutrition services incentive program ....... 8,000,000
--------------
Grant period total ........................ 57,500,000
--------------
For the grant period October 1, 2005 to
September 30, 2006:
Title III-b social services ................... 9,000,000
Title III-c nutrition programs, including a
suballocation to the department of health
for nutrition program activities .......... 18,000,000
Title III-e caregivers ....................... 5,000,000
Health and human services programs ...... 2,500,000
Nutrition services incentive program ...... 8,000,000
--------------
<table>
<thead>
<tr>
<th>Grant period total</th>
<th>42,500,000</th>
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</thead>
<tbody>
<tr>
<td>Program fund subtotal</td>
<td>100,000,000</td>
</tr>
</tbody>
</table>

**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:

- **For the grant period October 1, 2004 to September 30, 2005** | 300,000 |
- **For the grant period October 1, 2005 to September 30, 2006** | 300,000 |

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:

- Federal funds authorized October 1, 2003 for the grant period beginning July 1, 2004 | 1,500,000 |
- Federal funds authorized October 1, 2004 for the grant period beginning July 1, 2005 | 5,500,000 |

Program account subtotal | 7,000,000 |
--------------------|------------|

**Special Revenue Funds - 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 | 1,000,000 |

Program account subtotal | 1,000,000 |
--------------------|------------|

**Special Revenue Funds - Other / Aid to Localities**

- **HCRA Resources Fund - F04**
- **Long Term Care Insurance Resource Center Account**

For services and expenses of the long term care insurance education and outreach program in accordance with section 217-a of the elder law | 3,000,000 |

Program account subtotal | 3,000,000 |
--------------------|------------|

Total new appropriations for state operations and aid to localities | 198,663,300 |
ADMINISTRATION PROGRAM

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

By chapter 54, section 1, of the laws of 2002:
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, 2001 to September 30, 2002:...
1,400,000 .................................................. (re. $8,000)

ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM

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

By chapter 54, section 1, of the laws of 2004:
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, 2003 to September 30, 2004 ...........
4,500,000 .................................................. (re. $2,555,000)
For the grant period October 1, 2004 to September 30, 2005 ...........
4,200,000 .................................................. (re. $4,200,000)

By chapter 54, section 1, of the laws of 2002:
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, 2002 to September 30, 2003:...
4,200,000 .................................................. (re. $16,000)

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 2004:
For the senior community service employment program provided under title V of the federal older Americans act:
Federal funds authorized October 1, 2003 for the grant period begin-
ing July 1, 2004 ... 290,000 ....................... (re. $290,000)

COMMUNITY SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2004:
For services and expenses, including the payment of liabilities in-
curred prior to April 1, 2004, associated with the supplemental nutrition assistance program (SNAP), including a suballocation to the department of agriculture and markets for the food coupon 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 ......................
17,209,000 .................................................. (re. $300,000)
For services and expenses related to renewal of existing contracts for the social model adult day services program ...................
946,300 .................................................. (re. $946,300)
For services and expenses related to renewal of existing contracts for naturally occurring retirement communities (NORC) ..................
1,200,000 .................................................. (re. $500,000)
OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

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

3 By chapter 54, section 1, of the laws of 2002:
4 For programs provided under the titles of the federal older Americans act and other health and human services programs:
5 For the grant period October 1, 2001 to September 30, 2002: ... ....
6 3,100,000 ......................................................... (re. $19,000)

7 By chapter 54, section 1, of the laws of 2001:
8 For programs provided under the titles of the federal older Americans act and other health and human services programs:
9 For the grant period October 1, 2000 to September 30, 2001: ... ....
10 3,100,000 ......................................................... (re. $26,000)

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

13 By chapter 54, section 1, of the laws of 2004:
14 For programs provided under the titles of the federal older Americans act and other health and human services programs:
15 For the grant period October 1, 2003 to September 30, 2004: ... ....
16 57,500,000 ......................................................... (re. $47,000,000)
17 For the grant period October 1, 2004 to September 30, 2005: ... ....
18 41,000,000 ......................................................... (re. $41,000,000)

19 By chapter 54, section 1, of the laws of 2003:
20 For programs provided under the titles of the federal older Americans act and other health and human services programs:
21 For the grant period October 1, 2002 to September 30, 2003: ... ....
22 49,500,000 ......................................................... (re. $5,000,000)

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

26 By chapter 54, section 1, of the laws of 2004:
27 For the senior community service employment program provided under title V of the federal older Americans act:
28 Federal funds authorized October 1, 2003 for the grant period beginning July 1, 2004 ... 5,500,000 .................... (re. $5,500,000)

29 Total reappropriations for state operations and aid to localities ........................................... 107,360,300

30 ==

31
For payment according to the following schedule:

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>APPROPRIATIONS</th>
<th>REAPPROPRIATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Federal</td>
<td>4,550,000</td>
<td>5,713,000</td>
</tr>
<tr>
<td>Enterprise Funds</td>
<td>10,000</td>
<td>0</td>
</tr>
<tr>
<td>All Funds</td>
<td>4,560,000</td>
<td>5,713,000</td>
</tr>
</tbody>
</table>

### AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

<table>
<thead>
<tr>
<th>State Fund Type</th>
<th>State Operations</th>
<th>Aid to Operations</th>
<th>Capital Projects</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR-Federal</td>
<td>4,550,000</td>
<td>0</td>
<td>0</td>
<td>4,550,000</td>
</tr>
<tr>
<td>Enterprise</td>
<td>10,000</td>
<td>0</td>
<td>0</td>
<td>10,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>4,560,000</td>
<td>0</td>
<td>0</td>
<td>4,560,000</td>
</tr>
</tbody>
</table>

### SCHEDULE

DEVELOPMENTAL DISABILITIES PLANNING PROGRAM ............. 4,560,000

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

For the grant period October 1, 2004 to September 30, 2005:

- Personal service ......................... 520,000
- Nonpersonal service ....................... 220,000
- Fringe benefits ......................... 240,000
- Indirect costs ......................... 5,000
- Maintenance undistributed .............. 1,115,000

Grant period total .................... 2,100,000

For the grant period October 1, 2005 to September 30, 2006:

- Personal service ......................... 520,000
- Nonpersonal service ....................... 220,000
- Fringe benefits ......................... 240,000
- Indirect costs ......................... 5,000
- Maintenance undistributed .............. 1,465,000

Grant period total .................... 2,450,000

Program fund subtotal ................. 4,550,000
Enterprise Funds / State Operations
Miscellaneous Enterprise Fund - 331
Developmental Disabilities Planning Council Publications

For services and expenses incurred by the developmental disabilities planning council related to producing, reproducing, distributing, and mailing printed, recorded and electronic media:

Nonpersonal service ................. 10,000

Program account subtotal ........... 10,000

Total new appropriations for state operations and aid to localities ........................................... 4,560,000
By chapter 54, section 1, of the laws of 2004:
For services and expenses related to the provision of services to the developmentally disabled under the provisions of the federal developmental disabilities bill of rights act of nineteen hundred seventy-five:
For the grant period October 1, 2003 to September 30, 2004: ... ....
2,100,000 ......................................................... (re. $2,100,000)
For the grant period October 1, 2004 to September 30, 2005: ... ....
2,450,000 ......................................................... (re. $2,450,000)

By chapter 54, section 1, of the laws of 2003:
For services and expenses related to the provision of services to the developmentally disabled under the provisions of the federal developmental disabilities bill of rights act of nineteen hundred seventy-five:
For the grant period October 1, 2002 to September 30, 2003: ... ....
2,100,000 ......................................................... (re. $300,000)
For the grant period October 1, 2003 to September 30, 2004: ... ....
2,450,000 ......................................................... (re. $650,000)

By chapter 54, section 1, of the laws of 2002:
For services and expenses related to the provision of services to the developmentally disabled under the provisions of the federal developmental disabilities bill of rights act of nineteen hundred seventy-five:
For the grant period October 1, 2002 to September 30, 2003: ... ....
2,450,000 ......................................................... (re. $213,000)

Total reappropriations for state operations and aid to localities ........................................... 5,713,000

====================
For payment according to the following schedule:

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Appropriations</th>
<th>Reappropriations</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund - State and Local</td>
<td>8,207,661,600</td>
<td>143,635,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal</td>
<td>28,978,466,000</td>
<td>39,275,667,500</td>
</tr>
<tr>
<td>Special Revenue Funds - Other</td>
<td>7,637,492,000</td>
<td>642,496,000</td>
</tr>
<tr>
<td>Capital Projects Funds</td>
<td>326,600,000</td>
<td>224,091,000</td>
</tr>
<tr>
<td>Enterprise Funds</td>
<td>10,000</td>
<td>0</td>
</tr>
<tr>
<td><strong>All Funds</strong></td>
<td>45,150,229,600</td>
<td>40,285,889,500</td>
</tr>
</tbody>
</table>

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>State Operations</th>
<th>Aid to Localities</th>
<th>Capital Projects</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>GF-St/Local</td>
<td>184,565,000</td>
<td>8,023,096,600</td>
<td>0</td>
<td>8,207,661,600</td>
</tr>
<tr>
<td>SR-Federal</td>
<td>4,054,898,000</td>
<td>24,923,568,000</td>
<td>0</td>
<td>28,978,466,000</td>
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<tr>
<td>SR-Other</td>
<td>477,878,000</td>
<td>7,159,614,000</td>
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<tr>
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<td>0</td>
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<td>326,600,000</td>
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<tr>
<td>Enterprise</td>
<td>10,000</td>
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<td>10,000</td>
</tr>
<tr>
<td><strong>All Funds</strong></td>
<td>4,717,351,000</td>
<td>40,106,278,600</td>
<td>326,600,000</td>
<td>45,150,229,600</td>
</tr>
</tbody>
</table>

SCHEDULE

ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM ............ 64,390,000

General Fund / State Operations
State Purposes Account - 003

Personal service ........................................ 7,463,000
Nonpersonal service ..................................... 13,600,000
Program account subtotal ............................... 21,063,000

General Fund / Aid to Localities
Local Assistance Account - 001

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 ............. 602,000
Program account subtotal ............................... 602,000

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

For the grant period October 1, 2004 to
September 30, 2005 ......................... 360,000
STATE OPERATIONS AND AID TO LOCALITIES 2005-06

For the grant period October 1, 2005 to September 30, 2006 ....................... 458,000

Program account subtotal .................. 818,000

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

For various food and nutritional services:

For the grant period October 1, 2003 to September 30, 2004 ....................... 1,320,000
For the grant period October 1, 2004 to September 30, 2005 ....................... 1,684,000

Program account subtotal .................. 3,004,000

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

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

For grants beginning on or after April 1, 2005 ..................................... 1,085,000

Program fund subtotal .................. 1,085,000

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

For various health prevention, diagnostic, detection and treatment services:

For the grant period October 1, 2004 to September 30, 2005 ....................... 2,287,000
For the grant period October 1, 2005 to September 30, 2006 ....................... 2,630,000

Program fund subtotal .................. 4,917,000

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
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

section 64-a of the public officers law. Notwithstanding any other provision of law, these funds may be used for payments to Health Research, Inc. as reimbursement for expenses incurred in its patent and technology transfer operations, to support research, training, and infrastructure development in the department's research facilities, and for payments to inventors. The moneys hereby appropriated shall be available for liabilities heretofore and hereafter to accrue 500,000.

Program account subtotal 500,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - F04
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:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>589,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>1,507,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>248,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>2,344,000</td>
</tr>
</tbody>
</table>

Special Revenue Funds - Other / State Operations
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:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>1,162,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>704,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>489,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>2,355,000</td>
</tr>
</tbody>
</table>

Special Revenue Funds - Other / State Operations
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:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>445,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>288,000</td>
</tr>
</tbody>
</table>
### DEPARTMENT OF HEALTH

#### STATE OPERATIONS AND AID TO LOCALITIES 2005-06

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fringe benefits</td>
<td>187,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>920,000</td>
</tr>
</tbody>
</table>

For services and expenses related to administration of the health care and cancer initiative programs pursuant to section 2807-1 of the public health law:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>323,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>435,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>136,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>894,000</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>6,700,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>2,400,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>9,100,000</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>2,719,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>3,355,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>1,150,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>7,224,000</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>3,780,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>1,857,000</td>
</tr>
<tr>
<td></td>
<td>Amount</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>1,719,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>7,356,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Vital Records Management Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses including the collection of increased fees related to the vital records program:</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>1,100,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>691,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>417,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>2,208,000</td>
</tr>
<tr>
<td>AIDS INSTITUTE PROGRAM</td>
<td>105,278,600</td>
</tr>
<tr>
<td>General Fund / State Operations</td>
<td></td>
</tr>
<tr>
<td>State Purposes Account - 003</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>10,357,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>5,431,000</td>
</tr>
<tr>
<td>Maintenance undistributed For suballocation to the office of children and family services through a memorandum of understanding with the AIDS institute, for services related to HIV policy development and training</td>
<td>150,000</td>
</tr>
<tr>
<td>For suballocation to the state education department through a memorandum of understanding with the AIDS institute, for the provision of AIDS education by AIDS regional training coordinators for staff in elementary and secondary schools</td>
<td>200,000</td>
</tr>
<tr>
<td>For suballocation to the division of human rights through a memorandum of understanding with the AIDS institute, for services of the office of AIDS discrimination investigation</td>
<td>100,000</td>
</tr>
<tr>
<td>Available for maintenance undistributed</td>
<td>450,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>16,238,000</td>
</tr>
<tr>
<td>General Fund / Aid to Localities</td>
<td></td>
</tr>
<tr>
<td>Local Assistance Account - 001</td>
<td></td>
</tr>
<tr>
<td>For grants to community based organizations to support permanency planning and support services for families affected by HIV</td>
<td>393,800</td>
</tr>
<tr>
<td>For additional demonstration project grants to designated AIDS centers, and not-for-profit organizations, including but not limited to community service programs and</td>
<td></td>
</tr>
</tbody>
</table>


community-based organizations, providing
specialized AIDS-related services for
purposes of patient education and case
management services related to promoting
compliance with HIV-related treatment
therapies and regimes .................... 393,800
Program account subtotal ............... 787,600
--------------
10

Special Revenue Funds - Other / Aid to Localities

HCRA Resources Fund - F04
Health Care Services Account

For grants to community service programs
including but not limited to community
based organizations and other organiza-
tions providing specialized AIDS-related
services targeted to minority and other
high risk populations. Up to $125,000 may
be transferred to the general fund - state
purposes account for the administration of
this program ............................. 20,603,000

For grants to existing community service
programs to meet the increased demands for
HIV education, prevention, outreach, legal
and supportive services to high risk
groups and to address increased operating
costs of these programs ................ 4,800,000

For additional grants to existing community
service programs to meet the increased
demands for HIV education, prevention,
outreach, legal and supportive services to
high-risk groups and to address increased
operating costs of these programs. Such
grants shall be equitably distributed .... 850,000

For services and expenses related to the
operation of the Cornell university parent
HIV/AIDS education project to provide
educational workshops for parents in
Nassau county, and to enhance the project
in Suffolk county ......................... 75,000

For services and expenses of the Long Island
association for AIDS care to conduct a
study to (1) identify the medical and
social service gaps for children orphaned
by AIDS on Long Island, as well as strate-
gies to link families with AIDS with
community services in order to plan for
future care needs of their children, and
(2) develop innovative comprehensive model
service programs for such children ....... 50,000

For grants to county health departments for
HIV-related public health activities in
rural underserved counties and counties
with the most rapid increases in HIV inci-
dence ..................................... 300,000

For services and expenses of the AIDS insti-
tute related to training and education
activities and continuum of care initi-
atives ..................................... 2,331,000
For services and expenses of a pilot surveillance project for investigation of reported AIDS cases by county health departments as authorized by the commissioner of health ....................... 90,000
For grants to community based organizations for the provision of services to parolees and their families. Up to $730,000 of this appropriation may be transferred to the general fund - state purposes account for administration of this program ........... 1,130,000
For HIV counseling and testing services in facilities operated by the New York state department of corrections. All or part of this appropriation may be transferred to the general fund - state purposes account for administration of this program ......... 925,000
For grants for the provision of outreach and case management services to high-risk women and children ....................... 1,375,000
For services and expenses related to the provision of outreach and education to low-income and minority communities concerning the availability of and access to clinical drug trials ............... 100,000
For services and expenses related to the care and service needs of children, adolescents and families with the HIV disease .................................. 1,838,000
For grants for the provision of comprehensive HIV prevention and health care services to high-risk adolescents and young adults. Up to 5 percent of this appropriation may be transferred to the general fund - state purposes account for the administration of this program ........ 2,321,000
For grants for housing, supported housing and referral services for homeless persons with HIV/AIDS and their families, including those with tuberculosis or if warranted those with tuberculosis only, in areas as determined by data collected by the department of health ..................... 2,500,000
For transfer to the office of temporary and disability assistance for operational support to projects which have received capital grant awards through the homeless housing assistance program ............... 1,000,000
For grants for the provision of HIV prevention and primary care services to high risk populations in community health centers and substance abuse programs ...... 718,000
For grants to community based organizations for HIV prevention and outreach efforts targeted to substance abusers .......... 470,000
For services and expenses related to education and prevention services and for nutritional services including individuals homebound with AIDS or in an adult day care or home care setting .............. 4,900,000
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES  2005-06

1 For grants to community based organizations
to support permanency planning and support
services for families affected by HIV. Up
to 5 percent of this appropriation may be
transferred to the general fund - state
purposes account for the administration of
this program .................................. 1,000,000
2 For grants to community based organizations
and for services and expenses of the AIDS
institute related to the provision of HIV
education and prevention services. Up to
10 percent of this appropriation may be
transferred to the general fund - state
purposes account for administration of
this program .................................. 750,000
3 For services and expenses of surveillance
projects for investigation of reported
AIDS cases, including seroprevalence
studies, as authorized by the commissioner
of health ................................. 330,000
4 For provision of comprehensive HIV outreach
and prevention services to adolescents and
women ........................................ 1,000,000
5 For state aid to municipalities pursuant to
article 6 of the public health law or for
grants to counties and local health
departments for an HIV surveillance and
partner notification program ............ 4,100,000
6 For services and expenses of the medical
society of the state of New York for a
peer educational program for physicians
regarding the testing and reporting of
individuals who are infected with HIV .... 100,000
7 For grants for AIDS prevention and education
and AIDS related services to community
based organizations and to article 28 of
the public health law diagnostic and
treatment centers. For the purposes of
this program, eligible organizations must
(1) operate in a neighborhood or geographic
area with high concentrations of at
risk populations; and (2) provide services
and programs that are culturally sensitive
to the special social and cultural needs
of the at risk populations .................. 12,300,000
8 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 popu-
lations. Such grants shall be used to meet
the increased demands for HIV education,
prevention, outreach, and legal programs.
Such grants shall be equitably distributed
............................................. 850,000
9 For grants for the provision of primary
health care services in drug treatment
programs. Up to $800,000 of this appropri-

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06


1. substance can be used for services targeted to
2. intravenous drug users. Up to 5 percent of
3. this appropriation may be transferred to
4. the general fund - state purposes account
5. for the administration of this program ... 2,666,000
6. For services and expenses relating to the
7. provision of HIV counseling and testing by
8. family planning clinics and prenatal care assistance programs to the extent that
9. reimbursement through medical assistance
10. is not available. These funds shall not be
11. used by the department for any costs
12. directly related to the processing of
13. tests .................................... 3,452,000
14. For grants for the development of women's
15. HIV clinics to provide comprehensive
16. obstetrical/gynecological services and for
17. grants to health care facilities and
18. community organizations for the provisions
19. of primary care, subspecialty care and
20. supportive services to HIV-infected women
21. and children in underserved, high seroprevalence areas. Up to 5 percent of this
22. appropriation may be transferred to the
23. general fund - state purposes account for
24. the administration of this program ...... 1,294,000
25. For services and expenses related to the
26. special program for HIV services for
27. infants and pregnant women established
28. pursuant to section 71 of chapter 731 of
29. the laws of 1993 ......................... 1,500,000
30. For services and expenses associated with
31. the HIV clinical education initiative
32. program .................................. 1,600,000
33. Program account subtotal ............... 77,318,000

Special Revenue Funds - Other / Aid to Localities

HCRA Resources Fund - P04

Hospital Based Grants Program Account

For grants to community service programs
34. including but not limited to community
35. based organizations and other organiza-
36. tions providing specialized AIDS-related
37. services targeted to minority and other
38. high-risk populations ..................... 1,038,000
39. For services and expenses of an HIV and
40. substance abuse fellowship program to
41. encourage physicians and nurses to work in
42. clinical settings providing care and
43. treatment to persons with HIV infection,
44. including but not limited to designated
45. care centers, community health centers,
46. hospital outpatient clinics, substance
47. abuse treatment programs, mental health
48. clinics, family planning and prenatal
49. clinics, for training in diagnosis and
50. management of HIV illness and substance
51. abuse treatment. Up to 5 percent of the
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES  2005-06

1 amount appropriated may be transferred to
2 the general fund - state purposes account
3 for administration of the program ........ 1,489,000
4 For services and expenses related to the
5 provision of HIV counseling and testing by
6 family planning clinics and prenatal care
7 assistance programs ................. 548,000
8 For services and expenses of the AIDS insti-
9 tute related to training and education
10 activities and continuum of care initi-
11 atives .......................... 324,000
12 For grants for the provision of primary
13 health care services in drug treatment
14 programs. Up to 5 percent of this amount
15 may be transferred to the general fund -
16 state purposes account ............... 368,000
17 For grants for the provision of comprehen-
18 sive HIV prevention and health care
19 service to high-risk adolescents and young
20 adults ....................... 850,000
21 For grants for the development of women's
22 HIV clinics to provide comprehensive
23 obstetrical/gynecological services and for
24 grants to health care facilities and
25 community organizations for the provision
26 of primary care, subspecialty care and
27 supportive services to HIV infected women
28 and children in underserved, high seropre-
29 valence areas ..................... 806,000
30 For grants of the provision of HIV
31 prevention and primary care services to
32 high risk populations in community health
33 centers and substance abuse programs .... 482,000
34 For grants to community based organizations
35 for HIV prevention and outreach efforts
36 targeted to substance abusers ........ 30,000
37 -------------------------
38 Program account subtotal ............ 5,935,000
39
40 Special Revenue Funds - Other / Aid to Localities
41 HCRA Resources Fund - F04
42 Maternal and Child HIV Services Account
43
44 For services and expenses related to special
45 programs for HIV services for infants and
46 pregnant women established pursuant to
47 section 71 of chapter 731 of the laws of
48 1993. Such programs may provide continuing
49 services to high-risk and HIV-positive
50 women and children. Up to 5 percent of
51 this appropriation may be transferred to
52 the general fund-state purposes account
53 for administration of this program .... 5,000,000
54 -------------------------
55 Program account subtotal ............ 5,000,000
56
57
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES  2005-06

CENTER FOR COMMUNITY HEALTH PROGRAM ...................... 1,461,924,000

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, 2005 through December 31, 2005. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued ....................... 221,500,000

For state aid to municipalities to respond to emergency public health needs pursuant to article 6 of the public health law. Notwithstanding any provision of law, rule, or regulation to the contrary and subject to the approval of the director of the budget, a portion of this appropriation may be made available for general public health services pursuant to article 6 of the public health law for activities under the jurisdiction of the commissioner of health ....................... 10,000,000
STATE OPERATIONS AND AID TO LOCALITIES  2005-06

1 For costs associated with expanded follow-up and interim housing for children identified with elevated blood lead levels ..... 720,000
2 For grants to community based organizations, in accordance with chapter 820 of the laws of 1987, for nutrition outreach in areas where a significant percentage or number of those potentially eligible for food assistance programs are not participating in such programs. A portion of this appropriation, not to exceed $600,000 shall be suballocated to the office of temporary and disability assistance. Up to 15 percent of the funds appropriated may be allocated to fund a program of nutrition outreach as established pursuant to section 2597 of the public health law if such a program is administered through a contract arrangement ..................... 1,000,000
3 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. Up to 5 percent of this amount may be transferred to the general fund - state purposes account, subject to approval by the director of the budget, for the administration of this program by the department of health ...... 17,004,000
4 For additional services and expenses provided to women, infants, and children whose incomes do not exceed 200 percent of the federal poverty level ............... 4,900,000
5 For services provided by school based health centers .................. 3,325,000
6 For additional services and expenses of the hunger prevention and nutrition assistance program for individuals and families whose incomes do not exceed 200 percent of the federal poverty level, including: additional capacity and services for underserved communities and populations including those served by small food pantries; enhanced nutritional quality by accessing diversified food resources including from local farms and farmers' markets; and outreach and referral to other programs designed to reduce dependence on emergency food. A portion of the $12,000,000 appropriated herein may be made available through transfer to reimburse personal and nonpersonal service costs incurred in administering the provision of such services to such eligible individuals and families ............................... 12,000,000
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 For services and expenses, including operating expenses related to providing nutritional services and nutrition education for hunger prevention and nutrition assistance. Up to 5 percent of this amount may be transferred to the general fund - state purposes account, subject to approval by the director of the budget, for the administration of this program by the department of health ................................. 10,840,000

2 For grants-in-aid to contract for hypertension prevention, screening, and treatment programs ......................................................... 254,000

3 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 ........................................ 1,486,000

4 For grants to rape crisis centers for services to rape victims and programs to prevent rape. Up to 5 percent of this amount may be transferred to the general fund - state purposes account, subject to approval by the director of the budget, for the administration of this program by the department of health ......................................... 1,224,000

5 State grants for a program of family planning services pursuant to article 2 of the public health law. Up to $180,000 of the amount appropriated herein may be transferred to the general fund - state purposes account, subject to approval by the director of the budget, for the administration of this program .............................. 15,818,000

6 For grants to sudden infant death syndrome centers .............................................. 41,100

7 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 ..................................................... 150,000

8 For services and expenses to implement the lead poisoning prevention act of 1992, including funding to local health departments to meet increased needs for education, screening and follow-up including a suballocation to the office of temporary and disability assistance .............................. 4,000,000

9 For services and expenses of existing Alzheimer's disease assistance centers as established pursuant to chapter 586 of the laws of 1987 .................................................. 486,000

10 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 .......................... 621,000
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 260,000,000

For services and expenses of an early diagnosis and control program for diabetes 148,900

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 54,000

For services and expenses of an abstinence education program 2,600,000

For services and expenses of the cancer registry 50,000

For state grants for cancer detection and education program pursuant to chapter 328 of the laws of 1989 as amended 4,000,000

For services and expenses of the health and social services sexuality-related programs 1,000,000

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 66,000

For services and expenses of a childhood cancer awareness program 36,000

Program account subtotal 573,324,000

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

For the grant period October 1, 2004 to September 30, 2005 3,251,000
<table>
<thead>
<tr>
<th>Special Revenue Funds - Federal / Aid to Localities</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal USDA-Food and Nutrition Services Fund - 261</td>
<td></td>
</tr>
<tr>
<td>Child and Adult Care Food Account</td>
<td></td>
</tr>
<tr>
<td>For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued:</td>
<td></td>
</tr>
<tr>
<td>For the grant period October 1, 2004 to September 30, 2005</td>
<td>82,300,000</td>
</tr>
<tr>
<td>For the grant period October 1, 2005 to September 30, 2006</td>
<td>100,200,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>182,500,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Special Revenue Funds - Federal / State Operations</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal USDA-Food and Nutrition Services Fund - 261</td>
<td></td>
</tr>
<tr>
<td>Federal Food and Nutrition Services Account</td>
<td></td>
</tr>
<tr>
<td>For various food and nutritional services:</td>
<td></td>
</tr>
<tr>
<td>For the grant period October 1, 2004 to September 30, 2005</td>
<td>21,013,000</td>
</tr>
<tr>
<td>For the grant period October 1, 2005 to September 30, 2006</td>
<td>26,288,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>47,301,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Special Revenue Funds - Federal / Aid to Localities</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal USDA-Food and Nutrition Services Fund - 261</td>
<td></td>
</tr>
<tr>
<td>Federal Food and Nutrition Services Account</td>
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<td>For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued:</td>
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<td>For the grant period October 1, 2004 to September 30, 2005</td>
<td>176,700,000</td>
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<td>For the grant period October 1, 2005 to September 30, 2006</td>
<td>215,200,000</td>
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<td>Program account subtotal</td>
<td>391,900,000</td>
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<table>
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<tr>
<th>Special Revenue Funds - Federal / State Operations</th>
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<tr>
<td>Federal Health and Human Services Fund - 265</td>
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<tr>
<td>For various health prevention, diagnostic, detection and treatment services:</td>
<td></td>
</tr>
</tbody>
</table>
## DEPARTMENT OF HEALTH

### STATE OPERATIONS AND AID TO LOCALITIES   2005-06

1. For grants beginning prior to April 1, 2005. 16,478,000
2. For grants beginning on or after April 1, 2005. 7,671,000
3. Program fund subtotal 24,149,000

### Special Revenue Funds - Federal / Aid to Localities

**Federal Health and Human Services Fund - 265**

4. For various health prevention, diagnostic, detection and treatment services:
5. For grants beginning prior to April 1, 2005. 75,000
6. For grants beginning on or after April 1, 2005. 35,381,000
7. Program fund subtotal 35,456,000

### Special Revenue Funds - Federal / State Operations

**Federal Block Grant Fund - 269**

8. For various health prevention, diagnostic, detection and treatment services:
9. For the grant period October 1, 2004 to September 30, 2005 9,018,000
10. For the grant period October 1, 2005 to September 30, 2006 10,370,000
11. Program fund subtotal 19,388,000

### Special Revenue Funds - Federal / Aid to Localities

**Federal Block Grant Fund - 269**

12. For various health prevention, diagnostic, detection and treatment services:
13. For the grant period October 1, 2004 to September 30, 2005 23,245,000
14. For the grant period October 1, 2005 to September 30, 2006 26,732,000
15. Program fund subtotal 49,977,000

### Special Revenue Funds - Federal / State Operations

**Federal Block Grant Fund - 269**

16. Abstinence Education Account
17. For the grant period October 1, 2004 to September 30, 2005 451,000
18. For the grant period October 1, 2005 to September 30, 2006 451,000
19. Program account subtotal 902,000
<table>
<thead>
<tr>
<th>Description</th>
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<td>2. Federal Block Grant Fund - 269</td>
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<td>3. Abstinence Education Account</td>
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<td>4. For the grant period October 1, 2005 to September 30, 2006</td>
<td>4,982,000</td>
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<td>5. Program account subtotal</td>
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<td>6. Special Revenue Funds - Federal / State Operations</td>
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<td>7. Federal Block Grant Fund - 269</td>
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<td>8. Individuals with Disabilities-Part C Account</td>
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<td>9. For activities related to a handicapped infants and toddlers program:</td>
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<td>10. For the grant period October 1, 2004 to September 30, 2005</td>
<td>8,150,000</td>
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<td>11. For the grant period October 1, 2005 to September 30, 2006</td>
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<td>13. Special Revenue Funds - Other / State Operations</td>
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<td>15. Alzheimer's Research Account</td>
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<td>16. For Alzheimer's disease research and assistance pursuant to chapter 590</td>
<td>1,000,000</td>
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<td>17. of the laws of 1999</td>
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<td>19. Special Revenue Funds - Other / State Operations</td>
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<td>20. Combined Gifts, Grants and Bequests Fund - 020</td>
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<tr>
<td>21. Diabetes Research and Education Account</td>
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<td>22. For diabetes research and education pursuant to chapter 339 of the laws</td>
<td>100,000</td>
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<td>23. of 2001</td>
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<tr>
<td>24. Program account subtotal</td>
<td>100,000</td>
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</tbody>
</table>
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 .................. 150,000

Program account subtotal .................. 150,000

Special Revenue Funds - Other / Aid to Localities

HCRA Resources Fund - F04

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 section 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 the general fund - state purposes account for the administration of this program by the department of health ........................ 6,200,000

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 .................. 13,500,000

State aid to municipalities for medical services for the rehabilitation of physically handicapped children, pursuant to article 6 of the public health law ...... 4,000,000

For services and expenses for a school health program ........................... 4,321,000

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 ........................ 2,640,000

For state grants for the breast cancer detection and education program pursuant to chapter 328 of the laws of 1989 as amended, which may include coverage of geographic areas not presently covered by the program where the need for such services is demonstrated. Up to $110,000 may be transferred to state operations for administration of this program ........... 2,470,000

For breast cancer awareness programs for school students conducted by organizations approved pursuant to chapter 328 of the laws of 1989 as amended .................. 150,000
1. For the statewide breast cancer hotline to provide breast cancer information, education and support services ............... 175,000
2. For grants to community based programs providing support, educational and outreach services to persons diagnosed with breast cancer ...................... 250,000
3. 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 ...... 2,500,000
4. For services and expenses of the maternity and early childhood foundation ............ 1,300,000
5. For services and expenses of the Adelphi university breast cancer support program .. 125,000
6. For transfer to the comprehensive care center for eating disorders development fund ..................................... 500,000
7. For state aid to municipalities for a program of immunization against German measles and other communicable diseases, pursuant to article VI of the public health law .......................... 8,000,000
8. For services and expenses related to the childhood obesity prevention program .... 1,500,000

Program account subtotal ................... 47,631,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - F04
Hospital Based Grants Program Account

9. 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 ...................... 9,303,000
10. For grants in aid to contract for hypertension prevention, screening and treatment programs ......................... 727,000
11. State grants for a program of family planning services pursuant to article 2 of the public health law ....................... 2,497,000
12. For grants to rape crisis centers for services to rape victims and programs to prevent rape ........................................ 131,000
13. For services and expenses for a school health program .................................. 2,179,000
14. For services and expenses of breast cancer detection and education .................. 275,000
15. For services and expenses of tuberculosis treatment, detection and prevention ...... 650,000
For services and expenses of a lead poisoning prevention program

Program account subtotal

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - F04
Tobacco Control and Cancer Services Account

Maintenance undistributed
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

Program account subtotal

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

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

Program account subtotal

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

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

Program fund subtotal

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

Program account subtotal

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 .... 1,100,000

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 ................. 3,050,000

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 .................................... 230,000

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 .......... 200,000

Program account subtotal ............... 4,580,000

------------------

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
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
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 ........................................ 75,000

Program account subtotal ............... 75,000

------------------

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Women, Infants, and Children (WIC) Civil Monetary Account
### DEPARTMENT OF HEALTH

#### STATE OPERATIONS AND AID TO LOCALITIES 2005-06

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<tr>
<th>Department of Health</th>
<th>Services and Expenses</th>
<th>Amount</th>
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<td>of health related to the special supplement nutrition program for women, infants and children</td>
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<td>CENTER FOR ENVIRONMENTAL HEALTH PROGRAM</td>
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<td>General Fund / State Operations</td>
<td>State Purposes Account - 003</td>
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<td>Personal service</td>
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<td>7,350,000</td>
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<td>Nonpersonal service</td>
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<td>General Fund / Aid to Localities</td>
<td>Local Assistance Account - 001</td>
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<td>For services and expenses related to the water supply protection program</td>
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<td>Program account subtotal</td>
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<td>6,000,000</td>
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<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td>Federal Health and Human Services Fund - 265</td>
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</tr>
<tr>
<td>For various health prevention, diagnostic, detection and treatment services:</td>
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</tr>
<tr>
<td>For grants beginning prior to April 1, 2005</td>
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<td>528,000</td>
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<td>For grants beginning on or after April 1, 2005</td>
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<td>Federal Block Grant Fund - 269</td>
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<td>For various health prevention, diagnostic, detection and treatment services:</td>
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<tr>
<td>For the grant period October 1, 2004 to September 30, 2005</td>
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<td>2,754,000</td>
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<td>For the grant period October 1, 2005 to September 30, 2006</td>
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<td>3,166,000</td>
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<td>Program fund subtotal</td>
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<td>5,920,000</td>
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<td>Special Revenue Funds - Federal / Aid to Localities</td>
<td>Federal Block Grant Fund - 269</td>
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</tr>
<tr>
<td>For services and expenses of various health prevention, diagnostic, detection and treatment services:</td>
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<td></td>
</tr>
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STATE OPERATIONS AND AID TO LOCALITIES 2005-06

For the grant period October 1, 2004 to September 30, 2005 ....................... 1,491,000
For the grant period October 1, 2005 to September 30, 2006 ....................... 1,715,000

Program fund subtotal .................. 3,206,000

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
For the grant period October 1, 2005 to September 30, 2006 ....................... 4,164,000

Program account subtotal ............... 8,037,000

For services and expenses of the low-level radioactive waste siting program:
Personal service ....................... 536,000
Nonpersonal service, including transfer 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 ....................... 506,000
Fringe benefits ............................ 242,000

Program account subtotal ............... 1,284,000

For services and expenses related to the oil spill relocation network program:
Personal service ....................... 150,000
Nonpersonal service ....................... 70,000
Fringe benefits ............................ 68,000

Program fund subtotal .................. 288,000

For services and expenses related to the oil spill relocation network program:
Personal service ....................... 150,000
Nonpersonal service ....................... 70,000
Fringe benefits ............................ 68,000

Program fund subtotal .................. 288,000
These funds shall be available to the department of health occupational safety and health training education account to conduct occupational and environmental lead study ............................... 200,000

Program account subtotal ............... 200,000

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

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

Personal service ........................... 327,000
Nonpersonal service ........................ 144,000
Fringe benefits ............................ 148,000

Program account subtotal ............... 619,000

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 ........................... 276,000
Nonpersonal service ........................ 154,000
Fringe benefits ............................ 125,000

Program account subtotal ............... 555,000

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 ........................... 312,000
Nonpersonal service ........................ 5,653,000
Fringe benefits ............................ 142,000

Program account subtotal ............... 6,107,000

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

For services and expenses related to the radiological health protection account:
### DEPARTMENT OF HEALTH

#### STATE OPERATIONS AND AID TO LOCALITIES 2005-06

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Personal service</td>
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<tr>
<td>Nonpersonal service</td>
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<td>Fringe benefits</td>
<td>469,000</td>
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<td><strong>Program account subtotal</strong></td>
<td>1,970,000</td>
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<td>Special Revenue Funds - Other / State Operations</td>
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<td>Miscellaneous Special Revenue Fund - 339</td>
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<tr>
<td>Radon Detection Device Account</td>
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<td>For services and expenses of the radon detection device distribution program</td>
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<td><strong>Program account subtotal</strong></td>
<td>200,000</td>
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<td>Special Revenue Funds - Other / State Operations</td>
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<td>Drinking Water Program Management and Administration Fund - 366</td>
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<td>For services and expenses of the state revolving funds program:</td>
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<tr>
<td>Personal service</td>
<td>2,427,000</td>
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<td>Nonpersonal service</td>
<td>1,272,000</td>
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<td>Fringe benefits</td>
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<td>For services and expenses of the state revolving fund source water delineations and assessments, including a suballocation to the department of environmental conservation</td>
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<td><strong>Program fund subtotal</strong></td>
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<td><strong>CHILD HEALTH INSURANCE PROGRAM</strong></td>
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#### Special Revenue Funds - Federal / State Operations

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<th>Description</th>
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<td>Federal Health and Human Services Fund - 265</td>
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<tr>
<td>Children's Health Insurance Account</td>
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</tr>
</tbody>
</table>

The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued. For services and expenses related to the children's health insurance program provided pursuant to title XXI of the federal social security act. The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued to municipalities. Notwithstanding any inconsistent provision of law and subject to a plan developed by the commissioner of health and approved by the director of the budget, local social services districts shall be reimbursed for additional administrative costs incurred for recipient and applicant eligibility and other administrative costs related to...
the expansion of, or changes to, the medical assistance program for children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998.

Such reimbursement shall be made without any local share of costs. Such reimbursement shall not be subject to any aggregate statewide reimbursement limit which may otherwise limit reimbursement for the administrative costs of the local social services districts, provided, however, such reimbursement shall be subject to the limitation on certain payments for certain expenditures set forth in subsection (c) of section 2105 of the federal social security act.

For grants beginning prior to April 1, 2005. 26,235,000
For grants beginning on or after April 1, 2005 32,065,000

Program account subtotal 58,300,000

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

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

For services and expenses related to the children's health insurance program, pursuant to title XXI of the federal social security act. Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the medical assistance program, medicaid direct account, for expansions of or changes to the medical assistance program related to children under the age of 19 pursuant to P.L. 105-33.

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

Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the office of temporary and disability assistance for payment of local administrative costs related to the expansion of, or changes to, the medical assistance program related to children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998.

Notwithstanding any inconsistent provision of law and subject to a plan developed by the commissioner of health and approved by the director of the budget, local social
services districts shall be reimbursed for
additional administrative costs incurred
for recipient and applicant eligibility
and other administrative costs related to
the expansion of, or changes to, the
medical assistance program for children
under the age of 19 pursuant to P.L.
105-33 or chapter 2 of the laws of 1998.
Such reimbursement shall be made without
any local share of costs. Such reimburse-
ment shall not be subject to any aggregate
statewide reimbursement limit which may
otherwise limit reimbursement for the
administrative costs of the local social
services districts, provided, however,
such reimbursement shall be subject to the
limitation on certain payments for certain
expenditures set forth in subsection (c)
of section 2105 of the federal social
security act.

For grants beginning prior to April 1, 2005. 164,000,000
For grants beginning on or after April 1, 2005 271,000,000
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Program account subtotal 435,000,000

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

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

Notwithstanding any inconsistent provision
of law and subject to a plan developed by
the commissioner of health and approved by
the director of the budget, local social
services districts shall be reimbursed for
additional administrative costs incurred
for recipient and applicant eligibility
and other administrative costs related to
the expansion of, or changes to, the
medical assistance program for children
under the age of 19 pursuant to P.L.
105-33 or chapter 2 of the laws of 1998.
Such reimbursement shall be made without
any local share of costs. Such reimburse-
ment shall not be subject to any aggregate
statewide reimbursement limit which may
otherwise limit reimbursement for the
administrative costs of the local social
services districts, provided, however,
such reimbursement shall be subject to the
limitation on certain payments for certain expenditures set forth in subsection (c) of section 2105 of the federal social security act.

Personal service .................. 2,428,000
Nonpersonal service .................. 7,881,000
Fringe benefits .................... 1,099,000

Program account subtotal ........... 11,408,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - F04
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.

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

Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the office of temporary and disability assistance for payment of local administrative costs related to the expansion of, or changes to, the medical assistance program related to children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998.

Notwithstanding any inconsistent provision of law and subject to a plan developed by the commissioner of health and approved by the director of the budget, local social services districts shall be reimbursed for additional administrative costs incurred for recipient and applicant eligibility and other administrative costs related to the expansion of, or changes to, the medical assistance program for children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998.

Such reimbursement shall be made without any local share of costs. Such reimbursement shall not be subject to any aggregate statewide reimbursement limit which may otherwise limit reimbursement for the administrative costs of the local social services districts, provided, however, such reimbursement shall be subject to the limitation on certain payments for certain expenditures set forth in subsection (c) of section 2105 of the federal social security act .................. 435,000,000

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DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES  2005-06

1. Program account subtotal .................  435,000,000

2. ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM ........  889,292,000

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

4. A portion of the moneys hereby appropriated
   may be transferred to the general fund -
   aid to localities account, subject to a
   plan approved by the director of the bud-
   get.

5. For the grant period October 1, 2004 to
   September 30, 2005 .......................  17,000,000

6. For the grant period October 1, 2005 to
   September 30, 2006 .......................  17,000,000

7. Program fund subtotal ..................  34,000,000

8. Special Revenue Funds - Other / Aid to Localities
   HCRA Resources Fund - F04
   EPIC Premium Account

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

10. The moneys hereby appropriated shall be
    available for payment of financial assis-
    tance heretofore accrued ..................  580,000,000

11. Program account subtotal ...............  580,000,000

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

13. Personal service ........................  1,400,000

14. Nonpersonal service ......................  12,090,000

15. Fringe benefits ..........................  634,000

16. Maintenance undistributed

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

18. Program ......................  168,000

19. Program account subtotal ...............  14,292,000

20. Special Revenue Funds - Other / Aid to Localities
    Miscellaneous Special Revenue Fund - 339
    EPIC Premium Account
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<tbody>
<tr>
<td>For services and expenses of the program for elderly pharmaceutical insurance</td>
<td></td>
</tr>
<tr>
<td>coverage, including reimbursement to pharmacies participating in such program.</td>
<td></td>
</tr>
<tr>
<td>The moneys hereby appropriated shall be available for payment of financial assist-</td>
<td></td>
</tr>
<tr>
<td>ance heretofore accrued</td>
<td>261,000,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>261,000,000</td>
</tr>
<tr>
<td>HEALTH CARE FINANCING PROGRAM</td>
<td>13,891,000</td>
</tr>
<tr>
<td>General Fund / State Operations</td>
<td></td>
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<tr>
<td>State Purposes Account - 003</td>
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<tr>
<td>Personal service</td>
<td>3,996,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>811,000</td>
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<tr>
<td>Program account subtotal</td>
<td>4,807,000</td>
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<tr>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>HCRA Resources Fund - F04</td>
<td></td>
</tr>
<tr>
<td>Provider Collection Monitoring Account</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>1,864,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>1,192,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>843,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>3,899,000</td>
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<tr>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>1200-Hospital and Nursing Home Management Account</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>2,603,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>1,404,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>1,178,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>5,185,000</td>
</tr>
</tbody>
</table>
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES  2005-06

1  HEALTH CARE REFORM ACT PROGRAM ....................... 1,749,350,000

2

3

4 Special Revenue Funds – Other / Aid to Localities

5 HCRA Resources Fund – F04

6 HCRA Program Account

7

8 For services, expenses and transfers neces-

9 sary to implement the health care reform

10 act program in accordance with section

11 2807-j, 2807-k, 2807-l, 2807-m, 2807-s and

12 2807-v of the public health law. The

13 moneys hereby appropriated shall be avail-

14 able for payments heretofore accrued or

15 hereafter to accrue. Notwithstanding any

16 inconsistent provision of law, the moneys

17 hereby appropriated may be increased or

18 decreased by interchange or transfer with

19 any appropriation of the department of

20 health or by transfer or suballocation to

21 any appropriation of the department of

22 insurance, the office of mental health and

23 the state office for the aging subject to

24 the approval of the director of the

25 budget, who shall file such approval with

26 the department of audit and control and

27 copies thereof with the chairman of the

28 senate finance committee and the chairman

29 of the assembly ways and means committee.

30 With the approval of the director of the

31 budget, up to 5 percent of this appropria-

32 tion may be used for state operations

33 purposes. At the direction of the director

34 of the budget, funds may also be trans-

35 ferred directly to the general fund for

36 the purpose of repaying a draw on the

37 tobacco revenue guarantee fund.

38 For transfer to the pool administrator for

39 the purpose of making graduate medical

40 education payments .................... 494,000,000

41 For transfer to Roswell park cancer insti-

42 tute corporation ...................... 78,000,000

43 For suballocation to the state insurance

44 department related to the healthy NY

45 program .................... 69,200,000

46 For suballocation to the state insurance de-

47 partment related to the physicians excess

48 medical malpractice program ............ 65,000,000

49 For transfer to health research incorporated

50 (HRI) for the AIDS drug assistance program

51 ........................ 60,000,000

52 For state grants for the health workforce

53 retraining program .................... 58,400,000

54 For transfer to the pool administrator for

55 the purposes of making state grants to

56 public hospitals for recruitment and

57 retention of health care workers ....... 52,200,000

58 For suballocation to the state insurance

59 department for the health maintenance or-

60 ganization direct pay market program ..... 40,000,000
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>For state grants for the tobacco use prevention and control program</td>
<td>$38,600,000</td>
</tr>
<tr>
<td>2</td>
<td>For services and expenses related to the health care stabilization program</td>
<td>$28,000,000</td>
</tr>
<tr>
<td>3</td>
<td>For transfer to the dormitory authority of the state of New York for the health facility restructuring program</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>4</td>
<td>For services and expenses related to the nursing home quality improvement demonstration program</td>
<td>$18,800,000</td>
</tr>
<tr>
<td>5</td>
<td>For state grants for rural health care access development and rural health care delivery development</td>
<td>$19,200,000</td>
</tr>
<tr>
<td>6</td>
<td>For transfer to the pool administrator for state grants to public residential health care facilities for recruitment and retention of health care workers</td>
<td>$16,200,000</td>
</tr>
<tr>
<td>7</td>
<td>For services and expenses related to priority pool distributions as designated by the commissioner of health</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>8</td>
<td>For state grants for cancer related services</td>
<td>$10,600,000</td>
</tr>
<tr>
<td>9</td>
<td>For state grants pursuant to a memorandum of understanding entered into by the commissioner, the majority leader of the senate and the speaker of the assembly, for purposes outlined in such memorandum and upon the recommendation of the majority leader of the senate</td>
<td>$8,500,000</td>
</tr>
<tr>
<td>10</td>
<td>For state grants pursuant to a memorandum of understanding entered into by the commissioner, the majority leader of the senate and the speaker of the assembly, for purposes outlined in such memorandum and upon the recommendation of the speaker of the assembly</td>
<td>$8,500,000</td>
</tr>
<tr>
<td>11</td>
<td>For transfer to the pool administrator for distributions related to school based health clinics</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>12</td>
<td>For services and expenses related to the disease management demonstration program</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>13</td>
<td>For transfer to the pool administrator for state grants to non-public general hospitals pursuant to paragraph (c) of subdivision 30 of section 2807-c of the public health law</td>
<td>$5,600,000</td>
</tr>
<tr>
<td>14</td>
<td>For services and expenses related to auditing or payment of audit contracts to determine payor and provider compliance</td>
<td>$5,400,000</td>
</tr>
<tr>
<td>15</td>
<td>For transfer to the pool administrator for state grants for poison control centers</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>16</td>
<td>For transfer to the pool administrator for state grants to non-public general hospitals pursuant to paragraph (e) of subdivision 25 of section 2807-c of the public health law</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>17</td>
<td>For services and expenses related to the telemedicine demonstration program</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>18</td>
<td>For services and expenses related to the long term care insurance education and outreach program</td>
<td>$1,950,000</td>
</tr>
</tbody>
</table>
For services and expenses related to study-
ing pay for performance initiatives ...... 2,500,000
For services and expenses related to sup-
porting studies or investigations relating
to health care financing undertaken by the
commissioner ............................. 1,000,000
For services and expenses related to pur-
chasing and operating mobile dental vans.. 1,000,000
For services and expenses related to the
pool administration ...................... 4,500,000

Program account subtotal .................. 1,149,350,000

For services, expenses and transfers neces-
sary to continue existing or planned con-
tracts 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 pay-
ments heretofore accrued or hereafter to
accrue. Notwithstanding any inconsistent
 provision of law, the moneys hereby appro-
priated may be increased or decreased by
interchange or transfer with any appropri-
ation of the department of health or by
transfer or suballocation to any appropri-
ation of the department of insurance, the
office of mental health or the state of-
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 com-
mittee and the chairman of the assembly
ways and means committee ............... 600,000,000

Program account subtotal .................. 600,000,000

HEALTH CARE STANDARDS AND SURVEILLANCE PROGRAM ........... 133,408,000

General Fund / State Operations
State Purposes Account - 003

Personal service ........................... 37,699,000
Nonpersonal service ........................ 16,107,000

Maintenance undistributed
For services and expenses related to re-
quired criminal background checks of non-
licensed long term care employees includ-
ing employees of nursing homes, certified
STATE OPERATIONS AND AID TO LOCALITIES  2005-06

home health agencies; long term home health care providers, AIDS home care providers, and licensed home care service agencies ................................. 500,000

Program account subtotal .................. 53,806,000

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 ......................... 9,185,000

For services and expenses related to adult home initiatives including but not limited to assessments; case management, medication assistance, social and recreational services; 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 for the mentally disabled ....... 2,000,000

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 ...... 546,000

Program account subtotal .................. 11,731,000

Special Revenue Funds – Federal / State Operations
Federal Health and Human Services Fund - 265
Criminal Background Check

For services and expenses related to required criminal background checks of 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 ................................. 300,000

Program account subtotal .................. 300,000
Special Revenue Funds - Other / State Operations

HCRA Resources Fund - F04

Emergency Medical Services Account

For services and expenses related to emergency medical services administration:

For expenses of the general public health work - EMS reimbursement ................. 1,500,000

For expenses of the EMS regional councils and program agencies ..................... 3,455,000

Personal service ................................ 2,431,000

Fringe benefits and indirect costs ....... 1,723,000

Other contractual services and nonpersonal service ................................. 1,241,000

For expenses related to training courses and instructor development ............... 10,350,000

Program account subtotal ................ 20,700,000

Special Revenue Fund - Other / Aid to Localities

HCRA Resources Fund - F04

Health Services Account

For services and expenses related to adult home initiatives including but not limited to assessments; case management, medication assistance, social and recreational services; 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 for the mentally disabled. Up to $2,000,000 of the amount herein appropriated may be used for the purpose of awarding grants to operators of adult homes, enriched housing programs and residences for adults to enhance the quality of life for residents. Use of program funds may include, but shall not be limited to, payment for resident clothing, telephones in resident rooms, air conditioning in resident rooms or common areas, computers for resident use, costs of resident participation in vocational and educational programs, and enhancement of services to provide independent living skills. 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 benefits. 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

Program account subtotal .................. 2,750,000

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 incor-
porated and authorized under articles 28-A
and 28-B of the public health law, from
funds received pursuant to these activ-
ities:

Personal service ........................... 534,000
Nonpersonal service ........................ 265,000
Fringe benefits ............................ 242,000

Program account subtotal .................. 1,041,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund – 339
Adult Home Quality Enhancement
For services and expenses to promote pro-
grams to improve the quality of care for
residents in adult homes ................. 350,000

Program account subtotal .................. 350,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund – 339
Certificate of Need Account
For services and expenses, including indi-
rect costs, related to the certificate of
need program:

Personal service ........................... 2,146,000
Nonpersonal service ........................ 1,333,000
Fringe benefits ............................ 971,000

Program account subtotal .................. 4,450,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Criminal Background Check Account
For services and expenses related to re-
quired criminal background checks of non-
licensed long term care employees includ-
ing employees of nursing homes, certified
home health agencies, long term home
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES  2005-06

health care providers, AIDS home care
providers, and licensed home care service
agencies ........................................ 5,000,000

Program account subtotal .................. 5,000,000

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

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

Personal service .......................... 188,000
Nonpersonal service ...................... 200,000
Fringe benefits .......................... 85,000

Program account subtotal ............... 473,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Licensure for Assisted Living Residences Account

For services and expenses related to the
oversight and licensing activities ...... 2,000,000

Program account subtotal ............... 2,000,000

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 .......................... 145,000
Nonpersonal service ...................... 3,650,000
Fringe benefits .......................... 66,000

Program account subtotal ............... 3,861,000

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 .......................... 9,836,000
Nonpersonal service ...................... 9,869,000
Fringe benefits .......................... 4,451,000
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance undistributed for services and expenses of the medical society contract authorized pursuant to chapter 582 of the laws of 1984</td>
<td>990,000</td>
</tr>
<tr>
<td>Maintenance undistributed for services and expenses of the professional medical conduct program</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Available for maintenance undistributed</td>
<td>1,990,000</td>
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<tr>
<td>Program account subtotal</td>
<td>26,146,000</td>
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<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Other / State Operations - Quality of Care Improvement Account</td>
<td>800,000</td>
</tr>
<tr>
<td>Maintenance undistributed 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</td>
<td>800,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>800,000</td>
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</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>INSTITUTIONAL MANAGEMENT PROGRAM</td>
<td>150,909,000</td>
</tr>
<tr>
<td>Maintenance undistributed for services and expenses of patient benefits and other activities and other services as funded by gifts and donations</td>
<td>50,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>50,000</td>
</tr>
<tr>
<td>Maintenance undistributed for services and expenses of patient benefits and other activities and services as funded by gifts and donations</td>
<td>25,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>25,000</td>
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</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Other / State Operations - New York City Veterans' Home Donation Account</td>
<td>25,000</td>
</tr>
</tbody>
</table>
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES  2005-06

Maintenance undistributed
For services and expenses of patient benefits and other activities and other services as funded by gifts and donations. 50,000

Program account subtotal .................. 50,000

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

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

Maintenance undistributed
For services and expenses of patient benefits and other activities and services as funded by gifts and donations ........... 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 $558,335 of this amount may be transferred to the department of law for services and expenses of a collection unit at Helen Hayes hospital. 60,525,000

For services and expenses of the Helen Hayes hospital account. Notwithstanding any other law, rule or regulation to the contrary, funds shall be available for distribution pursuant to a plan approved by the director of the budget ................ 8,000,000

Program account subtotal .................. 68,525,000

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 $250,000 of this amount may be transferred 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

Program account subtotal ............... 23,301,000

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

Program account subtotal ............... 22,328,000

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

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

Program account subtotal ............... 25,336,000

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

Program account subtotal ............... 11,084,000

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

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

Program account subtotal ............... 10,000

OFFICE OF MANAGED CARE PROGRAM ............... 14,901,000

General Fund / State Operations
State Purposes Account - 003
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES  2005-06

1 Personal service ........................... 10,510,000
2 Nonpersonal service ........................ 4,331,000

Program account subtotal ............... 14,841,000

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 .............. 60,000

Program account subtotal ............... 60,000

MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM ........... 169,758,000

General Fund / State Operations
State Purposes Account - 003

For services and expenses for payment of liabilities accrued hereetofore and hereafter to accrue:

Nonpersonal service ........................ 74,035,000

Program account subtotal ............... 74,035,000

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 hereetofore 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.
STATE OPERATIONS AND AID TO LOCALITIES  2005-06

1 For the grant period October 1, 2004 to September 30, 2005 ....................... 40,000,000
2 For the grant period October 1, 2005 to September 30, 2006 ....................... 55,723,000
3 Program fund subtotal .................. 95,723,000
4 MAINTENANCE UNDISTRIBUTED ................................ 0
5
6 General Fund / State Operations
7 State Purposes Account - 003
8
9 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, recoveries and revenue 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 ......................... (108,962,000)
10 Program account subtotal ............... (108,962,000)
11
12 Special Revenue Funds - Other / State Operations
13 Miscellaneous Special Revenue Fund - 339
14 Hospital and Nursing Home Management Account
15
16 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
17 Program account subtotal ............... 11,800,000
18
19 Special Revenue Funds - Other / State Operations
20 Miscellaneous Special Revenue Fund - 339
21 Medicaid Inquiry Account
22
23 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 ...... 500,000
24 Program account subtotal ............... 500,000
25
<table>
<thead>
<tr>
<th>Special Revenue Funds - Other / State Operations</th>
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<tbody>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
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<tr>
<td>Nurses Aide Registry Account</td>
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<tr>
<td>Amount appropriated as an offset to the</td>
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<tr>
<td>general fund - state purposes account with</td>
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<td>various department of health programs. The</td>
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<td>director of the budget is hereby author-</td>
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<td>ized to apportion funds to the various</td>
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<td>programs of this agency from this appro-</td>
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<tr>
<td>priation by certificate of approval ....... 300,000</td>
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<tr>
<td>Program account subtotal ............... 300,000</td>
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<thead>
<tr>
<th>Special Revenue Funds - Other / State Operations</th>
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<tbody>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Quality of Care Account</td>
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<tr>
<td>Amount appropriated as an offset to the</td>
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<tr>
<td>general fund - state purposes account with</td>
<td></td>
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<tr>
<td>various department of health programs. The</td>
<td></td>
</tr>
<tr>
<td>director of the budget is hereby author-</td>
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<td>ized to apportion funds to the various</td>
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<tr>
<td>programs of this agency from this appro-</td>
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<tr>
<td>priation by certificate of approval ....... 91,412,000</td>
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<tr>
<td>Program account subtotal ............... 91,412,000</td>
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<thead>
<tr>
<th>Special Revenue Funds - Other / State Operations</th>
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<tbody>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Recoveries and Revenue Account</td>
<td></td>
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<tr>
<td>Amount appropriated as an offset to the</td>
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<tr>
<td>general fund - state purposes account with</td>
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<td>various department of health programs. The</td>
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<td>director of the budget is hereby author-</td>
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<td>ized to apportion funds to the various</td>
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<td>programs of this agency from this appro-</td>
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<tr>
<td>priation by certificate of approval ....... 3,700,000</td>
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<tr>
<td>Program account subtotal ............... 3,700,000</td>
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<tr>
<th>Special Revenue Funds - Other / State Operations</th>
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<tbody>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Third-Party Health Insurance Recoveries Account</td>
<td></td>
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<tr>
<td>Amount appropriated as an offset to the</td>
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<tr>
<td>general fund - state purposes account with</td>
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<td>various department of health programs. The</td>
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<td>director of the budget is hereby author-</td>
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<td>programs of this agency from this appro-</td>
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<tr>
<td>priation by certificate of approval ....... 1,250,000</td>
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<tr>
<td>Program account subtotal ............... 1,250,000</td>
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<tr>
<td>Account Description</td>
<td>Amount</td>
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<td>------------------------------------------------------------------------------------</td>
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<tr>
<td>General Fund / Aid to Localities</td>
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<tr>
<td>Local Assistance Account - 001</td>
<td></td>
</tr>
<tr>
<td>Less amounts appropriated as an offset from</td>
<td></td>
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<tr>
<td>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</td>
<td>(7,288,000)</td>
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<tr>
<td>Program account subtotal</td>
<td>(7,288,000)</td>
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<tr>
<td>Special Revenue Funds - Other / Aid to Localities</td>
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<tr>
<td>Miscellaneous Special Revenue Fund - 339 Quality of Care Account</td>
<td></td>
</tr>
<tr>
<td>Amount appropriated as an offset to the general fund - local assistance account</td>
<td>7,288,000</td>
</tr>
<tr>
<td>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</td>
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<tr>
<td>Program account subtotal</td>
<td>7,288,000</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>OFFICE OF MEDICAID MANAGEMENT PROGRAM</td>
<td>3,714,014,000</td>
</tr>
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<tr>
<td>General Fund / State Operations</td>
<td></td>
</tr>
<tr>
<td>State Purposes Account - 003</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>22,305,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>4,000,000</td>
</tr>
<tr>
<td>Maintenance undistributed</td>
<td></td>
</tr>
<tr>
<td>For services and expenses of medical assistance related administrative activities</td>
<td>20,054,000</td>
</tr>
<tr>
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</tr>
<tr>
<td>Program account subtotal</td>
<td>46,359,000</td>
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<td></td>
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<tr>
<td>General Fund / Aid to Localities</td>
<td></td>
</tr>
<tr>
<td>Local Assistance Account - 001</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to traumatic brain injury including but not limited to services rendered to individuals enrolled in the federally approved home and community based services (HCBS) waiver and including personal and nonpersonal services spending originally authorized by appropriations and reappropriations enacted prior to 1996. All or part of this appropriation may be transferred to state operations</td>
<td>8,458,000</td>
</tr>
<tr>
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</tbody>
</table>
Program account subtotal ............... 8,458,000

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 government entities for services and expenses related to administration of the medical assistance program.

For the grant period October 1, 2004 to September 30, 2005 ....................... 1,810,000,000
For the grant period October 1, 2005 to September 30, 2006 ....................... 1,836,697,000

Program fund subtotal .................. 3,646,697,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - F04
Medicaid Fraud Hotline and Medicaid Administration Account

Maintenance undistributed
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. 900,000

Program account subtotal ............... 900,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - F04
Medical Assistance Account

Maintenance undistributed
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 ............ 5,000,000
# DEPARTMENT OF HEALTH

## STATE OPERATIONS AND AID TO LOCALITIES 2005-06

<table>
<thead>
<tr>
<th>Program account subtotal</th>
<th>5,000,000</th>
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</thead>
<tbody>
<tr>
<td>Maintenance undistributed</td>
<td>500,000</td>
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<tr>
<td>Maintenance undistributed</td>
<td>500,000</td>
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<tr>
<td>Maintenance undistributed</td>
<td>600,000</td>
</tr>
<tr>
<td>Maintenance undistributed</td>
<td>600,000</td>
</tr>
<tr>
<td>Medicaid Research Projects Account</td>
<td>90,665,000</td>
</tr>
</tbody>
</table>

**Special Revenue Funds - Other / State Operations**

<table>
<thead>
<tr>
<th>HCRA Resources Fund - F04</th>
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<tbody>
<tr>
<td>Catastrophic Health Care Expense Program Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to administration of the catastrophic health care expenses demonstration projects as authorized by chapter 703 of the laws of 1988, as amended, including departmental administrative costs, contracts with local social services districts for their administrative costs, and evaluation expenses related to the catastrophic health care expenses projects</td>
<td>500,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>500,000</td>
</tr>
</tbody>
</table>

| Miscellaneous Special Revenue Fund - 339 |  |
| Disease Management Account |  |
| For services and expenses related to disease management | 5,000,000 |
| Program account subtotal | 5,000,000 |

| Medicaid Inquiry Account |  |
| For services and expenses related to the cost of medicaid inquiry services | 500,000 |
| Program account subtotal | 500,000 |

| Medicaid Research Projects Account |  |
| For services and expenses related to improving services to medical assistance recipients and other medical assistance research activities | 600,000 |
| Program account subtotal | 600,000 |

**MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM**

| General Fund / State Operations |  |
| State Purposes Account - 003 |  |
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES  2005-06

1  Personal service ........................... 15,529,000
2  Nonpersonal service ....................... 3,687,000
3
4  Maintenance undistributed
5  For services and expenses related to the
6  medicaid fraud and abuse program. All or a
7  portion of this amount may be transferred
8  to the department of law with the approval
9  of the director of the budget, who shall
10  file such approval with the department of
11  audit and control and copies thereof with
12  the chairman of the senate finance commit-
13  tee and the chairman of the assembly ways
14  and means committee ...................... 1,149,000
15
16  Program account subtotal ............... 20,365,000
17
18  Special Revenue Funds - Federal / State Operations
19  Federal Health and Human Services Fund - 265
20
21  For services and expenses related to the
22  medicaid fraud and abuse program:
23
24  For the grant period October 1, 2004 to
25  September 30, 2005 ............................. 31,583,600
26  For the grant period October 1, 2005 to
27  September 30, 2006 ............................. 34,216,400
28
29  Program fund subtotal .................. 65,800,000
30
31  Special Revenue Funds - Other / State Operations
32  Miscellaneous Special Revenue Fund - 339
33  Quality Assurance and Audit Revenue Activities Account
34
35  For additional administrative expenses of
36  medicaid audit and fraud prevention ...... 4,500,000
37
38  Program account subtotal ................ 4,500,000
39
40  MEDICAL ASSISTANCE ADMINISTRATION PROGRAM ............ 604,150,000
41
42  General Fund / Aid to Localities
43  Local Assistance Account - 001
44
45  For state reimbursement of local administra-
46  tive expenses for medical assistance
47  programs pursuant to section 153 of the
48  social services law.
49  The money hereby appropriated is available
50  for payment of aid heretofore accrued or
51  hereafter to accrue to municipalities, and
52  to providers of medical services pursuant
53  to section 367-b of the social services
54  law, and shall be available to the depart-
55  ment net of disallowances, refunds,
56  reimbursements, and credits.
Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health medical assistance administration program and/or medical assistance program, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of family assistance office of temporary and disability assistance and office of children and family services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account with such interest accruing to the credit of the locality in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law. Notwithstanding any other provision of law, the amount appropriated herein, shall constitute total state reimbursement for all local administration programs in state fiscal year 2005-06 ...................... 103,000,000 No moneys hereby appropriated shall be available for additional state medical assistance program or administrative expenses resulting from the state partially assuming county government medicaid shares unless the medicaid cost containment actions proposed in the 2005-06 executive budget are enacted, as certified by the commissioner of health and the director of the budget. Notwithstanding any inconsistent provision of law, the moneys hereby appropriated are available for payment of aid heretofore accrued or hereafter to accrue to munici-
palities and to providers of medical services pursuant to section 367-b of the social services law, and for payments of state aid to municipalities where payment systems through the fiscal intermediary are not operational, 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 medical assistance administration program and/or medical assistance program, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of family assistance office of temporary and disability assistance and office of children and family services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

The amount appropriated herein, together with any federal matching funds obtained, shall be made available to local social services districts for the purpose of providing grants for planning, development and implementation of managed care programs, and to the department, subject to the approval of the director of the budget, for contractual services related to the planning, development and implementation of managed care programs .......... 4,100,000

The amount appropriated herein, together with any federal matching funds obtained, shall be made available as grants to local social services districts for services and expenses related to medicaid eligibility determinations for family health plus applicants. Grants shall be equitably distributed to counties based on each county's proportion of total statewide family health plus enrollment as of December 2004 .................... 1,000,000

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

Notwithstanding section 153 of the social services law or any inconsistent provision of law, the state shall recover the local share of any costs related to payments made by the department of health on behalf
of the districts 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 through the use of electronic funds transfer pursuant to section 367-b of the social services law.

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 ....................... 10,000,000

Notwithstanding any inconsistent provision of law, pursuant to a memorandum of understanding between the department of health and the department of law, of the amounts appropriated herein, up to $1,000,000 including federal reimbursements properly received or to be received on account of such expenditures, may be suballocated to the department of law for services and expenses, including outside experts, incurred in litigation representing the department of health. Reimbursements to the department of law shall be made by the department of health upon receipt of vouchers showing the amount and purpose of such expenditures, provided, however, that the department of health may make advances to the department of law to meet reasonable cash flow requirements ............... 550,000

Program account subtotal ................. 122,350,000

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 medical assistance administration program and/or medical assistance program, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of family assistance office of temporary and disability assistance and office of children and family services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account with such interest accruing to the credit of the locality in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

For the grant period October 1, 2004 to September 30, 2005 ....................... 240,900,000
For the grant period October 1, 2005 to September 30, 2006 ....................... 240,900,000

Program account subtotal ............... 481,800,000
For the medical assistance program, exclusive of expenses incurred by local social services districts for administration of the medical assistance program 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, up to $3,000,000, together with any available federal matching 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, moneys hereby appropriated may be used for transfer to the federal revenue maximization contract fund, pursuant to the provisions of the state finance law. Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account with such interest accruing to the credit of the locality in order to ensure the orderly and prompt payment of providers under section 367-b.
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

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, the amount hereby appropriated
shall be available for the designated
purposes, less the amount, as certified by
the director of the budget, of any trans-
fers from the general fund to the HCRA re-
sources fund, to reflect the state savings
attributable to this program resulting
from an increase in the federal medical
assistance percentage or other increased
federal medicaid funding available to the
state pursuant to the applicable provi-
sions of the federal social security act.
Notwithstanding any other provision of law,
the money hereby appropriated may be
increased or decreased by interchange,
with any appropriation of the department
of health medical assistance adminis-
tration program and/or medical assistance
program, and may be increased or decreased
by transfer or suballocation between these
appropriated amounts and appropriations of
the office of alcoholism and substance
abuse services, the department of family
assistance office of temporary and disa-
BILITY 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 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
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 organiza-
tions, out of state medical facilities
which provide care and services to resi-
dents of the state, providers of transpor-
tation services, that are altered, ame-
ded, adjusted or otherwise changed by
a local social services district unless
previously approved by the department of
health and the director of the budget.
For the purpose of this appropriation, A)
unless the context clearly requires other-
wise: "administrator" means an entity with
which the commissioner contracts for the
purpose of administering elements of the
preferred drug program, or the clinical
drug review program; "clinical drug review
program" means the clinical drug review
program; "committee" or "pharmacy and
therapeutics committee" means the pharmacy
and therapeutics committee; "emergency
condition" means a medical or behavioral
condition as determined by the prescriber
or pharmacist, the onset of which is
sudden, that manifests itself by symptoms
of sufficient severity, including severe
pain, and for which delay in beginning
treatment prescribed by the patient's
health care practitioner would result in:
(a) placing the health or safety of the
person afflicted with such condition or
other person or persons in serious
jeopardy; (b) serious impairment to such
person's bodily functions; (c) serious
dysfunction of any bodily organ or part of
such person; (d) serious disfigurement of
such person; or (e) severe discomfort;
"preferred drug program" means the pre-
ferred drug program established pursuant
to this appropriation; "prescription drug"
or "drug" means a drug defined in subdi-
vision seven of section sixty-eight hun-
dred two of the education law, for which a
prescription is required under the federal
food, drug and cosmetic act. Any drug that
does not require a prescription under such
act, but which would otherwise meet the
criteria for inclusion on the preferred
drug list may be added to the preferred
drug list; and, if so included, shall be
considered to be a prescription drug;
provided that it shall be eligible for
reimbursement under a state public health
plan when ordered by a prescriber
authorized to prescribe under the state
public health plan and the prescription is
subject to the applicable provisions of
this appropriation and paragraph (a) of
subdivision four of section three hundred
sixty-five-a of the social services law;
"Prior authorization" means a process
requiring the prescriber or the dispenser
to verify with the applicable state public
health plan or its authorized agent that
the drug is appropriate for the needs of
the specific patient; "state public health
plan" means the medical assistance program
established by title eleven of article
five of the social services law;
"therapeutic class" means a group of prescription drugs that produce a particular intended clinical outcome and are grouped together as a therapeutic class by the pharmacy and therapeutics committee.

(b) 1. There is hereby established in the department a pharmacy and therapeutics committee. The committee shall consist of thirteen members, who shall be appointed by the commissioner. No member of the committee shall be an employee of the state or any subdivision of the state, other than for his or her membership on the committee, except for employees of health care facilities or universities operated by the state, a public benefit corporation, the state university of New York or municipalities.

2. The membership shall be composed as follows: (a) five persons licensed and actively engaged in the practice of medicine in the state; (b) one person licensed and actively engaged in the practice of nursing as a nurse practitioner, or in the practice of midwifery in the state; (c) five persons licensed and actively engaged in the practice of pharmacy in the state; (d) one person with expertise in drug utilization review who is either a health care professional licensed under title eight of the education law, is a pharmacologist or has a doctorate in pharmacology; and (e) one person who shall be a consumer or representative of an organization with a regional or statewide constituency and who has been involved in activities related to health care consumer advocacy, including issues affecting medicaid.

3. The committee shall, at the request of the commissioner, consider any matter relating to the preferred drug program, and may advise the commissioner thereon. The committee may, from time to time, submit to the commissioner recommendations relating to such preferred drug program. The committee may also evaluate and provide recommendations to the commissioner on other issues relating to pharmacy services under medicaid, including, but not limited to: therapeutic comparisons; enhanced use of generic drug products; enhanced targeting of physician prescribing patterns; prior authorization of drugs subject to the clinical drug review program; fraud, waste and abuse prevention; negotiations for rebates; pharmacy benefit management activity by an administrator; and negotiation of lower initial drug pricing.
4. The committee shall elect a chairperson from among its members.

5. The members of the committee shall receive no compensation for their services but shall be reimbursed for expenses actually and necessarily incurred in the performance of their duties.

6. The committee shall be a public body under article seven of the public officers law (the open meetings law) and subject to article six of the public officers law (the freedom of information law). In addition to the matters listed in section one hundred five of the public officers law, the committee may conduct an executive session for the purpose of receiving and evaluating drug pricing information related to supplemental rebates, or receiving and evaluating trade secrets, marketing plans or other information which, if disclosed, would cause substantial injury to the competitive position of the manufacturer.

7. Committee members shall be deemed to be employees of the department for the purposes of section seventeen of the public officers law, and shall not participate in any matter for which a conflict of interest exists.

(c) 1. There is established a preferred drug program to promote access to the most effective prescription drugs while reducing the cost of prescription drugs for persons in state public health plans.

2. When a prescriber prescribes a non-preferred drug, state public health plan reimbursement shall be denied unless prior authorization is obtained, unless no prior authorization is required.

3. The commissioner shall establish performance standards for the program that, at a minimum, ensure that the preferred drug program and the clinical drug review program provide sufficient technical support and timely responses to consumers, prescribers and pharmacists.

4. The pharmacy and therapeutics committee shall consider and make recommendations to the commissioner for the adoption of a preferred drug program. (a) In developing the preferred drug program, the committee shall, without limitation: (i) identify therapeutic classes of drugs to be included in the preferred drug program; (ii) identify preferred drugs in each of the chosen therapeutic classes; (iii) evaluate the clinical effectiveness and safety of drugs considering the latest peer-reviewed research and may consider studies submitted to the federal food and drug administration in
connection with its drug approval system; (iv) consider the potential impact on patient care and the potential fiscal impact that may result from making such a drug therapeutic class subject to prior authorization; and (v) consider the potential impact of the preferred drug program on the health of special populations such as children, the elderly, the chronically ill, persons with HIV/AIDS and persons with mental health conditions. (b) In developing the preferred drug program, the committee may consider preferred drug programs or evidence based research operated or conducted by or for other state governments, the federal government, or multi-state coalitions. Notwithstanding any inconsistent provision of section one hundred twelve or article eleven of the state finance law or section one hundred forty-two of the economic development law or any other law, the department may enter into contractual agreements with the Oregon health and science university drug effectiveness review project to provide technical and clinical support to the committee and the department in researching and recommending drugs to be placed on the preferred drug list. (c) The committee shall from time to time review all therapeutic classes included in the preferred drug program, and may recommend that the commissioner add or delete drugs or classes of drugs to or from the preferred drug program, subject to this subdivision. (d) The committee shall establish procedures to promptly review prescription drugs newly approved by the federal food and drug administration.

5. The committee shall recommend a procedure and criteria for the approval of non-preferred drugs as part of the prior authorization process. In developing these criteria, the committee shall include consideration of the following: (a) the preferred drug has been tried by the patient and has failed to produce the desired health outcomes; (b) the patient has tried the preferred drug and has experienced unacceptable side effects; (c) the patient has been stabilized on a non-preferred drug and transition to the preferred drug would be medically contraindicated; and (d) other clinical indications for the use of the non-preferred drug, including the medical needs of special populations including children, the elderly, the
chronically ill, persons with mental health conditions, and persons affected by HIV/AIDS.

6. The commissioner shall provide thirty days public notice on the department's website prior to any meeting of the committee to develop recommendations concerning the preferred drug program. Such notice regarding meetings of the committee shall include a description of the proposed therapeutic class to be reviewed, a listing of drug products in the therapeutic class, and the proposals to be considered by the committee. The committee shall allow interested parties a reasonable opportunity to make an oral presentation to the committee related to the prior authorization of the drug therapeutic class to be reviewed. The committee shall consider any information provided by any interested party, including, but not limited to, prescribers, dispensers, patients, consumers and manufacturers of the drug in developing their recommendations.

7. The commissioner shall provide notice of any recommendations developed by the committee regarding the preferred drug program, at least thirty days before any final determination by the commissioner, by making such information available on the department's website. Such public notice shall include: a summary of the deliberations of the committee; a summary of the positions of those making public comments at meetings of the committee; the response of the committee to those comments, if any; and the findings and recommendations of the committee.

8. Within ten days of 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.

9. The commissioner shall adopt a preferred drug program and amendments after considering the recommendations from the committee and any comments received from prescribers, dispensers, patients, consumers and manufacturers of the drug. (a) Any therapeutic class included in the preferred drug program shall be developed based initially on an evaluation of the clinical effectiveness, safety and patient outcomes, followed by con-
consideration of the cost-effectiveness of the drugs. (b) In each therapeutic class included in the preferred drug program, if the committee determines there is one drug which is significantly more clinically effective and safe, that drug shall be included on the preferred drug list without consideration of cost. If, among two or more drugs in a therapeutic class, the difference in clinical effectiveness and safety is not clinically significant, then cost effectiveness (including price and supplemental rebates) may also be considered in determining which drug or drugs shall be included on the preferred drug list. (c) In addition to drugs selected under paragraph (b), any prescription drug in the therapeutic class, whose cost to the state public health plans (including net price and supplemental rebates) is equal to or less than the cost of another drug in the therapeutic class that is on the preferred drug list under paragraph (b), may be selected to be on the preferred drug list, based on clinical effectiveness, safety and cost-effectiveness.

10. The commissioner shall provide an opportunity for pharmaceutical manufacturers to provide supplemental rebates to the department; such supplemental rebates shall be taken into consideration by the committee and the commissioner in determining the cost-effectiveness of drugs within a therapeutic class under the state public health plans. Such supplemental rebates shall be in addition to those required by applicable federal law and subdivision seven of section three hundred sixty-seven-a of the social services law. In order to be considered in connection with the preferred drug program, such supplemental rebates shall apply to the drug products dispensed under the Medicaid program. The commissioner is prohibited from approving alternative rebate demonstrations, value added programs or guaranteed savings from other program benefits as a substitution for supplemental rebates.

11. No prior authorization shall be required under the preferred drug program for: (a) atypical anti-psychotics; (b) anti depressants; (c) anti-retrovirals used in the treatment of HIV/AIDS; and (d) anti-rejection drugs used for the treatment of organ and tissue transplants.
12. The commissioner may implement all or a portion of the preferred drug program through contracts with administrators with expertise in management of pharmacy services, subject to applicable laws.

(d) 1. A prescription drug shall be considered to be not on the preferred drug list if it is in a therapeutic class that is included on the preferred drug list and is not one of the drugs on the preferred list in that class.

2. The preferred drug program shall make available a twenty-four hour per day, seven days per week telephone call center that includes a toll-free telephone line and dedicated facsimile line to respond to requests for prior authorization. The call center shall include qualified health care professionals who shall be available to consult with prescribers concerning prescription drugs that are not on the preferred drug list. A prescriber seeking prior authorization shall consult with the program call line to reasonably present his or her justification for the prescription and give the program's qualified health care professional a reasonable opportunity to respond.

3. (a) When a patient's health care provider prescribes a prescription drug that is not on the preferred drug list, the prescriber shall consult with the program to confirm that in his or her reasonable professional judgment, the patient's clinical condition is consistent with the criteria for approval of the non-preferred drug. Such criteria shall include: (i) the preferred drug has been tried by the patient and has failed to produce the desired health outcomes; (ii) the patient has tried the preferred drug and has experienced unacceptable side effects; (iii) the patient has been stabilized on a non-preferred drug and transition to the preferred drug would be medically contraindicated; or (iv) other clinical indications identified by the committee for the patient's use of the non-preferred drug, based on consideration of the medical needs of patients including those who are children, elderly, chronically ill, persons with mental health conditions, and persons affected by HIV/AIDS.

(b) In the event that the patient does not meet the criteria described in paragraph (a), the program shall provide a reasonable opportunity for a prescriber to present his or her justification for prior authorization. (c) If a patient is
determined by the department to not meet
the requirements of paragraphs (a) or
(b), prior authorization shall be de-
nied. (d) In the instance where a prior
authorization determination cannot be
completed within twenty-four hours of
the original request, a seventy-two hour
supply of the medication will be
approved by the program and the
prescriber shall be notified of this
determination.

4. When, in the judgment of the prescriber
or the pharmacist, an emergency
condition exists, and the prescriber or
pharmacist confirms with the program
that an emergency condition exists, a
seventy-two hour emergency supply of the
drug prescribed shall be immediately
authorized by the program.

5. In the event that a patient presents a
prescription to a pharmacist for a
prescription drug that is not on the
preferred drug list and for which the
prescriber has not obtained a prior
authorization, the pharmacist shall,
within a reasonable period based on
professional judgment, notify the pre-
scriber. The prescriber shall, within a
reasonable period based on professional
judgment, either seek prior authoriza-
tion or shall contact the pharmacist and
amend or cancel the prescription.

6. No prior authorization under the pro-
gram shall be required when a prescriber
prescribes a drug on the preferred drug
list.

7. The department shall monitor the prior
authorization process for prescribing
patterns which are suspected of
endangering the health and safety of the
patient or which demonstrate a likeli-
hood of fraud or abuse. The department
shall take any and all actions otherwise
permitted by law to investigate such
prescribing patterns, to take remedial
action and to enforce applicable federal
and state laws.

(e) 1. In addition to the preferred drug
program, the commissioner may establish a
clinical drug review program. The commis-
sioner may, from time to time, require
prior authorization under such program for
prescription drugs or patterns of utiliza-
tion under state public health plans. When
a prescriber prescribes a drug which re-
quires prior authorization, state public
health plan reimbursement shall be denied
unless such prior authorization is ob-
tained.
2. The clinical drug review program shall make available a twenty-four hour per day, seven days per week response system.

3. In establishing a prior authorization requirement for a drug under the clinical drug review program, the commissioner shall consider the following: (a) whether the drug requires monitoring of prescribing protocols to protect both the long-term efficacy of the drug and the public health; (b) the potential for, or a history of, overuse, abuse, drug diversion or illegal utilization; (c) the potential for, or a history of utilization inconsistent with approved indications; (d) whether similarly effective alternatives are available for the same disease state; (e) the cost of the drug compared to other drug therapies for the same disease state; and (f) the availability of an over-the-counter version of a drug product with similar or equivalent clinical effectiveness.

4. The commissioner shall obtain an evaluation of the above factors and a recommendation as to the establishment of a prior authorization requirement for a drug under the clinical drug review program from the pharmacy and therapeutics committee. For this purpose, the commissioner and the committee, as applicable, shall comply with the open meetings law and freedom of information law.

5. The committee shall recommend a procedure and criteria for the approval of drugs subject to prior authorization under the clinical drug review program. Such criteria shall include the specific approved clinical indications for use of the drug.

6. The commissioner shall identify a drug for which prior authorization is required, as well as the procedures and criteria for approval of use of the drug, under the clinical drug review program after considering the recommendations from the committee and any comments received from prescribers, dispensers, consumers and manufacturers of the drug. In no case shall the prior authorization criteria for approval result in denial of the prior authorization request based on the relative cost of the drug subject to prior authorization.

7. In the event that the patient does not meet the criteria for approval established by the commissioner, the clinical drug review program shall provide a
reasonable opportunity for a prescriber
to reasonably present his or her
justification for prior authorization.
If the patient is determined not to meet
the criteria for approval, prior autho-
ration shall be denied.
8. In the instance where a prior autho-
ration determination cannot be com-
leted within twenty-four hours of the
original request, a seventy-two hour
supply of the medication will be ap-
proved by the program and the prescriber
shall be notified of the determination.
9. When, in the judgment of the prescriber
or the pharmacist, an emergency condi-
tion exists, and the prescriber or
pharmacist consults with the program to
confirm that such an emergency condition
exists, a seventy-two hour emergency
supply of the drug prescribed shall be
immediately authorized by the program.
10. The department shall monitor the prior
authorization process for prescribing
patterns which are suspected of en-
dangering the health and safety of the
patient or which demonstrate a likeli-
hood of fraud or abuse. The department
shall take any and all actions otherwise
permitted by law to investigate such
prescribing patterns, to take remedial
action and to enforce applicable federal
and state laws.
11. The commissioner may implement all or
a portion of the clinical drug review
program through contracts with adminis-
trators with expertise in management of
pharmacy services, subject to applicable
laws.
(f) The department may conduct education and
outreach programs for consumers and health
care providers relating to the safe,
therapeutic and cost-effective use of
prescription drugs and appropriate treat-
ment practices for containing prescription
drug costs. The department shall provide
information as to how prescribers, pharm-
acists, patients and other interested
parties can obtain information regarding
drugs included on the preferred drug list,
whether any change has been made to the
preferred drug list since it was last
issued, and the process by which prior
authorization may be obtained.
(g) The commissioner shall, beginning with
the commencement of the preferred drug
program and monthly thereafter through
March 31, 2006, submit a report to the
governor and the legislature concerning
the amount of supplemental rebates re-
ceived.
Notwithstanding any inconsistent provision of the law, rule, or regulation to the contrary, the provisions of paragraph (a-1) of subdivision 4 of section 365-a of the social services law shall not apply to any drug that is in a therapeutic class included on the preferred drug list or is in the clinical drug review program.

Notwithstanding any inconsistent provision of law, rule, or regulation to the contrary, the medical assistance program shall not provide reimbursement for drugs which may not be dispensed without a prescription as required by section sixty-eight hundred ten of the education law, and which are non-preferred drugs in a therapeutic class subject to the preferred drug program, or the clinical drug review program, unless prior authorization is granted or not required.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, and notwithstanding the provisions of the preferred drug program and the clinical drug review program, the commissioner may subject drugs that are covered under the medical assistance program to prior authorization.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, any pharmacy and therapeutics committee appointed by the commissioner of health in existence on April 1, 2005 shall continue to function and shall be authorized to carry out the same duties and powers as prescribed in the preferred drug program and the clinical drug review program until such committee is duly appointed under such programs or until March 31, 2006, whichever is sooner.

Notwithstanding subparagraphs (i) and (ii) of paragraph (d) of subdivision 25 of section 2807-c of the public health law, medicaid payment rates for general hospitals for periods on and after April first, two thousand five through March thirty-first, two thousand six for public and non-public general hospitals for purposes of reimbursing graduate medical education costs shall be based on the following methodology:

(i) Rate adjustments for each general hospital shall be based on the difference between the graduate medical education component, direct and indirect, of the two thousand three medical assistance in-patient rates of payment, including exempt unit per diem rates, and an estimate of what the graduate medical education component, direct and indirect, of such
medical assistance inpatient rates of payment, including exempt unit per diem rates would be, stated at two thousand three levels and calculated as follows:

(A) Each general hospital's total direct medical education costs as reported in the two thousand one institutional cost report submitted as of December thirty-first, two thousand three, and

(B) An estimate of the total indirect medical education costs for two thousand one calculated in accordance with the methodology applicable for purposes of determining an estimate of indirect medical education costs pursuant to subparagraph (ii) of paragraph (c) of subdivision seven of section 2807-c of the public health law. The indirect medical education costs shall equal the product of two thousand one hospital specific inpatient operating costs, including exempt unit costs, and the indirect teaching cost percentage determined by the following formula:

\[ 1 - \left( \frac{1}{1 + 1.89((1+r)^{.405})} \right) \]

where \( r \) equals the ratio of residents and fellows to beds for two thousand one adjusted to reflect the projected two thousand three resident counts.

(C) Each hospital's rate adjustment shall be limited to seventy-five percent of the graduate medical education component included in its two thousand three medical assistance inpatient rates of payment, including exempt unit rates. For periods on and after April first, two thousand five, through March thirty-first, two thousand six, the seventy-five percent limit shall not apply to rate decreases calculated pursuant to this paragraph.

(D) For periods on and after April first, two thousand five through March thirty-one, two thousand six no public general hospital shall receive a rate increase calculated pursuant to paragraph (d) of subdivision 25 of section 2807-c of the public health law. Notwithstanding any inconsistent provision of law, rule or regulation, for payments made by a state governmental agency to a general hospital for specialty inpatient hospital services provided to patients eligible for payments pursuant to title 11 of article 5 of the social services law discharged or for visits made on or after April first, two thousand five, through March thirty first, two thousand six, the commissioner of health, subject to the approval of the director of the budget, may:
(a) establish rates of payment or special payment rate methodologies for specialty inpatient hospital services selected in accordance with paragraph (c) of this subdivision provided to patients eligible for payments pursuant to title 11 of article 5 of the social services law through negotiations with hospitals in any area of the state, and, notwithstanding section 112 of the state finance law, award contracts to hospitals that participate in such negotiations and agree to receive the negotiated payment rates in lieu of rates of payment otherwise applicable pursuant to section 2807-c of the public health law without a competitive bid or request for proposal process; and/or

(b) select among hospitals in any area of the state those eligible for reimbursement for specialty inpatient hospital services selected in accordance with this appropriation and establish payments for such services based on a competitive bidding process.

(c) The commissioner shall select specialty inpatient hospital services for which reimbursement may be negotiated with hospitals based on the following criteria:
(i) such services may be provided more efficiently and economically;
(ii) such services are high volume services which may be appropriately reduced or have a great disparity in cost among hospitals in a region; and
(iii) any other criteria determined by the commissioner to promote the cost effective delivery of specialty inpatient hospital services.

(d) Inpatient hospital services not selected by the commissioner pursuant to this section provided to patients eligible for payments pursuant to title 11 of article 5 of this social services law shall be reimbursed pursuant to section 2807-c of the public health law.

(e) No payments shall be made for specialty inpatient hospital services selected by the commissioner of health in accordance with paragraph (c) of subdivision 1 of this section for which there is a contract with a hospital pursuant to paragraphs (a) or (b) of subdivision 1 of this section when such services are provided to patients eligible for payments pursuant to title 11 of article 5 of the social services law by a hospital which has not contracted with the commissioner of health pursuant to paragraphs (a) or (b) of subdivision 1 of this section provided, however, payments may be made to such hospitals in accordance with section 2807-
c of the public health law if the
provision of such services has been prior
approved by the commissioner of health or
if the inpatient admission is the result
of an emergency.
(f) Payment of rates established pursuant to
this section shall be contingent upon
federal approval of a waiver application
submitted by the commissioner of health in
order to receive federal financial par-
ticipation for services provided under
this section; provided, however, the
commissioner of health may take any steps
necessary to implement this section prior
to receiving federal approval of such
waiver application.
Notwithstanding subparagraph (i) of para-
graph (g) of subdivision 2 of section 2807
of the public health law and any other
contrary provision of the law for the
period April first, two thousand five
through March thirty-first, two thousand
six, specialized services shall not
include services for which the rate of
payment is established by the office of
mental health pursuant to section 43.02 of
the mental hygiene law.
Notwithstanding any law or regulation to the
contrary, payments to general hospitals
for inpatient services provided to pa-
tients discharged on and after April
first, two thousand five, and on or before
March thirty-first two thousand six who
are eligible for payments made by state
governmental agencies and who are deter-
mined to be in diagnosis-related groups
numbered seven hundred forty-three, seven
hundred forty-five, seven hundred forty-
six, seven hundred forty-eight, seven
hundred forty-nine, or seven hundred
fifty-one as determined in accordance with
section 2807-c of the public health law
shall be made on a per diem basis in an
amount equal to the fees paid in the same
locality pursuant to section 43.02 of the
mental hygiene law for community based
detoxification services provided in facil-
ities licensed pursuant to article thirty-
two of the mental hygiene law.
Notwithstanding paragraph (c) of subdivision
10 of section 2807-c 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
first, two thousand five through March
thirty-first, two thousand six 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 first, two thousand five through December thirty-first, two thousand five. 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 or regulation to the contrary: (a) (i) For services provided by residential health care facilities on and after April first, two thousand five, through March thirty-first two thousand six except for services identified in subparagraph (ii) set forth below and for facilities described in paragraph (d) set forth below for purposes of establishing the operating component of rates of payment by governmental agencies, the commissioner of health shall utilize the regional average of facility specific allowable costs as reported by residential health care facilities in the 2003 calendar year cost report, trended pursuant to law to the applicable rate period and adjusted for case mix. Such regional average shall also be adjusted by a corridor percentage to be determined by the commissioner of health to arrive at a final average operating component of rates of payment for each region. Region shall mean those regions as listed in paragraph (c) herein.

(ii) Nothing herein shall be deemed to apply to rates paid for residential health care facility services provided to: (A) residents residing in a residential health care facility designated as an AIDS residential health care facility or residing in a discrete AIDS unit approved by the commissioner; (B) residents residing in discrete units for the care of patients under the long-term inpatient rehabilitation program for traumatic brain injured patients established pursuant to department regulations; (C) residents residing in discrete units approved by the department of health for the care of long-term ventilator dependent residents; (D) residents residing in discrete units approved by the department of health specifically designated for the purpose of providing specialized programs for residents requiring behavioral interventions; or (E) residents in residential health care facilities or discrete units which
provide extensive nursing, medical,
psychological and counseling support ser-
vice solely to children, as determined by
the department of health.
(b) The operating component of the rate of
payment shall mean all components of the
rate except for the capital component.
(c) The regions are established as follows:
(i) Albany: Albany, Columbia, Greene,
Montgomery, Rensselaer, Saratoga, Sche-
nectady, Schoharie, and Fulton counties;
(ii) Binghamton: Broome, and Tioga coun-
ties;
(iii) Erie: Cattaraugus, Chautauqua, Erie,
Niagara, and Orleans counties;
(iv) Elmira: Chemung, Steuben, and Schuy-
ler counties;
(v) Glens Falls: Essex, Warren, and Wash-
ington counties;
(vi) Long Island: Nassau, and Suffolk
counties;
(vii) Orange: Chenango, Delaware, Orange,
Otsego, Sullivan, and Ulster counties;
(viii) New York City: Bronx, Kings, Queens,
Richmond, and New York counties;
(ix) Poughkeepsie: Dutchess, and Putnam
counties;
(x) Rochester: Livingston, Monroe, On-
tario, and Wayne counties;
(xi) Central Rural: Cayuga, Cortland,
Seneca, Tompkins, and Yates counties;
(xii) Syracuse: Madison, and Onondaga
counties;
(xiii) Utica: Herkimer, Jefferson, Lewis,
Oneida, and Oswego counties;
(xiv) Westchester: Rockland, and West-
chester counties;
(xv) Northern Rural: Clinton, Franklin,
Hamilton, and St. Lawrence counties; and
(xvi) Western Rural: Allegany, Genesee,
and Wyoming counties.
(d) For any newly constructed residential
health care facility which receives
establishment approval by the public
health council in accordance with section
twenty eight hundred one-a of the public
health law on or after April first, two
thousand five through March thirty-first,
two thousand six; any new operator of an
ongoing residential health care facility
established pursuant to section twenty
eight hundred one-a of the public health
law on or after April first, two thousand
five through March thirty-first, two
thousand six; or any facility in re-
ceivership on and after April first, two
thousand five through March thirty-first,
three thousand six, the operating component
of the rate of payment shall equal the
regional average operating component of
facilities within its region as determined
herein provided however, such regional
average operating component shall not be
adjusted by a corridor percentage.
Notwithstanding any inconsistent provision
of law, rule or regulation to the con-
trary, the provisions of section 1 of
chapter 41 of the laws of 1992, as
amended, shall remain and be in full force
and effect provided however, for periods
beginning April first, two thousand five
and thru March thirty-first, two thousand
six, such adult day services maximum daily
rate of payment shall not exceed sixty-
five percent of the residential health
care facility per diem rate.
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 first, two
thousand five through March thirty-first,
two thousand six, except for the estab-
ishment 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 classifica-
tion group and eligible for medical as-
stance pursuant to title 11 of article 5
of the social services law.
Notwithstanding paragraph (e) of subdivision
1 of section 369-ee of the social services
law for the purpose of calculating annual
premiums for the period April first, two
thousand five, through March thirty-first,
two thousand six "health care services"
means the following services and supplies
as defined by the commissioner of health
in consultation with the superintendent of
insurance:
(i) the services of physicians, nurse
practitioners, and other related personnel
which are provided on an outpatient or
inpatient basis;
(ii) inpatient hospital services provided by
a general hospital;
(iii) laboratory tests;
(iv) diagnostic x-rays;
(v) prescription drugs and non-prescription
smoking cessation products or devices;
(vi) radiation therapy, chemotherapy, and
hemodialysis;
(vii) emergency room services;
(viii) diabetic supplies and equipment; and
(ix) services provided to meet the
requirement of 42 U.S.C. 1396d(r).
Notwithstanding subdivision 2-a of section
369-ee of the social services law, for the
period April first, two thousand five
through March thirty-first, two thousand
six, subject to federal approval pursuant
to subdivision six of section 369-ee of the social services law, persons receiving family health plus coverage under section 369-ee of the social services law shall be responsible to make co-payments in accordance with the following schedule:

(i) inpatient hospital services shall have a two hundred fifty dollar co-payment for each continuous hospital confinement;

(ii) outpatient surgical services shall have a seventy-five dollar co-payment per occurrence;

(iii) emergency room services shall have a fifty dollar co-payment which shall be waived if hospital admission results from the emergency room visit;

(iv) generic prescription drugs shall have a ten dollar co-payment and brand name prescription drugs shall have a twenty dollar co-payment;

(v) all other services shall have a twenty dollar co-payment;

(b) The following services shall not be subject to co-payments

(i) family planning services;

(ii) prenatal care services provided to pregnant women, labor, delivery and services related to the sixty-day postpartum period.

Notwithstanding paragraph (i) of subdivision 1 of section 369-ee of the social services law, for the period April first, two thousand five, through March thirty-first, two thousand six, "resources" for purposes of section 369-ee of the social services law shall have the same meaning as determined in accordance with paragraph (a) of subdivision two of section three hundred sixty-six of the social service law except that the term savings referred to in subparagraph four of such paragraph shall mean household savings in an amount not to exceed ten thousand dollars.

Notwithstanding subparagraph (iii) of paragraph (a) of subdivision 2 of section 369-ee of the social services law for the period April first, two thousand five through March thirty-first, two thousand six, a person is eligible to receive health care services pursuant to title 11-D of the social services law if he or she does not have health care coverage under insurance or equivalent mechanisms, as defined by the commissioner of health in consultation with the superintendent of insurance and is not a federal, state, county, municipal, or school district employee, and is not employed by an employer with more than fifty employees.

Notwithstanding subparagraph (iv) of paragraph (a) of subdivision 2 of section 369-ee of the social services law for the
period April first, two thousand five,
through March thirty-first, two thousand
six, a person is eligible to receive
health care services pursuant to title 11-
D of the social services law if he or she
was not covered by a group health plan
based upon his or her employment or a
family member's employment, as defined by
the commissioner of health in consultation
with the superintendent of insurance,
during the twelve-month period prior to
the date of the application under title
11-D of the social services law, except in
the case of:
(I) loss of employment due to factors other
than voluntary separation;
(II) death of a family member which results
in termination of the applicant's coverage
under the group health plan;
(III) change to a new employer that does not
provide an option for comprehensive health
benefits coverage;
(IV) change of residence so that no
employer-based comprehensive health
benefits coverage is available;
(V) expiration of the coverage periods
established by COBRA or the provisions of
subsection (m) of section three thousand
two hundred twenty-one, subsection (k) of
section four thousand three hundred four
and subsection (e) of section four
thousand three hundred five of the
insurance law;
(VI) termination of comprehensive health
benefits coverage due to long-term
disability; or
(VII) loss of employment due to need to care
for a child or disabled household member
or relative.
Notwithstanding any inconsistent provisions
of law, rule or regulation to the con-
trary, medical assistance shall be
furnished to applicants in cases where,
although such applicant has a responsible
relative with sufficient income and
resources to provide medical assistance as
determined by the regulations of the
department, the income and resources of
the responsible relative are not available
to such applicant because of the absence
of such relative and the refusal or
failure of such absent relative to provide
the necessary care and assistance. In such
cases, however, the furnishing of such
assistance shall create an implied
contract with such relative, and the cost
thereof may be recovered from such
relative in accordance with title six of
article three of the social services law
and other applicable provisions of law.
For the purpose of this appropriation and notwithstanding any inconsistent provisions of law, rule or regulation to the contrary, the office of the attorney general shall, at the request of the department of health, commence actions or proceedings in accordance with the provisions of sections one hundred one, one hundred four, and one hundred four-b, paragraph (a) of subdivision three of section three hundred sixty-six, subparagraph one of paragraph (h) of subdivision four of section three hundred sixty-six, paragraph (b) of subdivision two of section three hundred sixty-seven-a, and section three hundred sixty-nine of the social services law, to recover the cost of medical assistance furnished pursuant to titles eleven and eleven-d of article 5 of the social services law. Funds recovered net of collection fees authorized by law, shall be distributed to the department of health for deposit in the medical assistance restitution account and shall be allocated by the department pursuant to law.

Notwithstanding any inconsistent provisions of law, rule or regulation to the contrary, for the purpose of evaluation of transfer of assets provision "look-back period" means the thirty-six month period, or, in the case of payments from a trust or portions of a trust which are treated as assets disposed of by the individual pursuant to department regulations, the sixty-month period, immediately preceding the date that an institutionalized individual is both institutionalized and has applied for medical assistance, or in the case of a non-institutionalized individual, the date that such non-institutionalized individual applies for medical assistance coverage of long term care services; provided, however, that the look-back period for all types of transfers shall be sixty months if the commissioner of health obtains all necessary approvals under federal law and regulation to implement such a look-back period; provided further that the use of a sixty-month look-back period for all types of transfers shall continue only if and for so long as the use of such a look-back period does not prevent the receipt of federal financial participation under the medical assistance program; provided further that the commissioner of health shall submit such waiver applications and/or state plan amendments as may be necessary
to obtain approval to implement a sixty-month look-back period for all types of transfers and to ensure continued federal financial participation.

In determining the medical assistance eligibility of an institutionalized individual, 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.

In determining the medical assistance eligibility of a non-institutionalized individual, 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 long term care services for the period of time specified in law. 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) in the case of an institutionalized individual, 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) in the case of an institutionalized individual, 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.

(ii) Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, the period of ineligibility described in clause (i) of subparagraph 3 of paragraph (d) of subdivision 5 of section 366 of the social services law shall begin on the first day the individual is receiving services for which medical assistance coverage would be available but for the provisions of subparagraph 3 of paragraph (d) of subdivision 5 of section 366 of the social services law, and which does not occur in any other periods of ineligibility, if the commissioner of health obtains all necessary approvals under federal law and regulation to implement such a period of
inelegibility. The use of such a period of
inelegibility shall continue only if and
for so long as it does not prevent the
receipt of federal financial participation
under the medical assistance program. The
commissioner of health shall submit such
waiver applications and/or state plan
amendments as may be necessary to obtain
approval to implement the period of
inelegibility described in this clause and
to ensure continued federal financial
participation.

Notwithstanding any inconsistent provision
of law, rule or regulation to the con-
trary, for the purpose of evaluation of
transfer of assets provisions, "non-
institutionalized individual" means an
individual who is not an institutionalized
individual, as defined in clause (vii) of
subparagraph 1 of paragraph (d) of
subdivision five of section 366 of the
social services law, and "long term care
services" means home health care services,
personal care services, assisted living
program services and such other services
for which medical assistance is otherwise
available under the social services law
which are designated as long term care
services in the regulations of the de-
partment.

Notwithstanding any inconsistent provision
of law, rule or regulation to the con-
trary, in the case of a transfer by an
individual which results in a period of
inelegibility for such individual or his
or her spouse, such period of ineligibil-
ity will continue without regard to the
individual's becoming an institutionalized
individual if the transfer was made while
the individual was a non-institutionalized
individual and without regard to the
individual's becoming a non-institutional-
ized individual if the transfer was made
while the individual was an institutional-
ized individual. In no event shall the
total period of ineligibility for long
term care services and nursing facility
services resulting from the same transfer
of assets exceed the period calculated
pursuant to subparagraph 4 of paragraph
(d) of subdivision five of section 366 of
the social services law.

Notwithstanding any inconsistent provision
of law, rule or regulation to the con-
trary, an institutionalized spouse shall
not be ineligible for medical assistance
by reason of excess resources determined
under paragraph (a) of subdivision 5 of
section 366-c of the social services law,
if (i) the institutionalized spouse exe-
cutes an assignment of support from the
community spouse in favor of the social
services district and the department, or
the institutionalized spouse is unable to
execute such assignment due to physical or
mental impairment, and (ii) to deny as-
assistance would create an undue hardship,
as defined by the commissioner.
Notwithstanding paragraph (l) of subdivision
2 of section 365-a of the social services
law for the period April first, two
thousand five through March thirty-first,
two thousand six, "medical assistance"
shall mean payment of part or all of the
cost of medically necessary care and
services of podiatrists, clinical
psychologists, nurses and audiologists,
including such care and services provided
in a hospital out-patient or clinic
facility operated in compliance with
applicable provisions of the article
twenty-eight of the public health law, and
dentists, which care and services shall
only be provided upon referral by a
physician, nurse practitioner or certified
nurse midwife in accordance with the
program of early and periodic screening
and diagnosis established pursuant to
subdivision three of section 365-a of the
social service law or to persons eligible
for benefits under title XVIII of the
federal social security act as qualified
medicare beneficiaries in accordance with
federal requirements therefor; provided,
however, that nothing herein shall be
construed as limiting the care and
services of clinical psychologists or
audiologists provided in a federally
qualified health center, in a clinic
facility that is organized to provide as
its principal mission ongoing and long-
term rehabilitation therapy to individuals
with developmental disabilities, or in an
outpatient program licensed by the office
of mental retardation and developmental
disabilities under article sixteen, the
office of mental health under article
thirty-one, and the office of alcoholism
and substance abuse services under article
thirty-two of the mental hygiene law;
Notwithstanding paragraphs (a) and (f) of
subdivision 2 of section 365-a of the
social services law for the period April
first, two thousand five through March
thirty-first, two thousand six, "medical
assistance" shall not include payment of
the cost of medically necessary services
of qualified dentists, nurses, and private
duty nursing services nor shall it include
preventive, prophylactic and other routine
dental care, services and supplies.
No moneys hereby appropriated shall be
available for additional state medical
assistance program or administrative ex-
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Penses resulting from the state partially
assuming county government medicaid shares
unless the medicaid cost containment ac-
tions proposed in the 2005-06 executive
budget are enacted, as certified by the
commissioner of health and the director of
the budget ........................................... 7,240,201,000

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 improved medicaid service
delivery and management including but not
limited to medicaid fraud prevention, long
term care restructuring and nursing home
transition and diversion waiver activi-
ties, pharmacy best practices initiatives,
prior authorizations, prior approvals, and
recipient and provider notification and up
to $6,300,000 for the supplemental nursing
home quality improvement program. Subject
to the approval of the director of the
budget, a portion of this appropriation
may be suballocated to other state agen-
cies and may be made available to local
social services districts ............. 21,000,000

For additional state expenses for the family
health plus program resulting from the
state assuming 100 percent of the pro-
gram's costs for counties outside new york
city, effective October 1, 2005; provided
however, the moneys hereby appropriated
shall not be available for expenditure
unless the medicaid cost containment
actions proposed in the 2005-06 executive
budget are enacted, as certified by the
director of the budget and the commis-
sioner of health ....................... 25,000,000

For services and expenses for state aid to
counties outside of New York city for
medicaid transitional funding assistance.
Notwithstanding any inconsistent provision
of law, rule or regulation and subject to
the approval of the director of the
division of the budget, $15,000,000 of the
amount hereby appropriated shall be
distributed to such counties pursuant to a
methodology which considers county need,
as measured by its per capita full
property valuation, and $5,000,000 shall
be distributed pursuant to a determination
of county need by the commissioner of
health; provided however, the moneys here-
by appropriated shall not be available for
expenditure unless the medicaid cost con-
tainment actions proposed in the 2005-06
executive budget are enacted, as certified by the director of the budget and the commissioner of health .................. 20,000,000

Program account subtotal .................. 7,306,201,000

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

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

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

For the purpose of this appropriation, A)
unless the context clearly requires other-
wise: "administrator" means an entity with
which the commissioner contracts for the
purpose of administering elements of the
preferred drug program, or the clinical
drug review program; "clinical drug review
program" means the clinical drug review
program; "committee" or "pharmacy and
therapeutics committee" means the pharmacy
and therapeutics committee; "emergency
condition" means a medical or behavioral
condition as determined by the prescriber
or pharmacist, the onset of which is
sudden, that manifests itself by symptoms
of sufficient severity, including severe
pain, and for which delay in beginning
treatment prescribed by the patient's
health care practitioner would result in:
(a) placing the health or safety of the
person afflicted with such condition or
other person or persons in serious
jeopardy; (b) serious impairment to such
person's bodily functions; (c) serious
dysfunction of any bodily organ or part of
such person; (d) serious disfigurement of
such person; or (e) severe discomfort;
"preferred drug program" means the pre-
ferred drug program established pursuant
to this appropriation; "prescription drug"
or "drug" means a drug defined in subdi-
vision seven of section sixty-eight hun-
dred two of the education law, for which a
prescription is required under the federal
food, drug and cosmetic act. Any drug that
does not require a prescription under such
act, but which would otherwise meet the
criteria for inclusion on the preferred
drug list may be added to the preferred
drug list; and, if so included, shall be
considered to be a prescription drug;
provided that it shall be eligible for
reimbursement under a state public health
plan when ordered by a prescriber
authorized to prescribe under the state
public health plan and the prescription is
subject to the applicable provisions of
this appropriation and paragraph (a) of
subdivision four of section three hundred
sixty-five-a of the social services law;
"Prior authorization" means a process
requiring the prescriber or the dispenser
to verify with the applicable state public
health plan or its authorized agent that
the drug is appropriate for the needs of
the specific patient; "state public health
plan" means the medical assistance program
established by title eleven of articleive of the social services law;
"therapeutic class" means a group of
prescription drugs that produce a
particular intended clinical outcome and
are grouped together as a therapeutic
class by the pharmacy and therapeutics
committee.
(b) 1. There is hereby established in the
department a pharmacy and therapeutics
committee. The committee shall consist of
thirteen members, who shall be appointed
by the commissioner. No member of the
committee shall be an employee of the
state or any subdivision of the state,
other than for his or her membership on
the committee, except for employees of
health care facilities or universities
operated by the state, a public benefit
corporation, the state university of New
York or municipalities.
2. The membership shall be composed as
follows: (a) five persons licensed and
actively engaged in the practice of
medicine in the state; (b) one person
licensed and actively engaged in the
practice of nursing as a nurse practi-
tioner, or in the practice of midwifery
in the state; (c) five persons licensed
and actively engaged in the practice of
pharmacy in the state; (d) one person
with expertise in drug utilization re-
view who is either a health care
professional licensed under title eight
of the education law, is a pharmacolo-
gist or has a doctorate in pharmacology;
and (e) one person who shall be a con-
sumer or representative of an organiza-
tion with a regional or statewide con-
stituency and who has been involved in
activities related to health care
consumer advocacy, including issues af-
fecting medicaid.
3. The committee shall, at the request of
the commissioner, consider any matter
relating to the preferred drug program,
and may advise the commissioner thereon.
The committee may, from time to time,
submit to the commissioner recommen-
dations relating to such preferred drug
program. The committee may also evaluate
and provide recommendations to the com-
missioner on other issues relating to
pharmacy services under medicaid, in-
cluding, but not limited to: therapeutic
comparisons; enhanced use of generic
drug products; enhanced targeting of
physician prescribing patterns; prior
authorization of drugs subject to the
 clinical drug review program; fraud, waste and abuse prevention; negotiations for rebates; pharmacy benefit management activity by an administrator; and negotiation of lower initial drug pricing.

4. The committee shall elect a chairperson from among its members.

5. The members of the committee shall receive no compensation for their services but shall be reimbursed for expenses actually and necessarily incurred in the performance of their duties.

6. The committee shall be a public body under article seven of the public officers law (the open meetings law) and subject to article six of the public officers law (the freedom of information law). In addition to the matters listed in section one hundred five of the public officers law, the committee may conduct an executive session for the purpose of receiving and evaluating drug pricing information related to supplemental rebates, or receiving and evaluating trade secrets, marketing plans or other information which, if disclosed, would cause substantial injury to the competitive position of the manufacturer.

7. Committee members shall be deemed to be employees of the department for the purposes of section seventeen of the public officers law, and shall not participate in any matter for which a conflict of interest exists.

(c) 1. There is established a preferred drug program to promote access to the most effective prescription drugs while reducing the cost of prescription drugs for persons in state public health plans.

2. When a prescriber prescribes a non-preferred drug, state public health plan reimbursement shall be denied unless prior authorization is obtained, unless no prior authorization is required.

3. The commissioner shall establish performance standards for the program that, at a minimum, ensure that the preferred drug program and the clinical drug review program provide sufficient technical support and timely responses to consumers, prescribers and pharmacists.

4. The pharmacy and therapeutics committee shall consider and make recommendations to the commissioner for the adoption of a preferred drug program. (a) In developing the preferred drug program, the committee shall, without limitation: (i) identify therapeutic classes of drugs to be included in the preferred drug program; (ii) identify preferred drugs in each of the chosen therapeutic classes;
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(iii) evaluate the clinical effectiveness and safety of drugs considering the latest peer-reviewed research and may consider studies submitted to the federal food and drug administration in connection with its drug approval system; (iv) consider the potential impact on patient care and the potential fiscal impact that may result from making such a drug therapeutic class subject to prior authorization; and (v) consider the potential impact of the preferred drug program on the health of special populations such as children, the elderly, the chronically ill, persons with HIV/AIDS and persons with mental health conditions. (b) In developing the preferred drug program, the committee may consider preferred drug programs or evidence based research operated or conducted by or for other state governments, the federal government, or multi-state coalitions. Notwithstanding any inconsistent provision of section one hundred twelve or article eleven of the state finance law or section one hundred forty-two of the economic development law or any other law, the department may enter into contractual agreements with the Oregon health and science university drug effectiveness review project to provide technical and clinical support to the committee and the department in researching and recommending drugs to be placed on the preferred drug list. (c) The committee shall from time to time review all therapeutic classes included in the preferred drug program, and may recommend that the commissioner add or delete drugs or classes of drugs to or from the preferred drug program, subject to this subdivision. (d) The committee shall establish procedures to promptly review prescription drugs newly approved by the federal food and drug administration.

5. The committee shall recommend a procedure and criteria for the approval of non-preferred drugs as part of the prior authorization process. In developing these criteria, the committee shall include consideration of the following: (a) the preferred drug has been tried by the patient and has failed to produce the desired health outcomes; (b) the patient has tried the preferred drug and has experienced unacceptable side effects; (c) the patient has been stabilized on a non-preferred drug and transition to the preferred drug would be medically contraindicated; and (d) other clinical indications for the use
of the non-preferred drug, including the medical needs of special populations including children, the elderly, the chronically ill, persons with mental health conditions, and persons affected by HIV/AIDS.

6. The commissioner shall provide thirty days public notice on the department's website prior to any meeting of the committee to develop recommendations concerning the preferred drug program. Such notice regarding meetings of the committee shall include a description of the proposed therapeutic class to be reviewed, a listing of drug products in the therapeutic class, and the proposals to be considered by the committee. The committee shall allow interested parties a reasonable opportunity to make an oral presentation to the committee related to the prior authorization of the drug therapeutic class to be reviewed. The committee shall consider any information provided by any interested party, including, but not limited to, prescribers, dispensers, patients, consumers and manufacturers of the drug in developing their recommendations.

7. The commissioner shall provide notice of any recommendations developed by the committee regarding the preferred drug program, at least thirty days before any final determination by the commissioner, by making such information available on the department's website. Such public notice shall include: a summary of the deliberations of the committee; a summary of the positions of those making public comments at meetings of the committee; the response of the committee to those comments, if any; and the findings and recommendations of the committee.

8. Within ten days of 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.

9. The commissioner shall adopt a preferred drug program and amendments after considering the recommendations from the committee and any comments received from prescribers, dispensers, patients, consumers and manufacturers of the drug. (a) Any therapeutic class included in the preferred drug program shall be de-
developed based initially on an evaluation of the clinical effectiveness, safety and patient outcomes, followed by consideration of the cost-effectiveness of the drugs. (b) In each therapeutic class included in the preferred drug program, if the committee determines there is one drug which is significantly more clinically effective and safe, that drug shall be included on the preferred drug list without consideration of cost. If, among two or more drugs in a therapeutic class, the difference in clinical effectiveness and safety is not clinically significant, then cost effectiveness (including price and supplemental rebates) may also be considered in determining which drug or drugs shall be included on the preferred drug list. (c) In addition to drugs selected under paragraph (b), any prescription drug in the therapeutic class, whose cost to the state public health plans (including net price and supplemental rebates) is equal to or less than the cost of another drug in the therapeutic class that is on the preferred drug list under paragraph (b), may be selected to be on the preferred drug list, based on clinical effectiveness, safety and cost-effectiveness.

10. The commissioner shall provide an opportunity for pharmaceutical manufacturers to provide supplemental rebates to the department; such supplemental rebates shall be taken into consideration by the committee and the commissioner in determining the cost-effectiveness of drugs within a therapeutic class under the state public health plans. Such supplemental rebates shall be in addition to those required by applicable federal law and subdivision seven of section three hundred sixty-seven-a of the social services law. In order to be considered in connection with the preferred drug program, such supplemental rebates shall apply to the drug products dispensed under the Medicaid program. The commissioner is prohibited from approving alternative rebate demonstrations, value added programs or guaranteed savings from other program benefits as a substitution for supplemental rebates.

11. No prior authorization shall be required under the preferred drug program for: (a) atypical anti-psychotics; (b) anti depressants; (c) anti-retrovirals used in the treatment of HIV/AIDS; and (d) anti-rejection drugs used for the treatment of organ and tissue transplants.
12. The commissioner may implement all or a portion of the preferred drug program through contracts with administrators with expertise in management of pharmacy services, subject to applicable laws.

(d) 1. A prescription drug shall be considered to be not on the preferred drug list if it is in a therapeutic class that is included on the preferred drug list and is not one of the drugs on the preferred list in that class.

2. The preferred drug program shall make available a twenty-four hour per day, seven days per week telephone call center that includes a toll-free telephone line and dedicated facsimile line to respond to requests for prior authorization. The call center shall include qualified health care professionals who shall be available to consult with prescribers concerning prescription drugs that are not on the preferred drug list. A prescriber seeking prior authorization shall consult with the program call line to reasonably present his or her justification for the prescription and give the program's qualified health care professional a reasonable opportunity to respond.

3. (a) When a patient's health care provider prescribes a prescription drug that is not on the preferred drug list, the prescriber shall consult with the program to confirm that in his or her reasonable professional judgment, the patient's clinical condition is consistent with the criteria for approval of the non-preferred drug. Such criteria shall include: (i) the preferred drug has been tried by the patient and has failed to produce the desired health outcomes; (ii) the patient has tried the preferred drug and has experienced unacceptable side effects; (iii) the patient has been stabilized on a non-preferred drug and transition to the preferred drug would be medically contraindicated; or (iv) other clinical indications identified by the committee for the patient's use of the non-preferred drug, based on consideration of the medical needs of patients including those who are children, elderly, chronically ill, persons with mental health conditions, and persons affected by HIV/AIDS.

(b) In the event that the patient does not meet the criteria described in paragraph (a), the program shall provide a reasonable opportunity for a prescriber to present his or her justification for prior authorization. (c) If a patient is
determined by the department to not meet the requirements of paragraphs (a) or (b), prior authorization shall be denied. (d) In the instance where a prior authorization determination cannot be completed within twenty-four hours of the original request, a seventy-two hour supply of the medication will be approved by the program and the prescriber shall be notified of this determination.

4. When, in the judgment of the prescriber or the pharmacist, an emergency condition exists, and the prescriber or pharmacist confirms with the program that an emergency condition exists, a seventy-two hour emergency supply of the drug prescribed shall be immediately authorized by the program.

5. In the event that a patient presents a prescription to a pharmacist for a prescription drug that is not on the preferred drug list and for which the prescriber has not obtained a prior authorization, the pharmacist shall, within a reasonable period based on professional judgment, notify the prescriber. The prescriber shall, within a reasonable period based on professional judgment, either seek prior authorization or shall contact the pharmacist and amend or cancel the prescription.

6. No prior authorization under the program shall be required when a prescriber prescribes a drug on the preferred drug list.

7. The department shall monitor the prior authorization process for prescribing patterns which are suspected of endangering the health and safety of the patient or which demonstrate a likelihood of fraud or abuse. The department shall take any and all actions otherwise permitted by law to investigate such prescribing patterns, to take remedial action and to enforce applicable federal and state laws.

(e) 1. In addition to the preferred drug program, the commissioner may establish a clinical drug review program. The commissioner may, from time to time, require prior authorization under such program for prescription drugs or patterns of utilization under state public health plans. When a prescriber prescribes a drug which requires prior authorization, state public health plan reimbursement shall be denied unless such prior authorization is obtained.
2. The clinical drug review program shall make available a twenty-four hour per day, seven days per week response system.

3. In establishing a prior authorization requirement for a drug under the clinical drug review program, the commissioner shall consider the following:
   (a) whether the drug requires monitoring of prescribing protocols to protect both the long-term efficacy of the drug and the public health; (b) the potential for, or a history of, overuse, abuse, drug diversion or illegal utilization; (c) the potential for, or a history of utilization inconsistent with approved indications; (d) whether similarly effective alternatives are available for the same disease state; (e) the cost of the drug compared to other drug therapies for the same disease state; and (f) the availability of an over-the-counter version of a drug product with similar or equivalent clinical effectiveness.

4. The commissioner shall obtain an evaluation of the above factors and a recommendation as to the establishment of a prior authorization requirement for a drug under the clinical drug review program from the pharmacy and therapeutics committee. For this purpose, the commissioner and the committee, as applicable, shall comply with the open meetings law and freedom of information law.

5. The committee shall recommend a procedure and criteria for the approval of drugs subject to prior authorization under the clinical drug review program. Such criteria shall include the specific approved clinical indications for use of the drug.

6. The commissioner shall identify a drug for which prior authorization is required, as well as the procedures and criteria for approval of use of the drug under the clinical drug review program after considering the recommendations from the committee and any comments received from prescribers, dispensers, consumers and manufacturers of the drug. In no case shall the prior authorization criteria for approval result in denial of the prior authorization request based on the relative cost of the drug subject to prior authorization.

7. In the event that the patient does not meet the criteria for approval established by the commissioner, the clinical drug review program shall provide a
reasonable opportunity for a prescriber
to reasonably present his or her
justification for prior authorization.
If the patient is determined not to meet
the criteria for approval, prior autho-
ration shall be denied.
8. In the instance where a prior autho-
rization determination cannot be com-
pleted within twenty-four hours of the
original request, a seventy-two hour
supply of the medication will be ap-
proved by the program and the prescriber
shall be notified of the determination.
9. When, in the judgment of the prescriber
or the pharmacist, an emergency condi-
tion exists, and the prescriber or
pharmacist consults with the program to
confirm that such an emergency condition
exists, a seventy-two hour emergency
supply of the drug prescribed shall be
immediately authorized by the program.
10. The department shall monitor the prior
authorization process for prescribing
patterns which are suspected of en-
dangering the health and safety of the
patient or which demonstrate a likeli-
hood of fraud or abuse. The department
shall take any and all actions otherwise
permitted by law to investigate such
prescribing patterns, to take remedial
action and to enforce applicable federal
and state laws.
11. The commissioner may implement all or
a portion of the clinical drug review
program through contracts with adminis-
trators with expertise in management of
pharmacy services, subject to applicable
laws.
(f) The department may conduct education and
outreach programs for consumers and health
care providers relating to the safe,
therapeutic and cost-effective use of
prescription drugs and appropriate treat-
ment practices for containing prescription
drug costs. The department shall provide
information as to how prescribers, pharm-
acists, patients and other interested
parties can obtain information regarding
drugs included on the preferred drug list,
whether any change has been made to the
preferred drug list since it was last
issued, and the process by which prior
authorization may be obtained.
(g) The commissioner shall, beginning with
the commencement of the preferred drug
program and monthly thereafter through
March 31, 2006, submit a report to the
governor and the legislature concerning
the amount of supplemental rebates re-
ceived.
Notwithstanding any inconsistent provision of the law, rule, or regulation to the contrary, the provisions of paragraph (a-1) of subdivision 4 of section 365-a of the social services law shall not apply to any drug that is in a therapeutic class included on the preferred drug list or is in the clinical drug review program.

Notwithstanding any inconsistent provision of law, rule, or regulation to the contrary, the medical assistance program shall not provide reimbursement for drugs which may not be dispensed without a prescription as required by section sixty-eight hundred ten of the education law, and which are non-preferred drugs in a therapeutic class subject to the preferred drug program, or the clinical drug review program, unless prior authorization is granted or not required.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, and notwithstanding the provisions of the preferred drug program and the clinical drug review program, the commissioner may subject drugs that are covered under the medical assistance program to prior authorization.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, any pharmacy and therapeutics committee appointed by the commissioner of health in existence on April 1, 2005 shall continue to function and shall be authorized to carry out the same duties and powers as prescribed in the preferred drug program and the clinical drug review program until such committee is duly appointed under such programs or until March 31, 2006, whichever is sooner.

Notwithstanding subparagraphs (i) and (ii) of paragraph (d) of subdivision 25 of section 2807-c of the public health law, medicaid payment rates for general hospitals for periods on and after April first, two thousand five through March thirty-first, two thousand six for public and non-public general hospitals for purposes of reimbursing graduate medical education costs shall be based on the following methodology:

(i) Rate adjustments for each general hospital shall be based on the difference between the graduate medical education component, direct and indirect, of the two thousand three medical assistance in-patient rates of payment, including exempt unit per diem rates, and an estimate of what the graduate medical education component, direct and indirect, of such
medical assistance inpatient rates of
payment, including exempt unit per diem
rates would be, stated at two thousand
two levels and calculated as follows:
(A) Each general hospital's total direct
medical education costs as reported in the
two thousand one institutional cost report
submitted as of December thirty-first, two
thousand three, and
(B) An estimate of the total indirect
medical education costs for two thousand
one calculated in accordance with the
methodology applicable for purposes of
determining an estimate of indirect
medical education costs pursuant to
subparagraph (ii) of paragraph (c) of
subdivision seven of section 2807-c of the
public health law. The indirect medical
education costs shall equal the product of
two thousand one hospital specific
inpatient operating costs, including
exempt unit costs, and the indirect
teaching cost percentage determined by the
following formula:
\[ 1 - \frac{1}{(1+1.89(((1+r)^{.405})-1))} \]
where \( r \) equals the ratio of residents and
fellows to beds for two thousand one
adjusted to reflect the projected two
thousand three resident counts.
(C) Each hospital's rate adjustment shall be
limited to seventy-five percent of the
graduate medical education component
included in its two thousand three medical
assistance inpatient rates of payment,
including exempt unit rates. For periods
on and after April first, two thousand
five, through March thirty-first, two
thousand six, the seventy-five percent
limit shall not apply to rate decreases
calculated pursuant to this paragraph.
(D) For periods on and after April first,
two thousand five through March thirty-
one, two thousand six no public general
hospital shall receive a rate increase
calculated pursuant to paragraph (d) of
subdivision 25 of section 2807-c of the
public health law.
Notwithstanding any inconsistent provision
of law, rule or regulation, for payments
made by a state governmental agency to a
general hospital for specialty inpatient
hospital services provided to patients
eligible for payments pursuant to title 11
of article 5 of the social services law
discharged or for visits made on or after
April first, two thousand five, through
March thirty first, two thousand six, the
commissioner of health, subject to the
approval of the director of the budget, may:
(a) establish rates of payment or special payment rate methodologies for specialty inpatient hospital services selected in accordance with paragraph (c) of this subdivision provided to patients eligible for payments pursuant to title 11 of article 5 of the social services law through negotiations with hospitals in any area of the state, and, notwithstanding section 112 of the state finance law, award contracts to hospitals that participate in such negotiations and agree to receive the negotiated payment rates in lieu of rates of payment otherwise applicable pursuant to section 2807-c of the public health law without a competitive bid or request for proposal process; and/or

(b) select among hospitals in any area of the state those eligible for reimbursement for specialty inpatient hospital services selected in accordance with this appropriation and establish payments for such services based on a competitive bidding process.

c) The commissioner shall select specialty inpatient hospital services for which reimbursement may be negotiated with hospitals based on the following criteria:

(i) such services may be provided more efficiently and economically;
(ii) such services are high volume services which may be appropriately reduced or have a great disparity in cost among hospitals in a region; and
(iii) any other criteria determined by the commissioner to promote the cost effective delivery of specialty inpatient hospital services.

d) Inpatient hospital services not selected by the commissioner pursuant to this section provided to patients eligible for payments pursuant to title 11 of article 5 of this social services law shall be reimbursed pursuant to section 2807-c of the public health law.

e) No payments shall be made for specialty inpatient hospital services selected by the commissioner of health in accordance with paragraph (c) of subdivision 1 of this section for which there is a contract with a hospital pursuant to paragraphs (a) or (b) of subdivision 1 of this section when such services are provided to patients eligible for payments pursuant to title 11 of article 5 of the social services law by a hospital which has not contracted with the commissioner of health pursuant to paragraphs (a) or (b) of subdivision 1 of this section provided, however, payments may be made to such hospitals in accordance with section 2807-
c of the public health law if the provision of such services has been prior approved by the commissioner of health or if inpatient admission is the result of an emergency.

(f) Payment of rates established pursuant to this section shall be contingent upon federal approval of a waiver application submitted by the commissioner of health in order to receive federal financial participation for services provided under this section; provided, however, the commissioner of health may take any steps necessary to implement this section prior to receiving federal approval of such waiver application.

Notwithstanding subparagraph (i) of paragraph (g) of subdivision 2 of section 2807 of the public health law and any other contrary provision of the law for the period April first, two thousand five through March thirty-first, two thousand six, specialized services shall not include services for which the rate of payment is established by the office of mental health pursuant to section 43.02 of the mental hygiene law.

Notwithstanding any law or regulation to the contrary, payments to general hospitals for inpatient services provided to patients discharged on and after April first, two thousand five, and on or before March thirty-first, two thousand six who are eligible for payments made by state governmental agencies and who are determined to be in diagnosis-related groups numbered seven hundred forty-three, seven hundred forty-five, seven hundred forty-six, seven hundred forty-eight, seven hundred forty-nine, or seven hundred fifty-one as determined in accordance with section 2807-c of the public health law shall be made on a per diem basis in an amount equal to the fees paid in the same locality pursuant to section 43.02 of the mental hygiene law for community based detoxification services provided in facilities licensed pursuant to article thirty-two of the mental hygiene law.

Notwithstanding paragraph (c) of subdivision 10 of section 2807-c 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 first, two thousand five through March thirty-first, two thousand six 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 first, two thousand five through December thirty-first, two thousand five. 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 or regulation to the contrary: (a) (i) For services provided by residential health care facilities on and after April first, two thousand five, through March thirty-first two thousand six except for services identified in subparagraph (ii) set forth below and for facilities described in paragraph (d) set forth below for purposes of establishing the operating component of rates of payment by governmental agencies, the commissioner of health shall utilize the regional average of facility specific allowable costs as reported by residential health care facilities in the 2003 calendar year cost report, trended pursuant to law to the applicable rate period and adjusted for case mix. Such regional average shall also be adjusted by a corridor percentage to be determined by the commissioner of health to arrive at a final average operating component of rates of payment for each region. Region shall mean those regions as listed in paragraph (c) herein.

(ii) Nothing herein shall be deemed to apply to rates paid for residential health care facility services provided to: (A) residents residing in a residential health care facility designated as an AIDS residential health care facility or residing in a discrete AIDS unit approved by the commissioner; (B) residents residing in discrete units for the care of patients under the long-term inpatient rehabilitation program for traumatic brain injured patients established pursuant to department regulations; (C) residents residing in discrete units approved by the department of health for the care of long-term ventilator dependent residents; (D) residents residing in discrete units approved by the department of health specifically designated for the purpose of providing specialized programs for residents requiring behavioral interventions; or (E) residents in residential health care facilities or discrete units which
provide extensive nursing, medical, psychological and counseling support services solely to children, as determined by the department of health.

(b) The operating component of the rate of payment shall mean all components of the rate except for the capital component.

(c) The regions are established as follows:

(i) Albany: Albany, Columbia, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, and Fulton counties;

(ii) Binghamton: Broome, and Tioga counties;

(iii) Erie: Cattaraugus, Chautauqua, Erie, Niagara, and Orleans counties;

(iv) Elmira: Chemung, Steuben, and Schuyler counties;

(v) Glens Falls: Essex, Warren, and Washington counties;

(vi) Long Island: Nassau, and Suffolk counties;

(vii) Orange: Chenango, Delaware, Orange, Otsego, Sullivan, and Ulster counties;

(viii) New York City: Bronx, Kings, Queens, Richmond, and New York counties;

(ix) Poughkeepsie: Dutchess, and Putnam counties;

(x) Rochester: Livingston, Monroe, Ontario, and Wayne counties;

(xi) Central Rural: Cayuga, Cortland, Seneca, Tompkins, and Yates counties;

(xii) Syracuse: Madison, and Onondaga counties;

(xiii) Utica: Herkimer, Jefferson, Lewis, Oneida, and Oswego counties;

(xiv) Westchester: Rockland, and Westchester counties;

(xv) Northern Rural: Clinton, Franklin, Hamilton, and St. Lawrence counties; and

(xvi) Western Rural: Allegany, Genesee, and Wyoming counties.

(d) For any newly constructed residential health care facility which receives establishment approval by the public health council in accordance with section twenty eight hundred one-a of the public health law on or after April first, two thousand five through March thirty-first, two thousand six; any new operator of an ongoing residential health care facility established pursuant to section twenty eight hundred one-a of the public health law on or after April first, two thousand five through March thirty-first, two thousand six; any new operator of a facility in receivership on and after April first, two thousand five through March thirty-first, two thousand six, the operating component of the rate of payment shall equal the regional average operating component of facilities within its region as determined
herein provided however, such regional
average operating component shall not be
adjusted by a corridor percentage.
Notwithstanding any inconsistent provision
of law, rule or regulation to the con-
trary, the provisions of section 1 of
chapter 41 of the laws of 1992, as
amended, shall remain and be in full force
and effect provided however, for periods
beginning April first, two thousand five
and thru March thirty-first, two thousand
six, such adult day services maximum daily
rate of payment shall not exceed sixty-
five percent of the residential health
care facility per diem rate.
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 first, two
thousand five through March thirty-first,
two thousand six, except for the estab-
ishment 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 classifica-
tion group and eligible for medical as-
sistance pursuant to title 11 of article 5
of the social services law.
Notwithstanding paragraph (e) of subdivision
1 of section 369-ee of the social services
law for the purpose of calculating annual
premiums for the period April first, two
thousand five, through March thirty-first,
two thousand six "health care services"
means the following services and supplies
as defined by the commissioner of health
in consultation with the superintendent of
insurance:
(i) the services of physicians, nurse
practitioners, and other related personnel
which are provided on an outpatient or
inpatient basis;
(ii) inpatient hospital services provided by
a general hospital;
(iii) laboratory tests;
(iv) diagnostic x-rays;
(v) prescription drugs and non-prescription
smoking cessation products or devices;
(vi) radiation therapy, chemotherapy, and
hemodialysis;
(vii) emergency room services;
(viii) diabetic supplies and equipment; and
(ix) services provided to meet the
requirement of 42 U.S.C. 1396d(r).
Notwithstanding subdivision 2-a of section
369-ee of the social services law, for the
period April first, two thousand five
through March thirty-first, two thousand
six, subject to federal approval pursuant
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES   2005-06

to subdivision six of section 369-ee of
the social services law, persons receiving
family health plus coverage under section
369-ee of the social services law shall be
responsible to make co-payments in accor-
dance with the following schedule:
(i) inpatient hospital services shall have a
two hundred fifty dollar co-payment for
each continuous hospital confinement;
(ii) outpatient surgical services shall have
a seventy-five dollar co-payment per
occurrence;
(iii) emergency room services shall have a
fifty dollar co-payment which shall be
waived if hospital admission results from
the emergency room visit;
(iv) generic prescription drugs shall have a
ten dollar co-payment and brand name
prescription drugs shall have a twenty
dollar co-payment;
(v) all other services shall have a twenty
dollar co-payment;
(b) The following services shall not be
subject to co-payments
(i) family planning services;
(ii) prenatal care services provided to
pregnant women, labor, delivery and
services related to the sixty-day post-
partum period.

Notwithstanding paragraph (i) of subdivision
1 of section 369-ee of the social services
law, for the period April first, two
thousand five, through March thirty-first,
three thousand, six, "resources" for purposes
of section 369-ee of the social services
law shall have the same meaning as
determined in accordance with paragraph
(a) of subdivision two of section three
hundred sixty-six of the social service
law except that the term savings referred
to in subparagraph four of such paragraph
shall mean household savings in an amount
not to exceed ten thousand dollars.

Notwithstanding subparagraph (iii) of
paragraph (a) of subdivision 2 of section
369-ee of the social services law for the
period April first, two thousand five
through March thirty-first, two thousand
six, a person is eligible to receive
health care services pursuant to title 11-
D of the social services law if he or she
does not have health care coverage under
insurance or equivalent mechanisms, as
defined by the commissioner of health in
consultation with the superintendent of
insurance and is not a federal, state,
county, municipal, or school district
employee, and is not employed by an
employer with more than fifty employees.
Notwithstanding subparagraph (iv) of
paragraph (a) of subdivision 2 of section
369-ee of the social services law for the
period April first, two thousand five, through March thirty-first, two thousand six, a person is eligible to receive health care services pursuant to title 11-D of the social services law if he or she was not covered by a group health plan based upon his or her employment or a family member's employment, as defined by the commissioner of health in consultation with the superintendent of insurance, during the twelve-month period prior to the date of the application under title 11-D of the social services law, except in the case of:

(I) loss of employment due to factors other than voluntary separation;
(II) death of a family member which results in termination of the applicant's coverage under the group health plan;
(III) change to a new employer that does not provide an option for comprehensive health benefits coverage;
(IV) change of residence so that no employer-based comprehensive health benefits coverage is available;
(V) expiration of the coverage periods established by COBRA or the provisions of subsection (m) of section three thousand two hundred twenty-one, subsection (k) of section four thousand three hundred four and subsection (e) of section four thousand three hundred five of the insurance law;
(VI) termination of comprehensive health benefits coverage due to long-term disability; or
(VII) loss of employment due to need to care for a child or disabled household member or relative.

Notwithstanding any inconsistent provisions of law, rule or regulation to the contrary, medical assistance shall be furnished to applicants in cases where, although such applicant has a responsible relative with sufficient income and resources to provide medical assistance as determined by the regulations of the department, the income and resources of the responsible relative are not available to such applicant because of the absence of such relative and the refusal or failure of such absent relative to provide the necessary care and assistance. In such cases, however, the furnishing of such assistance shall create an implied contract with such relative, and the cost thereof may be recovered from such relative in accordance with title six of article three of the social services law and other applicable provisions of law.
For the purpose of this appropriation and notwithstanding any inconsistent provisions of law, rule or regulation to the contrary, the office of the attorney general shall, at the request of the department of health, commence actions or proceedings in accordance with the provisions of sections one hundred one, one hundred four, and one hundred four-b, paragraph (a) of subdivision three of section three hundred sixty-six, subparagraph one of paragraph (h) of subdivision four of section three hundred sixty-six, paragraph (b) of subdivision two of section three hundred sixty-seven-a, and section three hundred sixty-nine of the social services law, to recover the cost of medical assistance furnished pursuant to titles eleven and eleven-d of article 5 of the social services law. Funds recovered net of collection fees authorized by law, shall be distributed to the department of health for deposit in the medical assistance restitution account and shall be allocated by the department pursuant to law.

Notwithstanding any inconsistent provisions of law, rule or regulation to the contrary, for the purpose of evaluation of transfer of assets provision "look-back period" means the thirty-six month period, or, in the case of payments from a trust or portions of a trust which are treated as assets disposed of by the individual pursuant to department regulations, the sixty-month period, immediately preceding the date that an institutionalized individual is both institutionalized and has applied for medical assistance, or in the case of a non-institutionalized individual, the date that such non-institutionalized individual applies for medical assistance coverage of long term care services; provided, however, that the look-back period for all types of transfers shall be sixty months if the commissioner of health obtains all necessary approvals under federal law and regulation to implement such a look-back period; provided further that the use of a sixty-month look-back period for all types of transfers shall continue only if and for so long as the use of such a look-back period does not prevent the receipt of federal financial participation under the medical assistance program; provided further that the commissioner of health shall submit such waiver applications and/or state plan amendments as may be necessary.
to obtain approval to implement a sixty-
month look-back period for all types of
transfers and to ensure continued federal
financial participation.
In determining the medical assistance
eligibility of an institutionalized in-
dividual, 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.
In determining the medical assistance
eligibility of a non-institutionalized in-
dividual, 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 long term
care services for the period of time
specified in law. 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) in the case of an
institutionalized individual, 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 imme-
diately before the date the individual
became an institutionalized individual; or
(D) in the case of an institutionalized
individual, 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 institu-
tionalized individual, and who provided
care to the individual which permitted the
individual to reside at home rather than
in an institution or facility.
(ii) Notwithstanding any inconsistent provi-
sion of law, rule or regulation to the
contrary, the period of ineligibility
described in clause (i) of subparagraph 4
of paragraph (d) of subdivision 5 of
section 366 of the social services law
shall begin on the first day the in-
dividual is receiving services for which
medical assistance coverage would be
available but for the provisions of
subparagraph 3 of paragraph (d) of subdi-
vision 5 of section 366 of the social
services law, and which does not occur in
any other periods of ineligibility, if the
commissioner of health obtains all
necessary approvals under federal law and
regulation to implement such a period of
inelegibility. The use of such a period of
inelegibility shall continue only if and
for so long as it does not prevent the
receipt of federal financial participation
under the medical assistance program. The
commissioner of health shall submit such
waiver applications and/or state plan
amendments as may be necessary to obtain
approval to implement the period of
inelegibility described in this clause and
to ensure continued federal financial
participation.

Notwithstanding any inconsistent provision
of law, rule or regulation to the con-
trary, for the purpose of evaluation of
transfer of assets provisions, "non-
institutionalized individual" means an
individual who is not an institutionalized
individual, as defined in clause (vii) of
subparagraph 1 of paragraph (d) of
subdivision five of section 366 of the
social services law, and "long term care
services" means home health care services,
personal care services, assisted living
program services and such other services
for which medical assistance is otherwise
available under the social services law
which are designated as long term care
services in the regulations of the de-
partment.

Notwithstanding any inconsistent provision
of law, rule or regulation to the con-
trary, in the case of a transfer by an
individual which results in a period of
inelegibility for such individual or his
or her spouse, such period of ineligibil-
ity will continue without regard to the
individual's becoming an institutionalized
individual if the transfer was made while
the individual was a non-institutionalized
individual and without regard to the
individual's becoming a non-institutional-
ized individual if the transfer was made
while the individual was an institutional-
ized individual. In no event shall the
total period of ineligibility for long
term care services and nursing facility
services resulting from the same transfer
of assets exceed the period calculated
pursuant to subparagraph 4 of paragraph
(d) of subdivision five of section 366 of
the social services law.

Notwithstanding any inconsistent provision
of law, rule or regulation to the con-
trary, an institutionalized spouse shall
not be ineligible for medical assistance
by reason of excess resources determined
under paragraph (a) of subdivision 5 of
section 366-c of the social services law,
if (i) the institutionalized spouse exe-
cutes an assignment of support from the
community spouse in favor of the social
services district and the department, or
the institutionalized spouse is unable to
execute such assignment due to physical or
mental impairment, and (ii) to deny as-
sistance would create an undue hardship,
as defined by the commissioner.
Notwithstanding paragraph (l) of subdivision
2 of section 365-a of the social services
law for the period April first, two
thousand five through March thirty-first,
two thousand six, "medical assistance"
shall mean payment of part or all of the
cost of medically necessary care and
services of podiatrists, clinical
psychologists, nurses and audiologists,
including such care and services provided
in a hospital out-patient or clinic
facility operated in compliance with
applicable provisions of the article
twenty-eight of the public health law, and
dentists, which care and services shall
only be provided upon referral by a
physician, nurse practitioner or certified
nurse midwife in accordance with the
program of early and periodic screening
and diagnosis established pursuant to
subdivision three of section 365-a of the
social service law or to persons eligible
for benefits under title XVIII of the
federal social security act as qualified
medicare beneficiaries in accordance with
federal requirements therefor; provided,
however, that nothing herein shall be
construed as limiting the care and
services of clinical psychologists or
audiologists provided in a federally
qualified health center, in a clinic
facility that is organized to provide as
its principal mission ongoing and long-
term rehabilitation therapy to individuals
with developmental disabilities, or in an
outpatient program licensed by the office
of mental retardation and developmental
disabilities under article sixteen, the
office of mental health under article
thirty-one, and the office of alcoholism
and substance abuse services under article
thirty-two of the mental hygiene law;
Notwithstanding paragraphs (a) and (f) of
subdivision 2 of section 365-a of the
social services law for the period April
first, two thousand five through March
thirty-first, two thousand six, "medical
assistance" shall not include payment of
the cost of medically necessary services
of qualified dentists, nurses, and private
duty nursing services nor shall it include
preventive, prophylactic and other routine
dental care, services and supplies.
No moneys hereby appropriated shall be
available for additional state medical
assistance program or administrative ex-
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

Penses resulting from the state partially assuming county government medicaid shares unless the medicaid cost containment actions proposed in the 2005-06 executive budget are enacted, as certified by the commissioner of health and the director of the budget.

For the grant period October 1, 2004 to September 30, 2005 .......................11,187,036,000
For the grant period October 1, 2005 to September 30, 2006 .......................12,119,290,000

Program account subtotal ...............23,306,326,000

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, including but not limited to disaster relief medicaid 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 ....................... 2,447,900,000

Program account subtotal ............... 2,447,900,000

For the purpose of making payments to providers of medical care pursuant to section 367-b of the social services law, and for payment of state aid to municipalities where payment systems through fiscal intermediaries are not operational, to reimburse such providers for costs attributable to the provision of care to patients eligible for medical assistance. Payments from this appropriation to general hospitals related to bad debt and charity care pursuant to article 28 of the public health law respectively, when combined with federal funds for services and expenses for the medical assistance program pursuant to title XIX of the federal social security act or its successor program, shall equal the amount of the funds received related to bad debt and charity care allowances and surcharges
pursuant to article 28 of the public health law and deposited to this account less any such amounts withheld pursuant to subdivision 21 of section 2807-c of the public health law ........................ 860,000,000

Program fund subtotal .................. 860,000,000

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 ................... 657,500,000

Program account subtotal ............... 657,500,000

WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM ... 92,485,000

General Fund / State Operations
State Purposes Account - 003
Personal service ........................... 23,000,000
Nonpersonal service ........................ 9,726,000

Program account subtotal ............... 32,726,000

General Fund / Aid to Localities
Local Assistance Account - 001
For services and expenses of a genetic disease screening program ................ 700,000
For services and expenses of a sickle cell screening program ...................... 231,000

Program account subtotal ............... 931,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265
For health prevention, diagnostic, detection and treatment services:
For the grant period October 1, 2004 to September 30, 2005 ....................... 778,000
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<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>1</td>
<td>Program fund subtotal</td>
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<td>2</td>
<td>Special Revenue Funds - Federal / State Operations</td>
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<td>3</td>
<td>Federal Block Grant Fund - 269</td>
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</tr>
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<td>4</td>
<td>For health prevention, diagnostic, detection and treatment services:</td>
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<td>5</td>
<td>For the grant period October 1, 2004 to September 30, 2005</td>
<td>4,601,000</td>
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<td>Federal Block Grant Fund - 269</td>
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<td>For services and expenses of the various health prevention, diagnostic, detection and treatment services:</td>
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<td>11</td>
<td>For the grant period October 1, 2004 to September 30, 2005</td>
<td>1,489,000</td>
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<tr>
<td>12</td>
<td>For the grant period October 1, 2005 to September 30, 2006</td>
<td>1,712,000</td>
</tr>
<tr>
<td>13</td>
<td>Program fund subtotal</td>
<td>3,201,000</td>
</tr>
<tr>
<td>14</td>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Combined Gifts, Grants and Bequests Fund - 020</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Breast Cancer Research and Education Account</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>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</td>
<td>2,600,000</td>
</tr>
<tr>
<td>18</td>
<td>Program account subtotal</td>
<td>2,600,000</td>
</tr>
<tr>
<td>19</td>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>HCRA Resources Fund - F04</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Health Care Services Account</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>For services and expenses related to the enhanced newborn screening program</td>
<td>10,200,000</td>
</tr>
<tr>
<td>23</td>
<td>Program account subtotal</td>
<td>10,200,000</td>
</tr>
<tr>
<td>24</td>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Clinical Laboratory Reference System Assessment Account</td>
<td></td>
</tr>
</tbody>
</table>
For services and expenses of the clinical laboratory reference and accreditation program:

Personal service ......................... 7,700,000
Nonpersonal service ....................... 7,855,000
Fringe benefits ............................ 3,500,000

Program account subtotal ............... 19,055,000

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

Personal service ......................... 1,720,000
Nonpersonal service ....................... 1,325,000
Fringe benefits ............................ 779,000

Program account subtotal ............... 3,824,000

For expenses related to spinal cord injury research pursuant to chapter 338 of the laws of 1998 ................. 8,500,000

Program account subtotal ............... 8,500,000

Total new appropriations for state operations and aid to localities ...........................................44,823,629,600
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS  2005-06

ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM

General Fund / State Operations
State Purposes Account - 003

By chapter 70, section 26, of the laws of 2004:
The sum of five million four hundred thousand dollars ($5,400,000), or so much thereof as shall be sufficient to accomplish the purpose designated, is hereby appropriated to the department of health out of any moneys in the general fund to the credit of the state purposes account not otherwise appropriated. The comptroller is hereby authorized and directed to use this appropriation for the purpose of payment of judgment costs related to Bello vs Roswell Park Cancer Institute ... 5,400,000 ....................... (re. $5,400,000)

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. $2,000,000)

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 2004:
For the grant period October 1, 2003 to September 30, 2004 .......... 315,000 ........................................... (re. $142,000)
For the grant period October 1, 2004 to September 30, 2005 .......... 401,000 ........................................... (re. $201,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003 ........... 315,000 ........................................... (re. $142,000)
For the grant period October 1, 2003 to September 30, 2004 ........... 402,000 ........................................... (re. $201,000)

By chapter 54, section 1, of the laws of 2002:
For the grant period October 1, 2001 to September 30, 2002 ........... 390,000 ........................................... (re. $98,000)
For the grant period October 1, 2002 to September 30, 2003 ........... 519,000 ........................................... (re. $129,800)

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:

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004 ............ 1,271,000 ............................................. (re. $508,000)
For the grant period October 1, 2004 to September 30, 2005 ............ 1,621,000 ............................................. (re. $811,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003 ............ 880,000 ............................................. (re. $352,000)
For the grant period October 1, 2003 to September 30, 2004 ............ 1,123,000 ............................................. (re. $562,000)
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

By chapter 54, section 1, of the laws of 2002:
For the grant period October 1, 2001 to September 30, 2002 ............
2,724,000 .................................................. (re. $272,000)
For the grant period October 1, 2002 to September 30, 2003 ............
829,000 .................................................. (re. $207,000)

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

By chapter 54, section 1, of the laws of 2004:
For administration of the national health services corps. Notwith-
standing 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:
For grants beginning prior to April 1, 2004 .........................
750,000 .................................................. (re. $750,000)
For grants beginning on or after April 1, 2004 ....................
1,095,000 .................................................. (re. $1,095,000)

By chapter 54, section 1, of the laws of 2003:
For administration of the national health services corps. Notwith-
standing 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:
For grants beginning prior to April 1, 2003 .........................
863,000 .................................................. (re. $863,000)
For grants beginning on or after April 1, 2003 ....................
1,208,000 .................................................. (re. $1,208,000)

By chapter 54, section 1, of the laws of 2002:
For administration of the national health services corps. Notwith-
standing any in consistent 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:
For grants beginning prior to April 1, 2002 .........................
949,000 .................................................. (re. $949,000)
For grants beginning on or after April 1, 2002 ....................
1,328,000 .................................................. (re. $1,328,000)

By chapter 54, section 1, of the laws of 2001:
For administration of the national health services corps. Notwith-
standing any in consistent 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:
For grants beginning prior to April 1, 2001 .........................
825,000 .................................................. (re. $825,000)
For grants beginning on or after April 1, 2001 ....................
1,155,000 .................................................. (re. $1,155,000)

By chapter 54, section 1, of the laws of 2000:
For administration of the national health services corps. Notwith-
standing any in consistent 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:
For grants beginning prior to April 1, 2000 .........................
412,500 .................................................. (re. $412,500)
For grants beginning on or after April 1, 2000 ....................
1,430,000 .................................................. (re. $1,430,000)
By chapter 54, section 1, of the laws of 1999:
For administration of the national health services corps:
For grants beginning prior to April 1, 1999 ........................................ 841,100 (re. $841,100)
For grants beginning on or after April 1, 1999 .............................. 1,541,100 (re. $1,541,100)

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

For various health prevention, diagnostic, detection and treatment services:

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004 ............ 2,287,000 (re. $2,287,000)
For the grant period October 1, 2004 to September 30, 2005 ............ 2,630,000 (re. $2,630,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003 ............ 1,988,000 (re. $1,977,000)
For the grant period October 1, 2003 to September 30, 2004 ............ 2,287,000 (re. $2,287,000)

By chapter 54, section 1, of the laws of 2002:
For the grant period October 1, 2002 to September 30, 2003 ............ 1,988,000 (re. $1,988,000)

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

By chapter 54, section 1, of the laws of 2004:
Maintenance undistributed
For services and expenses for compliance with federal data security standards ... 1,300,000 (re. $1,300,000)

By chapter 54, section 1, of the laws of 2003:
Maintenance undistributed
For services and expenses for compliance with federal data security standards ... 1,300,000 (re. $1,300,000)

AIDS INSTITUTE PROGRAM

Special Revenue Funds - Other / Aid to Localities
HCRA [Transfer] Resources Fund - [061] F04
Health Care Services Account

By chapter 54, section 1, of the laws of 2004:
For grants to community service programs including but not limited to community based organizations and other organizations providing specialized AIDS - related services targeted to minority and other high risk populations. Up to $125,000 may be transferred to the general fund - state purposes account for the administration of this program ... 20,603,000 (re. $3,500,000)
For grants to community based organizations for the provision of services to parolees and their families. Up to $730,000 of this appropriation may be transferred to the general fund - state purposes account for administration of this program ............... 1,130,000 (re. $200,000)
For HIV counseling and testing services in facilities operated by the New York state department of corrections. All or part of this appropriation may be transferred to the general fund - state purposes account for administration of this program ....................... 925,000 ............................................. (re. $100,000)

For grants for the provision of comprehensive HIV prevention and health care services to high-risk adolescents and young adults. Up to 5 percent of this appropriation may be transferred to the general fund - state purposes account for the administration of this program ... 2,321,000 ....................................... (re. $500,000)

For grants for housing, supported housing and referral services for homeless persons with HIV/AIDS and their families, including those with tuberculosis or if warranted those with tuberculosis only, in areas as determined by data collected by the department of health .. 2,500,000 ........................................... (re. $400,000)

For transfer to the office of temporary and disability assistance for operational support to projects which have received capital grant awards through the homeless housing assistance program ............... 1,000,000 ........................................... (re. $500,000)

For services and expenses related to the special program for HIV services for infants and pregnant women established pursuant to section 71 of chapter 731 of the laws of 1993 .. 1,500,000 .. (re. $500,000)

For grants to community based organizations, in accordance with chapter 820 of the laws of 1987, for nutrition outreach in areas where a significant percentage or number of those potentially eligible for food assistance programs are not participating in such programs. A portion of this appropriation, not to exceed $600,000 shall be suballocated to the office of temporary and disability assistance. Up to 15 percent of the funds appropriated may be allocated to fund a program of nutrition outreach as established pursuant to section 2597 of the public health law if such a program is administered through a contract arrangement ... 1,000,000 ........ (re. $500,000)

For services and expenses related to providing nutritional services and to provide nutritional education to pregnant women, infants, and children, including suballocations to the department of agriculture and markets for the farmer's market nutrition program and migrant worker services and the office of temporary and disability assistance for prenatal care assistance program activities. Up to 5 percent of this amount may be transferred to the general fund - state purposes account for the administration of this program by the department of health ... 17,004,000 ............... (re. $12,000,000)

For services and expenses, including operating expenses related to providing nutritional services and nutrition education for hunger prevention and nutrition assistance. Up to 5 percent of this amount may be transferred to the general fund - state purposes account for the administration of this program by the department of health .... 10,840,000 ........................................ (re. $3,000,000)

For services and expenses of the health and social services sexuality-related programs ... 1,000,000 .................... (re. $1,000,000)

For services and expenses of the health and social services sexuality-related programs ... 1,000,000 .................... (re. $500,000)
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. $16,200,000)

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 2004:

For the grant period October 1, 2003 to September 30, 2004 .......................... 3,251,000 .......................................................... (re. $488,000)
For the grant period October 1, 2004 to September 30, 2005 .......................... 4,336,000 .......................................................... (re. $1,084,000)

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

For the grant period October 1, 2002 to September 30, 2003 .......................... 3,168,000 .......................................................... (re. $494,000)
For the grant period October 1, 2003 to September 30, 2004 .......................... 4,225,000 .......................................................... (re. $1,097,000)

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

For the grant period October 1, 2001 to September 30, 2002 .......................... 3,290,000 .......................................................... (re. $5329,000)
For the grant period October 1, 2002 to September 30, 2003 .......................... 4,388,000 .......................................................... (re. $439,000)

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 2004:

For various federal food and nutritional services. The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued:
For the grant period October 1, 2003 to September 30, 2004 .......................... 90,000,000 .......................................................... (re. $5,400,000)
For the grant period October 1, 2004 to September 30, 2005 .......................... 109,600,000 .......................................................... (re. $8,768,000)

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

For the grant period October 1, 2002 to September 30, 2003 .......................... 81,751,000 .......................................................... (re. $3,270,000)
For the grant period October 1, 2003 to September 30, 2004 .......................... 113,797,000 .......................................................... (re. $4,552,000)

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

For the grant period October 1, 2001 to September 30, 2002 .......................... 78,284,000 .......................................................... (re. $2,349,000)
For the grant period October 1, 2002 to September 30, 2003 .......................... 108,972,000 .......................................................... (re. $3,269,000)

By chapter 54, section 1, of the laws of 2001:

For the grant period October 1, 2000 to September 30, 2001 .......................... 87,900,000 .......................................................... (re. $1,758,000)
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS  2005-06

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:

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004 .............
   21,612,000 ........................................ (re. $3,242,000)
For the grant period October 1, 2004 to September 30, 2005 .............
   27,036,000 ........................................ (re. $6,759,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003 .............
   18,937,000 ........................................ (re. $2,841,000)
For the grant period October 1, 2003 to September 30, 2004 .............
   23,690,000 ........................................ (re. $5,923,000)

By chapter 54, section 1, of the laws of 2002:
For the grant period October 1, 2001 to September 30, 2002 .............
   16,981,000 ........................................ (re. $1,698,000)
For the grant period October 1, 2002 to September 30, 2003 .............
   21,244,000 ........................................ (re. $2,124,000)

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 2004:
For various federal food and nutritional services. The moneys hereby
   appropriated shall be available for payment of financial assistance
   heretofore accrued:
For the grant period October 1, 2003 to September 30, 2004 .............
   145,800,000 ...................................... (re. $11,664,000)
For the grant period October 1, 2004 to September 30, 2005 .............
   177,500,000 ...................................... (re. $14,200,000)

By chapter 54, section 1, of the laws of 2003:
For various federal food and nutritional services. The moneys hereby
   appropriated shall be available for payment of financial assistance
   heretofore accrued:
For the grant period October 1, 2002 to September 30, 2003 .............
   137,555,000 ....................................... (re. $6,878,000)
For the grant period October 1, 2003 to September 30, 2004 .............
   175,520,000 ....................................... (re. $8,776,000)

By chapter 54, section 1, of the laws of 2002:
For various federal food and nutritional services. The moneys hereby
   appropriated shall be available for payment of financial assistance
   heretofore accrued:
For the grant period October 1, 2001 to September 30, 2002 .............
   141,868,000 ....................................... (re. $4,256,000)
For the grant period October 1, 2002 to September 30, 2003 .............
   189,251,000 ....................................... (re. $5,678,000)

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

For various health prevention, diagnostic, detection and treatment
services:
**DEPARTMENT OF HEALTH**

**STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06**

1. By chapter 54, section 1, of the laws of 2004:
   - For grants beginning prior to April 1, 2004: 16,058,000 (re. $16,058,000)
   - For grants beginning on or after April 1, 2004: 7,611,000 (re. $7,611,000)

2. By chapter 54, section 1, of the laws of 2003:
   - For grants beginning prior to April 1, 2003: 16,057,000 (re. $16,057,000)
   - For grants beginning on or after April 1, 2003: 7,633,000 (re. $7,633,000)

3. By chapter 54, section 1, of the laws of 2002:
   - For grants beginning prior to April 1, 2002: 15,654,000 (re. $15,654,000)
   - For grants beginning on or after April 1, 2002: 6,666,000 (re. $6,666,000)

4. By chapter 54, section 1, of the laws of 2001:
   - For grants beginning prior to April 1, 2001: 25,158,000 (re. $25,158,000)
   - For grants beginning on or after April 1, 2001: 2,942,000 (re. $2,942,000)

5. By chapter 54, section 1, of the laws of 2000:
   - For grants beginning prior to April 1, 2000: 7,761,200 (re. $7,761,200)
   - For grants beginning on or after April 1, 2000: 9,848,200 (re. $9,848,200)

6. Special Revenue Funds - Federal / Aid to Localities
   - Federal Health and Human Services Fund - 265
   - For various health prevention, diagnostic, detection and treatment services:

7. By chapter 54, section 1, of the laws of 2004:
   - For grants beginning prior to April 1, 2004: 75,000 (re. $75,000)
   - For grants beginning on or after April 1, 2004: 34,485,000 (re. $34,485,000)

8. By chapter 54, section 1, of the laws of 2003:
   - For grants beginning prior to April 1, 2003: 16,861,000 (re. $16,861,000)
   - For grants beginning on or after April 1, 2003: 30,372,000 (re. $30,372,000)

9. By chapter 54, section 1, of the laws of 2002:
   - For grants beginning prior to April 1, 2002: 13,614,000 (re. $13,614,000)
   - For grants beginning on or after April 1, 2002: 11,940,000 (re. $11,940,000)

10. By chapter 54, section 1, of the laws of 2001:
    - For grants beginning prior to April 1, 2001: 14,091,000 (re. $14,091,000)
    - For grants beginning on or after April 1, 2001: 6,895,000 (re. $6,895,000)
By chapter 54, section 1, of the laws of 2000:
1 For grants beginning prior to April 1, 2000 ...........................................
   10,115,100 ........................................................... (re. $10,115,100)
2 For grants beginning on or after April 1, 2000 .................................
   6,687,800 ............................................................ (re. $6,687,800)

By chapter 54, section 1, of the laws of 1999:
3 For grants beginning prior to April 1, 1999 .....................................
   7,486,100 ............................................................ (re. $2,500,000)
4 For grants beginning on or after April 1, 1999 ................................
   7,685,000 ............................................................ (re. $1,000,000)

By chapter 54, section 1, of the laws of 1998:
5 For grants beginning prior to April 1, 1998 ....................................
   6,942,800 ............................................................ (re. $2,100,000)
6 For grants beginning on or after April 1, 1998 ................................
   7,522,500 ............................................................ (re. $7,359,700)

Special Revenue Funds - Federal / State Operations
Federal Block Grant Fund - 269
For various health prevention, diagnostic, detection and treatment services:

By chapter 54, section 1, of the laws of 2004:
7 For the grant period October 1, 2003 to September 30, 2004 ............
   9,018,000 ............................................................ (re. $9,018,000)
8 For the grant period October 1, 2004 to September 30, 2005 ............
   10,370,000 ............................................................ (re. $10,370,000)

By chapter 54, section 1, of the laws of 2003:
9 For the grant period October 1, 2002 to September 30, 2003 ............
   7,842,000 ............................................................ (re. $7,842,000)
10 For the grant period October 1, 2003 to September 30, 2004 ............
    9,018,000 ............................................................ (re. $9,018,000)

By chapter 54, section 1, of the laws of 2002:
11 For the grant period October 1, 2002 to September 30, 2003 ............
   7,842,000 ............................................................ (re. $7,842,000)

Special Revenue Funds - Federal / Aid to Localities
Federal Block Grant Fund - 269
For various health prevention, diagnostic, detection and treatment services:

By chapter 54, section 1, of the laws of 2004:
12 For the grant period October 1, 2003 to September 30, 2004 ............
   23,245,000 ............................................................ (re. $23,245,000)
13 For the grant period October 1, 2004 to September 30, 2005 ............
   26,732,000 ............................................................ (re. $26,732,000)

By chapter 54, section 1, of the laws of 2003:
14 For the grant period October 1, 2002 to September 30, 2003 ............
   20,213,000 ............................................................ (re. $20,213,000)
15 For the grant period October 1, 2003 to September 30, 2004 ............
    23,245,000 ............................................................ (re. $23,245,000)

By chapter 54, section 1, of the laws of 2002:
16 For the grant period October 1, 2002 to September 30, 2003 ............
   20,213,000 ............................................................ (re. $20,213,000)
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

1 Special Revenue Funds - Federal / State Operations
2 Federal Block Grant Fund - 269
3 Abstinence Education Account

4 By chapter 54, section 1, of the laws of 2004:
5 For the grant period October 1, 2003 to September 30, 2004 ............
6 451,000 ............................................ (re. $451,000)
7 For the grant period October 1, 2004 to September 30, 2005 ............
8 451,000 ............................................ (re. $451,000)

9 By chapter 54, section 1, of the laws of 2003:
10 For the grant period October 1, 2002 to September 30, 2003 ............
11 575,000 ............................................ (re. $575,000)
12 For the grant period October 1, 2003 to September 30, 2004 ............
13 575,000 ............................................ (re. $575,000)
14
15 By chapter 54, section 1, of the laws of 2002:
16 For the grant period October 1, 2001 to September 30, 2002 ............
17 256,000 ............................................ (re. $256,000)
18 For the grant period October 1, 2002 to September 30, 2003 ............
19 273,000 ............................................ (re. $273,000)

20 Special Revenue Funds - Federal / Aid to Localities
21 Federal Block Grant Fund - 269
22 Abstinence Education Account

23 By chapter 54, section 1, of the laws of 2004:
24 For the grant period October 1, 2004 to September 30, 2005 ............
25 4,982,000 ......................................... (re. $4,982,000)

26 By chapter 54, section 1, of the laws of 2003:
27 For the grant period October 1, 2002 to September 30, 2003 ............
28 1,730,000 ......................................... (re. $1,730,000)
29 For the grant period October 1, 2003 to September 30, 2004 ............
30 3,460,000 ......................................... (re. $3,460,000)
31
32 By chapter 54, section 1, of the laws of 2002:
33 For the grant period October 1, 2001 to September 30, 2002 ............
34 1,881,000 ......................................... (re. $1,881,000)
35 For the grant period October 1, 2002 to September 30, 2003 ............
36 1,898,000 ......................................... (re. $1,898,000)
37
38 By chapter 54, section 1, of the laws of 2001:
39 For the grant period October 1, 2001 to September 30, 2002 ............
40 1,650,000 ......................................... (re. $1,650,000)

41 Special Revenue Funds - Federal / State Operations
42 Federal Block Grant Fund - 269
43 Individuals with Disabilities-Part C Account

44 For activities related to a handicapped infants and toddlers program:

45 By chapter 54, section 1, of the laws of 2004:
46 For the grant period October 1, 2003 to September 30, 2004 ............
47 8,150,000 ......................................... (re. $8,150,000)
48 For the grant period October 1, 2004 to September 30, 2005 ............
49 9,780,000 ......................................... (re. $9,780,000)

50 By chapter 54, section 1, of the laws of 2003:
51 For the grant period October 1, 2002 to September 30, 2003 ............
52 7,863,000 ......................................... (re. $7,863,000)
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

For the grant period October 1, 2003 to September 30, 2004 ........... 1
8,150,000 .................................................. (re. $8,150,000)

By chapter 54, section 1, of the laws of 2002:
For the grant period October 1, 2001 to September 30, 2002 .......... 5
9,121,000 .................................................. (re. $9,121,000)
For the grant period October 1, 2002 to September 30, 2003 .......... 7
10,033,000 .................................................. (re. $10,033,000)

Special Revenue Funds - Federal / Aid to Localities
Federal Block Grant Fund - 269
Individuals with Disabilities-Part C Account

For activities related to a handicapped infants and toddlers program:
By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2004 to September 30, 2005 .......... 17
29,220,000 .................................................. (re. $29,220,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003 .......... 23
11,600,000 .................................................. (re. $11,600,000)
For the grant period October 1, 2003 to September 30, 2004 .......... 24
24,350,000 .................................................. (re. $24,350,000)

By chapter 54, section 1, of the laws of 2002:
For the grant period October 1, 2001 to September 30, 2002 .......... 26
9,721,000 .................................................. (re. $9,721,000)
For the grant period October 1, 2002 to September 30, 2003 .......... 29
11,179,000 .................................................. (re. $11,179,000)

By chapter 54, section 1, of the laws of 2001:
For the grant period October 1, 2001 to September 30, 2002 .......... 32
7,987,000 .................................................. (re. $7,987,000)

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

By chapter 54, section 1, of the laws of 2004:
For services and expenses of providing development grants to compre-
hensive care centers for eating disorders provided pursuant to
chapter 114 of the laws of 2004 ... 1,000,000 ..... (re. $1,000,000)

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

By chapter 54, section 1, of the laws of 2004:
Maintenance undistributed
For services and expenses related to public service education, with
specific emphasis on public health issues ................................ (re. $454,000)

Special Revenue Funds - Other / Aid to Localities
[Miscellaneous Special Revenue Fund - 339]
HCRA Resources Fund - F04
Hospital Based Grants Program Account
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

By chapter 54, section 1, of the laws of 2004:
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 ... 9,303,000 .............................. (re. $2,121,000)

CENTER FOR ENVIRONMENTAL HEALTH PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265
For various health prevention, diagnostic, detection and treatment services:

By chapter 54, section 1, of the laws of 2004:
For grants beginning prior to April 1, 2004 .......................... 520,000 ............................................. (re. $520,000)
For grants beginning on or after April 1, 2004 ....................... 747,000 ............................................. (re. $747,000)

By chapter 54, section 1, of the laws of 2003:
For grants beginning prior to April 1, 2003 .......................... 492,000 ............................................. (re. $492,000)
For grants beginning on or after April 1, 2003 ....................... 806,000 ............................................. (re. $806,000)

By chapter 54, section 1, of the laws of 2002:
For grants beginning prior to April 1, 2002 .......................... 792,000 ............................................. (re. $792,000)
For grants beginning on or after April 1, 2002 ....................... 950,000 ............................................. (re. $950,000)

By chapter 54, section 1, of the laws of 2001:
For grants beginning prior to April 1, 2001 .......................... 689,000 ............................................. (re. $689,000)
For grants beginning on or after April 1, 2001 ....................... 812,000 ............................................. (re. $812,000)

By chapter 54, section 1, of the laws of 2000:
For grants beginning prior to April 1, 2000 .......................... 1,057,500 ........................................... (re. $288,600)
For grants beginning on or after April 1, 2000 ....................... 1,361,400 ......................................... (re. $1,361,400)

Special Revenue Funds - Federal / State Operations
Federal Block Grant Fund - 269
For various health prevention, diagnostic, detection and treatment services:

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004 ........... 2,754,000 ........................................... (re. $2,754,000)
For the grant period October 1, 2004 to September 30, 2005 ........... 3,166,000 ........................................... (re. $3,166,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003 ........... 2,394,000 ........................................... (re. $2,394,000)
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For the grant period October 1, 2003 to September 30, 2004 ..............
2,754,000 ................................................. (re. $2,754,000)

By chapter 54, section 1, of the laws of 2002:
For the grant period October 1, 2002 to September 30, 2003 ..............
2,394,000 ................................................. (re. $2,394,000)

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

For services and expenses of various health prevention, diagnostic,
detection and treatment services:

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004 ..............
1,491,000 ................................................. (re. $1,491,000)
For the grant period October 1, 2004 to September 30, 2005 ..............
1,715,000 ................................................. (re. $1,715,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003 ..............
1,297,000 ................................................. (re. $1,297,000)
For the grant period October 1, 2003 to September 30, 2004 ..............
1,491,000 ................................................. (re. $1,491,000)

By chapter 54, section 1, of the laws of 2002:
For the grant period October 1, 2002 to September 30, 2003 ..............
1,297,000 ................................................. (re. $1,297,000)

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 2004:
For various environmental projects including suballocation for the
department of environmental conservation:
For the grant period October 1, 2003 to September 30, 2004 ..............
11,408,000 ................................................. (re. $11,408,000)
For the grant period October 1, 2004 to September 30, 2005 ..............
8,494,000 ................................................. (re. $8,494,000)

By chapter 54, section 1, of the laws of 2003:
For various environmental projects including suballocation for the
department of environmental conservation:
For the grant period October 1, 2002 to September 30, 2003 ..............
10,905,000 ................................................. (re. $10,905,000)
For the grant period October 1, 2003 to September 30, 2004 ..............
8,217,000 ................................................. (re. $8,217,000)

By chapter 54, section 1, of the laws of 2002:
For various environmental projects including suballocation for the
department of environmental conservation:
For the grant period October 1, 2001 to September 30, 2002 ..............
2,946,000 ................................................. (re. $2,946,000)
For the grant period October 1, 2002 to September 30, 2003 ..............
2,942,000 ................................................. (re. $2,942,000)

By chapter 54, section 1, of the laws of 2001:
For various environmental projects:
For the grant period October 1, 2000 to September 30, 2001 ..............
2,579,000 ................................................. (re. $2,579,000)
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For the grant period October 1, 2001 to September 30, 2002 .......... 1
2,642,000 ....................................................................... (re. $2,642,000)

By chapter 54, section 1, of the laws of 2000:
For various environmental projects:
For the grant period October 1, 1999 to September 30, 2000 ........... 6
3,041,200 ....................................................................... (re. $1,705,000)
For the grant period October 1, 2000 to September 30, 2001 ........... 8
2,387,500 ....................................................................... (re. $2,387,500)

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

By chapter 54, section 1, of the laws of 2004:
These funds shall be available to the department of health occupa-
tional safety and health training education account to conduct occu-
pational and environmental lead study ... 200,000 ... (re. $200,000)

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

By chapter 54, section 1, of the laws of 2004:
For services and expenses of implementing and operating a statewide
network of occupational health clinics for diagnostic, screening,
treatment, referral, and education services:
Nonpersonal service ... 5,613,000 ......................... (re. $4,500,000)

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 2004:
The money hereby appropriated is available for payment of aid hereto-
fore 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 secur-
ity act.
The money hereby appropriated is available for payment of aid hereto-
fore accrued or hereafter accrued to municipalities.
Notwithstanding any inconsistent provision of law and subject to a
plan developed by the commissioner of health and approved by the
director of the budget, local social services districts shall be
reimbursed for additional administrative costs incurred for recipi-
ent and applicant eligibility and other administrative costs related
to the expansion of, or changes to, the medical assistance program
for children under the age of 19 pursuant to P.L. 105-33 or chapter
2 of the laws of 1998. Such reimbursement shall be made without any
local share of costs. Such reimbursement shall not be subject to any
aggregate statewide reimbursement limit which may otherwise limit
reimbursement for the administrative costs of the local social ser-
vice districts, provided, however, such reimbursement shall be sub-
ject to the limitation on certain payments for certain expenditures
set forth in subsection (c) of section 2105 of the federal social
security act.
For grants beginning on or after April 1, 2004 ....................... 61
29,250,000 ....................................................................... (re. $29,250,000)
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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 2004:
The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
For services and expenses related to the children's health insurance program, pursuant to title XXI of the federal social security act. Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the medical assistance program, medicaid direct account, for expansions of or changes to the medical assistance program related to children under the age of 19 pursuant to P.L. 105-33.
The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued to municipalities. Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the office of temporary and disability assistance for payment of local administrative costs related to the expansion of, or changes to, the medical assistance program related to children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998.
Notwithstanding any inconsistent provision of law and subject to a plan developed by the commissioner of health and approved by the director of the budget, local social services districts shall be reimbursed for additional administrative costs incurred for recipient and applicant eligibility and other administrative costs related to the expansion of, or changes to, the medical assistance program for children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998. Such reimbursement shall be made without any local share of costs. Such reimbursement shall not be subject to any aggregate statewide reimbursement limit which may otherwise limit reimbursement for the administrative costs of the local social services districts, provided, however, such reimbursement shall be subject to the limitation on certain payments for certain expenditures set forth in subsection (c) of section 2105 of the federal social security act.
For grants beginning prior to April 1, 2004 .........................
773,000,000 .................................. (re. $773,000,000)
For grants beginning on or after April 1, 2004 ......................
227,000,000 .................................. (re. $227,000,000)

Special Revenue Funds - Other / State Operations
[Miscellaneous Special Revenue Fund - 339]
HCRA Resources Fund - F04
Children's Health Insurance Account

By chapter 54, section 1, of the laws of 2004:
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.
The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued to municipalities.
Notwithstanding any inconsistent provision of law and subject to a plan developed by the commissioner of health and approved by the director of the budget, local social services districts shall be reimbursed for additional administrative costs incurred for recipient and applicant eligibility and other administrative costs related
to the expansion of, or changes to, the medical assistance program for children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998. Such reimbursement shall be made without any local share of costs. Such reimbursement shall not be subject to any aggregate statewide reimbursement limit which may otherwise limit reimbursement for the administrative costs of the local social services districts, provided, however, such reimbursement shall be subject to the limitation on certain payments for certain expenditures set forth in subsection (c) of section 2105 of the federal social security act ... ... 11,126,000 .......... (re. $8,000,000)

By chapter 54, section 1, of the laws of 2004:
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. The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued to municipalities. Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the office of temporary and disability assistance for payment of local administrative costs related to the expansion of, or changes to, the medical assistance program related to children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998. Notwithstanding any inconsistent provision of law and subject to a plan developed by the commissioner of health and approved by the director of the budget, local social services districts shall be reimbursed for additional administrative costs incurred for recipient and applicant eligibility and other administrative costs related to the expansion of, or changes to, the medical assistance program for children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998. Such reimbursement shall be made without any local share of costs. Such reimbursement shall not be subject to any aggregate statewide reimbursement limit which may otherwise limit reimbursement for the administrative costs of the local social services districts, provided, however, such reimbursement shall be subject to the limitation on certain payments for certain expenditures set forth in subsection (c) of section 2105 of the federal social security act ... 435,000,000 ............. (re. $435,000,000)

By chapter 54, section 1, of the laws of 2004:
Nonpersonal service ... 782,000 ....................... (re. $300,000)

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)
By chapter 54, section 1, of the laws of 2004:
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 ........................................
9,185,000 ........................................... (re. $9,185,000)
For services and expenses related to adult home initiatives including but not limited to assessments; case management, medication assistance, social and recreational services; 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 for the mentally disabled ... 1,000,000 ..................... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2003 as transferred by chapter 54, section 1, of the laws of 2004:
For services and expenses of an adult care facility quality incentive payment program ... 4,000,000 .............................. (re. $4,000,000)

By chapter 54, section 1, of the laws of 2002 as transferred by chapter 54, section 1, of the laws of 2004:
For additional services and expenses of an adult care facility quality incentive payment program pursuant to chapter 462 of the laws of 1996 ... 4,000,000 ................................. (re. $200,000)

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

By chapter 54, section 1, of the laws of 2004:
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. $300,000)
For the grant period May 1, 2004 to April 30, 2005 .......... 350,000 ................................. (re. $350,000)

Special Revenue Fund - Other / Aid to Localities
HCRA [Transfer] Resources Fund - [061] F04
Health Services Account

By chapter 54, section 1, of the laws of 2004:
For services and expenses related to adult home initiatives including but not limited to assessments; case management, medication assistance, social and recreational services; 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 for the mentally disabled. Up to $2,000,000 of the amount herein appropriated may be used for the purpose of awarding grants to operators of adult homes, enriched housing programs and residences for adults to enhance the quality of life for residents. Use of program funds may include, but shall not be limited to, payment for resident clothing, telephones in resident rooms, air conditioning in resident rooms or common areas, computers for resident use, costs of resident partici-
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...pation in vocational and educational programs, and enhancement of services to provide independent living skills. 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 benefits. 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...

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

By chapter 54, section 1, of the laws of 2003 as transferred by chapter 54, section 1, of the laws of 2004:
For services and expenses to support an adult care facility quality service and advocacy initiative to be accomplished through a competitive bid request-for-proposal process .................................................. (re. $2,000,000)
2,000,000 ......................................... (re. $2,000,000)

For additional services and expenses of an adult care facility quality incentive payment program ... 2,000,000 ........... (re. $2,000,000)

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INSTITUTIONAL MANAGEMENT PROGRAM

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For services and expenses related to emergency medical services administration:
For expenses related to training courses and instructor development ..
10,350,000 ........................................ (re. $2,000,000)

MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM

By chapter 54, section 1, of the laws of 2004:
For services and expenses for payment of liabilities accrued heretofore and hereafter to accrue:
Nonpersonal service ... 74,035,000 .................. (re. $40,000,000)

By chapter 54, section 1, of the laws of 2004:
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
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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.

For the grant period October 1, 2004 to September 30, 2005 ...........
55,223,000 ................................. (re. $55,223,000)

OFFICE OF MEDICAID MANAGEMENT PROGRAM

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 1, of the laws of 1999:
For services and expenses related to the cost of medical assistance
administrative activities associated with welfare reform pursuant to
the personal responsibility and work opportunities reconciliation
act (P.L. 104-193) and chapter 436 of the laws of 1997 ............
15,865,000 ................................. (re. $6,700,000)

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

By chapter 54, section 1, of the laws of 2004:
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. Notwithstand-

By chapter 54, section 1, of the laws of 2003, as amended by chapter 54,
section 1, of the laws of 2004:
For services and expenses for the medical assistance program and
administration of the medical assistance program and survey and
certification program, provided pursuant to title XIX of the federal
social security act.

Notwithstanding any inconsistent provision of law and subject to the
approval of the director of the budget, moneys hereby appropriated
may be increased or decreased by transfer or suballocation between
these appropriated amounts and appropriations of other state agen-
cies and appropriations of the department of health. Notwithstand-
By chapter 54, section 1, of the laws of 2002, as amended by chapter 54, section 1, of the laws of 2004:

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.

For the grant period October 1, 2001 to September 30, 2002

1,810,000,000 ................................... (re. $1,500,000,000)

By chapter 54, section 1, of the laws of 2001, as amended by chapter 54, section 1, of the laws of 2002:

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 the office of mental retardation and developmental disabilities, the office of mental health, and the office of alcoholism and substance abuse services and appropriations of the department of health.

For the grant period October 1, 2000 to September 30, 2001

1,563,750,000 ................................... (re. $800,000,000)

By chapter 54, section 1, of the laws of 2000:

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.

For the grant period October 1, 2000 to September 30, 2001

1,618,592,700 ................................... (re. $500,000,000)

By chapter 54, section 1, of the laws of 1999, as amended by chapter 54, section 1, of the laws of 2002:

For services and expenses for the medical assistance program, provided pursuant to title XIX of the federal social security act.
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Notwithstanding any inconsistent provision of law and subject to the approval of the director of budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental retardation and developmental disabilities, the office of mental health, and the office of alcoholism and substance abuse services and appropriations of the department of health.

For the grant period October 1, 1999 to September 30, 2000 ...........

1,388,758,000 ........................................ (re. $1,000,000,000)

Special Revenue Funds - Other / State Operations
HCRA [Transfer] Resources Fund - [061] F04
Medicaid Fraud Hotline and Medicaid Administration Account

By chapter 54, section 1, of the laws of 2004:
Maintenance undistributed
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 ... 900,000 .. (re. $900,000)

Special Revenue Funds - Other / State Operations
HCRA [Transfer] Resources Fund - [061] F04
Medical Assistance Account

By chapter 54, section 1, of the laws of 2004:
Maintenance undistributed
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 ... 5,000,000 ................. (re. $5,000,000)

MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 1, of the laws of 2003:
Nonpersonal service ... 3,256,800 ...................... (re. $1,400,000)

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

By chapter 54, section 1, of the laws of 2004:
For services and expenses related to the medicaid fraud and abuse program:
For the grant period October 1, 2004 to September 30, 2005 ...........
29,941,500 ........................................... (re. $29,941,500)

MEDICAL ASSISTANCE ADMINISTRATION PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2004:
Notwithstanding any inconsistent provision of law, the moneys hereby appropriated are 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
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for payments of state aid to municipalities where payment systems through the fiscal intermediary are not operational, 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 medical assistance administration program and/or medical assistance program, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of family assistance office of temporary and disability assistance and office of children and family services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

The amount appropriated herein, together with any federal matching funds obtained, shall be made available to local social services districts for the purpose of providing grants for planning, development and implementation of managed care programs, and to the department, subject to the approval of the director of the budget, for contractual services related to the planning, development and implementation of managed care programs ........................................

4,100,000 ........................................ (re. $4,100,000)

The amount appropriated herein, together with any federal matching funds obtained, shall be made available as grants to local social services districts for services and expenses related to medicaid eligibility determinations for family health plus applicants. Grants shall be equitably distributed to counties based on each county's proportion of total statewide family health plus enrollment as of December 2003 ... 1,000,000 ....................... (re. $1,000,000)

Notwithstanding section 153 of the social services law or any inconsistent provision of law, the state shall recover the local share of any costs related to payments made by the department of health on behalf of the districts 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 through the use of electronic funds transfer pursuant to section 367-b of the social services law.

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 ... 10,000,000 ....................... (re. $5,000,000)

By chapter 54, section 1, of the laws of 1998, as amended by chapter 295, part A, section 1, of the laws of 2001:

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 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 .............................. (re. $16,650,000)
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By chapter 54, section 1, of the laws of 2004:
For reimbursement of local administrative expenses of medical assistance programs provided pursuant to title XIX of the federal social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, shall be available to the department net of disallowances, refunds, reimbursements, and credits. The amounts appropriated herein may be available for costs associated with a common benefit identification card, and subject to the approval of the director of the budget, these funds may be transferred to the credit of the state operations account medicaid management information systems program.

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

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

For the grant period October 1, 2004 to September 30, 2005 ............
264,990,000 ................................. (re. $264,990,000)

By chapter 54, section 1, of the laws of 2003:
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 informa-
tion systems program.
Notwithstanding any other provision of law, the money hereby appropri-
ated may be increased or decreased by interchange, with any appro-
priation of the department of health medical assistance adminis-
tration program and/or medical assistance program, and may be
increased or decreased by transfer or suballocation between these
appropriated amounts and appropriations of the department of family
assistance office of temporary and disability assistance and office
of children and family services with the approval of the director of
the budget, who shall file such approval with the department of
audit and control and copies thereof with the chairman of the senate
finance committee and the chairman of the assembly ways and means
committee.
Notwithstanding any inconsistent provision of law, in lieu of payments
authorized by the social services law, or payments of federal funds
otherwise due to the local social services districts for programs
provided under the federal social security act or the federal food
stamp act, funds herein appropriated, in amounts certified by the
state commissioner of temporary and disability assistance or the
state commissioner of health as due from local social services
districts each month as their share of payments made pursuant to
section 367-b of the social services law may be set aside by the
state comptroller in an interest-bearing account with such interest
accruing to the credit of the locality in order to ensure the order-
ly and prompt payment of providers under section 367-b of the social
services law pursuant to an estimate provided by the commissioner of
health of each local social services district's share of payments
made pursuant to section 367-b of the social services law.
For the grant period October 1, 2003 to September 30, 2004 .......... 250,536,000  

By chapter 54, section 1, of the laws of 2002:
For reimbursement of local administrative expenses of medical assist-
ance 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 informa-
tion systems program.
Notwithstanding any other provision of law, the money hereby appropri-
ated may be increased or decreased by interchange, with any appro-
priation of the department of health medical assistance adminis-
tration program and/or medical assistance program, and may be
increased or decreased by transfer or suballocation between these
appropriated amounts and appropriations of the department of family
assistance office of temporary and disability assistance and office
of children and family services with the approval of the director of
the budget, who shall file such approval with the department of
audit and control and copies thereof with the chairman of the senate
finance committee and the chairman of the assembly ways and means
committee.
Notwithstanding any inconsistent provision of law, in lieu of payments
authorized by the social services law, or payments of federal funds
otherwise due to the local social services districts for programs
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

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

For the grant period October 1, 2001 to September 30, 2002 ................
231,264,000 ........................................ (re. $5,000,000)

For the grant period October 1, 2002 to September 30, 2003 ...........
250,536,000 ........................................ (re. $60,000,000)

By chapter 54, section 1, of the laws of 2001, as amended by chapter 54, section 1, of the laws of 2002:
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 inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account with such interest accruing to the credit of the locality in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

Notwithstanding any inconsistent provision of law and subject to the approval of the director of budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of temporary and disability assistance and appropriations of the department of health.

For the grant period October 1, 2000 to September 30, 2001 ...........
213,813,000 ........................................ (re. $32,000,000)

By chapter 54, section 1, of the laws of 2000:
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 inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account with such interest accruing to the credit of the locality in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local services district's share of payments made pursuant to section 367-b of the social services law.

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

For the grant period October 1, 2000 to September 30, 2001

196,898,000 ...................................... (re. $12,000,000)

MEDICAL ASSISTANCE PROGRAM

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 2004:
For services and expenses for the medical assistance program, excluding administrative expenses, pursuant to title XIX of the federal social security act or its successor program.

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

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

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

For the grant period October 1, 2004 to September 30, 2005 ...........
10,435,451,000 ................................ (re. $10,435,451,000)
For additional services and expenses for the medical assistance pro-
gram ... 430,100,000 ............................ (re. $430,100,000)

By chapter 54, section 1, of the laws of 2003:
For services and expenses for the medical assistance program, exclud-
ing administrative expenses, pursuant to title XIX of the federal
social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid
heretofore accrued or hereafter to accrue to municipalities, and to
providers of medical services pursuant to section 367-b of the
social services law, and for payment of state aid to municipalities
and to providers of family care where payment systems through the
fiscal intermediaries are not operational, shall be available to the
department net of disallowances, refunds, reimbursements, and cred-
its.

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

Notwithstanding any inconsistent provision of law, in lieu of payments
authorized by the social services law, or payments of federal funds
otherwise due to the local social services districts for programs
provided under the federal social security act or the federal food
stamp act, funds herein appropriated, in amounts certified by the
state commissioner or the state commissioner of health as due from
local social services districts each month as their share of pay-
ments made pursuant to section 367-b of the social services law
may be set aside by the state comptroller in an interest-bearing account
with such interest accruing to the credit of the locality in order
to ensure the orderly and prompt payment of providers under
section 367-b of the social services law pursuant to an estimate
provided by the commissioner of health of each local social services
district's share of payments made pursuant to section 367-b of the
social services law.
For the grant period October 1, 2003 to September 30, 2004 ...........
10,845,488,000 .......................... (re. $5,000,000,000)
Notwithstanding any inconsistent provision of law, up to $350,000,000
of the amount appropriated herein may be transferred to the miscel-
aneous special revenue funds - 339 CHCCDP transfer account .......
350,000,000 .......................... (re. $100,000,000)
By chapter 54, section 1, of the laws of 2002:
For services and expenses for the medical assistance program, exclud-
ing administrative expenses, pursuant to title XIX of the federal
social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid
heretofore accrued or hereafter to accrue to municipalities, and to
providers of medical services pursuant to section 367-b of the
social services law, and for payment of state aid to municipalities
and to providers of family care where payment systems through the
fiscal intermediaries are not operational, shall be available to the
department net of disallowances, refunds, reimbursements, and cred-
its.
Notwithstanding any other provision of law, the money hereby appropri-
ated may be increased or decreased by interchange, with any appro-
priation of the department of health medical assistance adminis-
tration program and/or medical assistance program, and may be
increased or decreased by transfer or suballocation between these
appropriated amounts and appropriations of the department of family
assistance office of temporary and disability assistance and office
of children and family services with the approval of the director of
the budget, who shall file such approval with the department of
audit and control and copies thereof with the chairman of the senate
finance committee and the chairman of the assembly ways and means
committee.
Notwithstanding any inconsistent provision of law, in lieu of payments
authorized by the social services law, or payments of federal funds
otherwise due to the local social services districts for programs
provided under the federal social security act or the federal food
stamp act, funds herein appropriated, in amounts certified by the
state commissioner or the state commissioner of health as due from
local social services districts each month as their share of
payments made pursuant to section 367-b of the social services law
may be set aside by the state comptroller in an interest-bearing
account with such interest accruing to the credit of the locality in
order to ensure the orderly and prompt payment of providers under
section 367-b of the social services law pursuant to an estimate
provided by the commissioner of health of each local social services
district's share of payments made pursuant to section 367-b of the
social services law.
For the grant period October 1, 2001 to September 30, 2002 ...........
8,185,872,000 .......................... (re. $622,000,000)
For the grant period October 1, 2002 to September 30, 2003 ...........
8,868,128,000 .......................... (re. $2,075,000,000)
By chapter 54, section 1, of the laws of 2001, as amended by chapter 54,
section 1, of the laws of 2002:
For services and expenses for the medical assistance program, exclud-
ing administrative expenses, pursuant to title XIX of the federal
social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid
heretofore accrued or hereafter to accrue to municipalities, and to
providers of medical services pursuant to section 367-b of the
social services law, and for payment of state aid to municipalities
and to providers of family care where payment systems through the
fiscal intermediaries are not operational, shall be available to the
department net of disallowances, refunds, reimbursements, and cred-
its.
Notwithstanding any inconsistent provision of law, in lieu of payments
authorized by the social services law, or payments of federal funds
otherwise due to the local social services districts for programs
provided under the federal social security act or the federal food
stamp act, funds herein appropriated, in amounts certified by the
state commissioner or the state commissioner of health as due from
local social services districts each month as their share of
payments made pursuant to section 367-b of the social services law
may be set aside by the state comptroller in an interest-bearing
account with such interest accruing to the credit of the locality in
order to ensure the orderly and prompt payment of providers under
section 367-b of the social services law pursuant to an estimate
provided by the commissioner of health of each local social services
district's share of payments made pursuant to section 367-b of the
social services law.
Notwithstanding any inconsistent provision of law and subject to the
approval of the director of budget, moneys hereby appropriated may
be increased or decreased by transfer or suballocation between these
appropriated amounts and appropriations of the office of temporary
and disability assistance and appropriations of the department of
health.
For the grant period October 1, 2000 to September 30, 2001 .........
8,212,000,000 ................................. (re. $6,418,000,000)

By chapter 54, section 1, of the laws of 2000:
For services and expenses for the medical assistance program, exclud-
ing administrative expenses, pursuant to title XIX of the federal
social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid
heretofore accrued or hereafter to accrue to municipalities, and to
providers of medical services pursuant to section 367-b of the
social services law, and for payment of state aid to municipalities
and to providers of family care where payment systems through the
fiscal intermediaries are not operational, shall be available to the
department net of disallowances, refunds, reimbursements, and cred-
its.
Notwithstanding any inconsistent provision of law, in lieu of payments
authorized by the social services law, or payments of federal funds
otherwise due to the local social services districts for programs
provided under the federal social security act or the federal food
stamp act, funds herein appropriated, in amounts certified by the
state commissioner or the state commissioner of health as due from
local social services districts each month as their share of
payments made pursuant to section 367-b of the social services law
may be set aside by the state comptroller in an interest-bearing
account with such interest accruing to the credit of the locality in
order to ensure the orderly and prompt payment of providers under
section 367-b of the social services law pursuant to an estimate
provided by the commissioner of health of each local social services
district's share of payments made pursuant to section 367-b of the
social services law.
Notwithstanding any inconsistent provision of law, the moneys hereby
appropriated may be increased or decreased by interchange with any
appropriation of the department of health medical assistance admin-
istration program and/or medical assistance program, and may be
increased or decreased by transfer or suballocation between these
appropriated amounts and appropriations of the department of family
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

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 provision of law to the contrary, for the period
October 1, 2000, through March 31, 2001, fee-for-service rates of
payment for medical assistance services provided pursuant to title
11 of article 5 of the social services law to patients eligible for
federal financial participation under title XIX of the federal
social security act by diagnostic and treatment centers licensed
under article 28 of the public health law that provide services to
individuals with developmental disabilities as their principal
mission, shall be increased in the amount of up to $500,000. Each
such diagnostic and treatment center shall receive a proportionate
share of funds allocated pursuant to this section based upon the
ratio of its medical assistance units of service to the total
medical assistance units of service of all such facilities during
the base year. The base year shall be 1999, and the commissioner of
health shall utilize data as reported on the 1999 AHCF-1 cost report
initially submitted by each such facility to the department of
health on or about June 15, 2000 or prior to such date. There shall
be no local share in payments made pursuant to this section.

Notwithstanding the provisions of subdivision 1 of section 368-a of
the social services law, there shall be paid to each social services
district the full amount expended on behalf of the department of
health for medical assistance furnished pursuant to the provision of
this section, after first deducting therefrom any federal funds
properly received or to be received on account thereof.

For the grant period October 1, 2000 to September 30, 2001 ...........
7,650,250,000 ..................................... (re. $1,000,000)

The appropriation made by chapter 54, section 1, of the laws of 1997, is
hereby amended and reappropriated to read:

Notwithstanding any inconsistent provision of law, the moneys hereby
appropriated may only be used for grants related to the community
health care conversion demonstration project and may be transferred
to the miscellaneous special revenue fund - 339, CHCCDP transfer
account, provided, however, that the section 1115 waiver demonstra-
tion, which is entitled the partnership plan, is in effect in ac-
cordance 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 com-
munity health care conversion demonstration project are disbursed
only in accordance with those terms and conditions. Subject to the
availability of federal matching funds for programs specified in the
partnership plan terms and conditions relating to the community
health care conversion demonstration project, no more than $250
million ($250,000,000) of these funds may be obligated during any
one federal fiscal year unless less than $250 million ($250,000,000)
has been obligated in any prior federal fiscal year during which
project obligations have been made, in which case the total amount
that may be obligated during any one federal fiscal year shall not
exceed an amount which, when aggregated with project obligations
made in each prior federal fiscal year, results in an average of
$250 million ($250,000,000) being obligated for each federal fiscal
year during which project obligations are made .................
1,250,000,000 ..................................... (re. $518,800,000)
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
CHCCDP Transfer Account

By chapter 54, section 1, of the laws of 2003:
Notwithstanding any inconsistent provision of law, the commissioner of health shall transfer, upon the approval of the director of the budget, moneys hereby appropriated to the health care reform act pool administrator for payment of a portion of costs related to graduate medical education, health facility restructuring, or health workforce retraining, recruitment and retention .................... 350,000,000 ..................................... (re. $100,000,000)

WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265
For health prevention, diagnostic, detection and treatment services:

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004 ............ 778,000 ............................................. (re. $778,000)
For the grant period October 1, 2004 to September 30, 2005 ............ 778,000 ............................................. (re. $778,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003 ............ 778,000 ............................................. (re. $778,000)
For the grant period October 1, 2003 to September 30, 2004 ............ 778,000 ............................................. (re. $778,000)

Special Revenue Funds - Federal / State Operations
Federal Block Grant Fund - 269
For services and expenses of the various health prevention, diagnostic, detection and treatment services:

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004 ............ 4,601,000 ......................................... (re. $4,601,000)
For the grant period October 1, 2004 to September 30, 2005 ............ 5,291,000 ......................................... (re. $5,291,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003 ............ 4,001,000 ......................................... (re. $4,001,000)
For the grant period October 1, 2003 to September 30, 2004 ............ 4,601,000 ......................................... (re. $4,601,000)

By chapter 54, section 1, of the laws of 2002:
For the grant period October 1, 2002 to September 30, 2003 ............ 4,001,000 ......................................... (re. $4,001,000)

Special Revenue Funds - Federal / Aid to Localities
Federal Block Grant Fund - 269
For services and expenses of the various health prevention, diagnostic, detection and treatment services:

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004 ............ 1,489,000 ......................................... (re. $1,489,000)
For the grant period October 1, 2004 to September 30, 2005 ............
1,712,000 .................................................. (re. $1,712,000)

By chapter 54, section 1, of the laws of 2004:
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. $2,571,000)

By chapter 54, section 1, of the laws of 2003:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 .......... (re. $8,500,000)

By chapter 54, section 1, of the laws of 2002:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 .......... (re. $7,300,000)

By chapter 54, section 1, of the laws of 2001:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 .......... (re. $4,400,000)

By chapter 54, section 1, of the laws of 2000:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 .......... (re. $3,100,000)

Total reappropriations for state operations and aid to
localities ................................................... 40,028,298,500

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. $500,000)
For the comprehensive construction programs, purposes and projects as herein specified in accordance with the following:

Capital Projects Fund ....................................... 76,600,000
Federal Capital Projects Fund ........................................ 65,000,000

All Funds .................................................................. 141,600,000

HEALTH CARE SYSTEM IMPROVEMENT CAPITAL GRANT PROGRAM (CCP) .. 65,000,000

Capital Projects Fund

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 (12HE05HE) ......................... 65,000,000

LABORATORIES AND RESEARCH (CCP) .............................. 4,000,000

Capital Projects Fund

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

MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP) .... 7,600,000

Capital Projects Fund

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 (12600503) ................................. 7,600,000
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DEPARTMENT OF HEALTH

CAPITAL PROJECTS  2005-06

1  WATER RESOURCES (CCP) ........................................... 65,000,000

Federal Capital Projects Fund

Water Resources Purpose

For federal grants for the safe drinking
water revolving fund (12020557) ............ 65,000,000
DEPARTMENT OF HEALTH
CAPITAL PROJECTS  2005-06

(APPROPRIATED TO THE DORMITORY AUTHORITY)

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

Capital Projects Fund - Advances ........................... 185,000,000
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All Funds .................................................. 185,000,000
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Health Care System Improvement Purpose

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 (12BD05CH) ....................... 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 (12BD05HE) ....... 175,000,000
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.

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Capital Projects Fund

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 1996:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services 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 - new projects, and for the costs of consultant design services (12529630) ... 656,000 ... (re. $257,000)

By chapter 54, section 1, of the laws of 1995:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services 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 - new projects, and for the costs of consultant design services (12529530) ... 402,000 ............................................. (re. $195,000)

LABORATORIES AND RESEARCH (CCP)

Capital Projects Fund

Health and Safety Purpose

By chapter 54, section 1, of the laws of 1998:
To maintain and improve the health and safety of 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 (12049801) .......... 750,000 ............................................. (re. $694,000)

Accreditation Purpose

By chapter 54, section 1, of the laws of 1995, for:
Alterations and improvements for the upgrade and improvement of animal facilities (12099502) ... 750,000 ............................................. (re. $43,000)
Preservation of Facilities Purpose

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) ........................................ (re. $3,656,000)

4,000,000 ................................................. (re. $3,656,000)

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. $2,172,000)

By chapter 54, section 1, of the laws of 2002:
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 (12580203) ........................................

4,000,000 ................................................. (re. $3,226,000)

By chapter 54, section 1, of the laws of 2001:
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 (12570103) .............

4,000,000 ................................................. (re. $2,623,000)

By chapter 54, section 1, of the laws of 2000:
To maintain and improve the health and safety of 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 (12550003) ............

4,000,000 ................................................. (re. $220,000)

By chapter 54, section 1, of the laws of 1998, for:
Alterations and improvements for the preservation of 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 (12039803) .............

500,000 .................................................. (re. $54,000)

Maintenance and Improvements of Existing Facilities (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2004:
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 (12600403) ... 7,600,000 ........................................ (re. $7,580,000)

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
DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

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. $5,923,000)

By chapter 54, section 1, of the laws of 2002:
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
(12590203) ... 7,600,000 .......................... (re. $6,911,000)

By chapter 54, section 1, of the laws of 2001:
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
(12560103) ... 7,600,000 .......................... (re. $4,414,000)

By chapter 54, section 1, of the laws of 2000:
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
(12560003) ... 7,600,000 .......................... (re. $4,697,000)

By chapter 54, section 1, of the laws of 1997:
Alterations and improvements to existing facilities including prepara-
tion 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 (12059703) ... ........................
1,996,000 ........................................... (re. $208,000)

Environmental Protection or Improvements Purpose

By chapter 54, section 1, of the laws of 1995, for:
Alterations and improvements to test, remove, recondition, replace,
permanently close or install new storage tanks to consolidate and
replace existing storage tanks, including environmental improvements
and other related work (12029506) ... ........................
360,000 .......................... (re. $322,000)

Program Improvement or Program Change Purpose

By chapter 54, section 1, of the laws of 1990, as amended by chapter 54,
section 1, of the laws of 1998, for:
Alterations and improvements for program improvement or program change
(12459008) ... ........................ 6,229,986 .......................... (re. $170,000)

Preventive Maintenance Purpose

By chapter 54, section 1, of the laws of 1998:
For preventive maintenance on existing facilities including prepara-
tion 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 (120198PM) ... 750,000 ... (re. $376,000)
By chapter 54, section 1, of the laws of 1995, as amended by chapter 54, section 1, of the laws of 1999 and as supplemented by certificate of transfer issued pursuant to the provisions of section 93 of the state finance law as amended:

Alterations and improvements for health and safety (12629501) ... ..... 790,000 ................................. (re. $111,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 1996, for:

Alterations and improvements for the preservation of facilities (12579603) ... ..... 3,000,000 ............................. (re. $981,000)

REHABILITATION AND IMPROVEMENTS (CCP)

Capital Projects Fund

Health and Safety Purpose

By chapter 54, section 1, of the laws of 1998:

To maintain and improve the health and safety of 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 (12019801) ............ 2,250,000 ............................................. (re. $7,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 1997, for:

Minor alterations and improvements to various 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 (12049703) ........................ 600,000 ............................................. (re. $458,000)

WATER RESOURCES (CCP)

Federal Capital Projects Fund

Water Resources Purpose

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. $65,000,000)

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

For federal grants for the safe drinking water revolving fund (12020357) ... 65,000,000 ................................. (re. $65,000,000)

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

For federal grants for the safe drinking water revolving fund (12010257) ... 75,200,000 ................................. (re. $7,589,000)

By chapter 54, section 1, of the laws of 2001:

For federal grants for the safe drinking water revolving fund (12010157) ... 53,659,000 ................................. (re. $5204,000)
DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS  2005-06

(APPROPRIATED TO DORMITORY AUTHORITY)

NEW INSTITUTION CONSTRUCTION (CCP)

Capital Projects Fund

New Facilities Purpose

By chapter 54, section 1, of the laws of 2004:
The sum of twenty-one million dollars ($21,000,000), or so much there- of as may be necessary, is hereby appropriated as an advance to the dormitory authority out of any moneys in the state treasury in the general fund to the credit of the capital projects fund, not otherwise appropriated, for the state's share to match the Federal grant anticipated from the Federal Veterans Administration for the project costs for the construction of the new New York state home for veterans and their dependents at Oxford. The department of health is hereby authorized to develop plans and to choose a site, and through the dormitory authority of the state of New York, to finance, acquire, design, and construct the New York state home for veterans and their dependents at Oxford. The dormitory authority of the state of New York is hereby authorized to issue its obligation for the purpose of financing the acquisition, design, construction, reconstruction, rehabilitation and improvement of the New York state home for veterans and their dependents at Oxford as continued by section 403 of the public health law, in accordance with the terms of any lease, sublease or other agreements between the dormitory authority of the state of New York and the department of health. Moneys from this appropriation shall be available only upon certification to the director of the division of the budget by the grant recipient that federal funds for the New York state home for veterans and their dependents at Oxford are receivable and available from the Federal Veterans' Administration to support the federal share of the total project costs (12VH0407) ... 21,000,000 .......... (re. $21,000,000)

By chapter 264, section 5, of the laws of 1995:
The sum of twenty million dollars ($20,000,000), or so much thereof as may be necessary, is hereby appropriated as an advance to the dormitory authority out of any moneys in the state treasury in the general fund to the credit of the capital projects fund, not otherwise appropriated, for the state's share to match the Federal grant anticipated from the Federal Veterans Administration for the project costs for the construction of the New York state home for veterans in lower-Hudson Valley. The department of health is hereby authorized to develop plans and to choose a site, and through the dormitory authority of the state of New York, to finance, acquire, design, and construct the New York state home for veterans in the lower-Hudson Valley. The dormitory authority of the state of New York is hereby authorized to issue its obligation for the purpose of financing the acquisition, design, construction, reconstruction, rehabilitation and improvement of the New York state home for veterans in the lower-Hudson Valley as established by section 403-d of the public health law, in accordance with the terms of any lease, sublease or other agreements between the dormitory authority of the state of New York and the department of health. Moneys from this appropriation shall be available only upon certification to the director of the division of the budget by the grant recipient that federal funds for the New York state home for veterans in the lower-Hudson Valley are receivable and available from the Federal Veterans' Administration to support the federal share of the total project costs (12VH0407) ... 20,000,000 ........... (re. $20,000,000)
For payment according to the following schedule:

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>State Operations</th>
<th>Aid to Localities</th>
<th>Capital Projects</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>GF-St/Local</td>
<td>(150,000,000)</td>
<td>0</td>
<td>0</td>
<td>(150,000,000)</td>
</tr>
<tr>
<td>SR-Other</td>
<td>150,000,000</td>
<td>0</td>
<td>0</td>
<td>150,000,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

SCHEDULE

General Fund / State Operations
State Purposes Account - 003

Less amount appropriated as an offset in special revenue funds - other, miscellaneous special revenue fund - 339, mental hygiene patient income account. The director of the budget is hereby authorized to apportion funds to the office of mental health, office of mental retardation and developmental disabilities, and office of alcoholism and substance abuse services of the department from this appropriation by certificate of approval. Notwithstanding any contrary provision of law, this offset shall reduce general fund appropriations within the various programs of the office of mental health, the office of mental retardation and developmental disabilities, and the office of alcoholism and substance abuse services funded from the state purposes account or local assistance account, or both (150,000,000)

Program account subtotal (150,000,000)

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

Amount appropriated as an offset to the general fund - state purposes account or general fund - local assistance account, or both, within the various offices of the department of mental hygiene. The director of the budget is hereby authorized to apportion funds to the office of mental health, office of mental retardation and...
developmental disabilities, and office of alcoholism and substance abuse services of the department from this appropriation by certificate of approval .................. 150,000,000

Program account subtotal ............... 150,000,000

Total new appropriations for state operations and aid to localities ........................................... 0
For payment according to the following schedule:

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>State Operations</th>
<th>Aid to Localities</th>
<th>Capital Projects</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund - State and Local</td>
<td>46,681,000</td>
<td>256,300,000</td>
<td>0</td>
<td>302,981,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal</td>
<td>6,221,000</td>
<td>145,311,000</td>
<td>0</td>
<td>151,532,000</td>
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<tr>
<td>Special Revenue Funds - Other</td>
<td>24,832,000</td>
<td>6,540,000</td>
<td>0</td>
<td>31,372,000</td>
</tr>
<tr>
<td>Capital Projects Funds</td>
<td>0</td>
<td>0</td>
<td>38,650,000</td>
<td>38,650,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>77,734,000</td>
<td>408,151,000</td>
<td>38,650,000</td>
<td>524,535,000</td>
</tr>
</tbody>
</table>

COMMUNITY TREATMENT SERVICES PROGRAM ...................... 311,985,000

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, 2005 or July 1, 2005 and for advances for the 3 month period beginning January 1, 2006; provided that funding for the purpose of administration and monitoring of these programs shall not exceed 5 percent of the approved program level, unless waived by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget.
Notwithstanding the mental hygiene law or any other provision of law, rule or regulation to the contrary, the commissioner, with the approval of the director of the budget, may contract with voluntary agencies that are receiving, or are eligible to receive, state aid from this appropriation, directly or through written agreements with local governments. The commissioner, pursuant to such contract, 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 herein appropriated 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 herein appropriated may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997, as amended.

Notwithstanding any inconsistent provision of law, the amount hereby appropriated shall be available for the designated purposes, less the amount, as certified by the director of the budget, of any transfers from the general fund to the tobacco control and insurance initiatives pool established pursuant to section 2807-v of the public health law, to reflect the state savings attributable to this program resulting from an increase in the federal medical assistance percentage available to the state pursuant to the applicable provisions of the federal social security act.

Notwithstanding any provision of law, rule or regulation to the contrary and subject to the approval of the director of the budget, a portion of this appropriation may be made available for transfer to the
department of health for the state share
of medical assistance payments to provid-
ers of chemical dependence services.
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.
The state comptroller is hereby authorized
to receive funds from the office of alco-
holism and substance abuse services and is
authorized to refund such moneys to the
credit of the local assistance account of
the general fund for the purpose of reim-
bursing the 2005-06 appropriation ........ 209,800,000
----------------
Program account subtotal ............... 209,800,000
----------------
Special Revenue Funds - Federal / Aid to Localities
Federal Block Grant Fund - 269
For services and expenses of prevention,
intervention, and treatment programs
provided by the SAPT block grants.
Notwithstanding any inconsistent provision
of law, up to $4,600,000 of this appro pri-
ation may be transferred, pursuant to
memoranda of understanding between the
office of alcoholism and substance abuse
services and the department of health and
the department of correctional services,
respectively, which addresses how such
funds contribute to required set-asides of
the block grant, to the following agen-
cies: up to $1,400,000 to the AIDS insti-
tute of the department of health for the
provision of primary health care services
for persons enrolled in drug treatment
programs; and up to $3,200,000 to the
department of correctional services for
treatment and counseling costs.
Notwithstanding any inconsistent provision
of law, a portion of the funds hereby
appropriated may, subject to the approval
of the director of the budget, be trans-
ferred to state operations in the office
of alcoholism and substance abuse services
consistent with the terms and conditions
of the SAPT block grant award for adminis-
trative and support services, including
fringe benefits, associated with the
federal block grant.
Notwithstanding any inconsistent provision
of law, moneys hereby appropriated may be
transferred to prevention and program
support of the office of alcoholism and
substance abuse services.
For the grant period October 1, 2004 to September 30, 2006 ....................... 62,325,000
For the grant period October 1, 2005 to September 30, 2007 ....................... 23,500,000

For services and expenses associated with federal block grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of alcoholism and substance abuse services for aid to localities, administrative and support services, including fringe benefits, associated with the federal block grant.

For the grant period October 1, 2004 to September 30, 2006 ....................... 5,000,000
Program fund subtotal .................. 90,825,000

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 any other federal fund in which federal homeless grants are actually received.

For the grant period October 1, 2004 to September 30, 2009 ....................... 11,000,000

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.
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES  2005-06

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For the grant period June 1, 2005 to May 31, 2007</td>
<td>360,000</td>
</tr>
<tr>
<td>Program fund subtotal</td>
<td>11,360,000</td>
</tr>
<tr>
<td>EXECUTIVE DIRECTION PROGRAM</td>
<td>36,309,000</td>
</tr>
<tr>
<td>General Fund / State Operations</td>
<td></td>
</tr>
<tr>
<td>State Purposes Account - 003</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>22,114,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>7,842,000</td>
</tr>
<tr>
<td>Total amount available</td>
<td>29,956,000</td>
</tr>
<tr>
<td>Less amount appropriated as an offset in the special revenue funds - other, miscellaneous special revenue fund - 339, federal salary sharing account</td>
<td>(7,900,000)</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>22,056,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Department of Education Fund - 267</td>
<td></td>
</tr>
<tr>
<td>For services and expenses associated with the administration of the federal safe and drug free schools and communities act, including fringe benefits, consistent with the terms and conditions of the federal award</td>
<td>202,000</td>
</tr>
<tr>
<td>Program fund subtotal</td>
<td>202,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Block Grant Fund - 269</td>
<td></td>
</tr>
<tr>
<td>For services and expenses associated with administering the substance abuse prevention and treatment (SAPT) block grant:</td>
<td></td>
</tr>
<tr>
<td>For the grant period October 1, 2004 to September 30, 2006</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>3,365,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>1,261,000</td>
</tr>
<tr>
<td>Program fund subtotal</td>
<td>4,626,000</td>
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<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Operating Grants Fund - 290</td>
<td></td>
</tr>
<tr>
<td>Statewide Data Collection Account</td>
<td></td>
</tr>
</tbody>
</table>
For services and expenses related to the statewide data collection program as mandated in the 1988 federal anti-drug abuse act:

For the grant period August 1, 2004 to July 31, 2006 ........................................ 193,000

Program account subtotal .................. 193,000

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

Maintenance undistributed
For services and expenses related to the credentialing of prevention, and alcohol and substance abuse counselors .......... 962,000

Program account subtotal .................. 962,000

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

Amount appropriated as an offset to the general fund - state purposes account .... 7,900,000

Program account subtotal .................. 7,900,000

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 ............... 300,000

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

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

Maintenance undistributed
For services and expenses related to special projects .................................. 70,000

Program account subtotal .................. 70,000
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>INSTITUTIONAL SERVICES</td>
<td>$41,425,000</td>
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<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Personal service</td>
<td>$30,648,000</td>
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<tr>
<td>Nonpersonal service</td>
<td>$9,577,000</td>
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<tr>
<td><strong>Total amount available</strong></td>
<td><strong>$40,225,000</strong></td>
</tr>
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<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less amount appropriated as an offset in special revenue funds - other, miscellaneous special revenue fund - 339, mental hygiene patient income account</td>
<td>$(15,600,000)</td>
</tr>
<tr>
<td><strong>Program account subtotal</strong></td>
<td><strong>$24,625,000</strong></td>
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</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Block Grant Fund - 269</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For services and expenses associated with administering the substance abuse prevention and treatment (SAP) block grant:</td>
<td></td>
</tr>
<tr>
<td>For the grant period October 1, 2004 to September 30, 2006:</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>$865,000</td>
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<tr>
<td>Nonpersonal service</td>
<td>$335,000</td>
</tr>
<tr>
<td><strong>Program fund subtotal</strong></td>
<td><strong>$1,200,000</strong></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Mental Hygiene Patient Income Account</td>
<td></td>
</tr>
<tr>
<td>Amount appropriated as an offset to the general fund - state purposes account</td>
<td>$15,600,000</td>
</tr>
<tr>
<td><strong>Program account subtotal</strong></td>
<td><strong>$15,600,000</strong></td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PREVENTION AND PROGRAM SUPPORT</td>
<td>$96,166,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund / Aid to Localities</td>
<td></td>
</tr>
<tr>
<td>Local Assistance Account - 001</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For payment, net of disallowances, of state financial assistance in accordance with the mental hygiene law related to school and community-based prevention and education programs, and program support. Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has</td>
<td></td>
</tr>
</tbody>
</table>
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES  2005-06

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, 2005 or July 1, 2005 and for advances for the 3 month period beginning January 1, 2006; provided that funding for the purpose of administration and monitoring of these programs shall not exceed 5 percent of the approved program level, unless waived by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget. 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 ....... 44,500,000

For services and expenses related to the compulsive gambling treatment and prevention program. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer funds appropriated herein to any other general fund appropriation within the office of alcoholism and substance abuse services to accomplish the intent of this appropriation ....................... 2,000,000

Program account subtotal .................. 46,500,000

Special Revenue Funds - Federal / Aid to Localities

Federal Health and Human Services Fund - 265

For services and expenses related to the state incentive program for New York state grant. Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to approval of the director of the budget, be transferred to state operations in the office of alcoholism and substance abuse services consistent with the terms of the federal award for administrative and support services, including fringe benefits, associated with this grant:

For the grant period July 15, 2004 to September 30, 2006 ......................... 750,000
For services and expenses associated with federal grant awards yet to be allocated by the U.S. department of education and/or the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of alcoholism and substance abuse services for aid to localities, administrative and support services, including fringe benefits, associated with the awarded grant:

For the grant period July 1, 2004 to September 30, 2006 ............................. 5,000,000

Program fund subtotal .................. 5,750,000

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:

For the grant period from July 1, 2005 to September 30, 2007 ....................... 6,515,000

Program fund subtotal .................. 6,515,000

For services and expenses related to prevention, intervention and treatment programs provided by the substance abuse prevention and treatment (SAPT) block grant. Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to the community treatment services program of the office of alcoholism and substance abuse services:

For the grant period October 1, 2004 to September 30, 2006 ............................. 28,661,000

For the grant period October 1, 2005 to September 30, 2007 ............................. 2,200,000

Program fund subtotal .................. 30,861,000
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2005-06

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 ..... 40,000

Program account subtotal ............... 40,000

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

For services and expenses of community chem-
dependence treatment and prevention
services programs including services and
expenses related to staff training and
workforce development activities for pre-
vention, intervention and treatment pro-
grams. Notwithstanding any other provision
of law, up to $1,000,000 of the appro-
priation may be made available upon the
approval of the director of the budget for
services and expenses related to continu-
ing evaluation activities of the alcohol-
ism and substance abuse service delivery
systems .................................. 6,500,000

Program fund subtotal .................. 6,500,000

Total new appropriations for state operations and aid to
localities ........................................... 485,885,000

--------------
COMMUNITY TREATMENT SERVICES PROGRAM

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

By chapter 54, section 1, of the laws of 2004:
For services and expenses of prevention, intervention, and treatment programs provided by the SAPT block grants.
Notwithstanding any inconsistent provision of law, up to $4,600,000 of this appropriation may be transferred, pursuant to memoranda of understanding between the office of alcoholism and substance abuse services and the department of health and the department of correctional services, respectively, which addresses how such funds contribute to required set-asides of the block grant, to the following agencies: up to $1,400,000 to the AIDS institute of the department of health for the provision of primary health care services for persons enrolled in drug treatment programs; and up to $3,200,000 to the department of correctional services for treatment and counseling costs.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations in the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award for administrative and support services, including fringe benefits, associated with the federal block grant.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may be transferred to prevention and program support of the office of alcoholism and substance abuse services.
For the grant period October 1, 2003 to September 30, 2005 ........... 67,690,000 ....................................... (re. $48,440,000)
For the grant period October 1, 2004 to September 30, 2006 ........... 18,700,000 ....................................... (re. $18,700,000)
For services and expenses associated with federal block grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of alcoholism and substance abuse services for aid to localities, administrative and support services, including fringe benefits, associated with the federal block grant.
For the grant period October 1, 2003 to September 30, 2005 ........... 5,000,000 ......................................... (re. $5,000,000)

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

By chapter 54, section 1, of the laws of 2004:
For services and expenses related to homeless grants. Subject to a plan approved by the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless grants. The director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund in which federal homeless grants are actually received.
For the grant period October 1, 2003 to September 30, 2008 ........... 11,000,000 ........................................... (re. $10,258,000)
For services and expenses related to enforcing the underage drinking laws program grant.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations in the office of alcoholism and substance abuse services consistent with the terms of the federal award for administrative and support services, including fringe benefits, associated with this grant.

For the grant period June 1, 2004 to May 31, 2006 .................... 360,000 ............................................. (re. $360,000)

By chapter 54, section 1, of the laws of 2003:
For services and expenses related to homeless grants ... ... 11,000,000 .................................................. (re. $8,974,000)

By chapter 54, section 1, of the laws of 2002:
For services and expenses related to homeless grants ... ... 2,000,000 .................................................. (re. $1,272,000)

For services and expenses associated with the administration of the federal safe and drug free schools and communities act, including fringe benefits, consistent with the terms and conditions of the federal award ... 194,000 ............................................. (re. $194,000)

For services and expenses associated with administering the substance abuse prevention and treatment (SAPT) block grant:
For the grant period October 1, 2003 to September 30, 2005: ... ... 4,780,000 .................................................. (re. $2,946,000)

For services and expenses related to the statewide data collection program as mandated in the 1988 federal anti-drug abuse act:
For the grant period August 1, 2003 to July 31, 2005 .................... 193,000 .................................................. (re. $193,000)
By chapter 54, section 1, of the laws of 2004:
For services and expenses associated with administering the substance abuse prevention and treatment (SAPT) block grant:
For the grant period October 1, 2003 to September 30, 2005: ... ....
1,200,000 .......................................................... (re. $900,000)

PREVENTION AND PROGRAM SUPPORT

Special Revenue Funds - Federal / Aid to Localities

Federal Health and Human Services Fund - 265

By chapter 54, section 1, of the laws of 2004:
For services and expenses related to the state incentive program for New York state grant.
Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to approval of the director of the budget, be transferred to state operations in the office of alcoholism and substance abuse services consistent with the terms of the federal award for administrative and support services, including fringe benefits, associated with this grant:
For the grant period July 15, 2003 to September 30, 2005 .........
750,000 ........................................................ (re. $750,000)
For services and expenses associated with federal grant awards yet to be allocated by the U.S. department of education and/or the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the office of alcoholism and substance abuse services for aid to localities, administrative and support services, including fringe benefits, associated with the awarded grant:
For the grant period July 1, 2003 to September 30, 2005 ...........
5,000,000 .................................................. (re. $5,000,000)

By chapter 54, section 1, of the laws of 2003:
For services and expenses related to the state incentive program for New York state grant ... ... 
For the grant period July 15, 2002 to September 30, 2004 ...........
750,000 ........................................................ (re. $750,000)
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 ... ...
For the grant period July 1, 2002 to September 30, 2004 ...........
5,000,000 .................................................. (re. $4,794,000)

Special Revenue Funds - Federal / Aid to Localities

Federal Department of Education Fund - 267

By chapter 54, section 1, of the laws of 2004:
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:
For the grant period from July 1, 2004 to September 30, 2006 ........
6,620,000 .................................................... (re. $6,620,000)

By chapter 54, section 1, of the laws of 2003:
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.
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

For the grant period from July 1, 2003 to September 30, 2004 ..............
7,353,000 .......................... (re. $5,128,000)

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

By chapter 54, section 1, of the laws of 2004:
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 pro-
vision of law, moneys hereby appropriated may, subject to the
approval of the director of the budget, be transferred to the
community treatment services program of the office of alcoholism and
substance abuse services:

For the grant period October 1, 2003 to September 30, 2005 ..............
31,091,000 .......................... (re. $21,957,000)

For the grant period October 1, 2004 to September 30, 2006 ..............
1,000,000 .......................... (re. $1,000,000)

Total reappropriations for state operations and aid to
localities .................................. 147,551,000

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DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
CAPITAL PROJECTS 2005-06

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

<table>
<thead>
<tr>
<th>Source Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Projects Fund</td>
<td>9,200,000</td>
</tr>
<tr>
<td>Mental Hygiene Capital Improvement Fund - 389</td>
<td>29,450,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>38,650,000</td>
</tr>
</tbody>
</table>

2. ADMINISTRATION PROGRAM (CCP)                      | 1,140,000|

3. Capital Projects Fund Administration Purpose    | 1,140,000|

4. 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 (53A10550) 1,140,000

5. COMMUNITY ALCOHISM AND SUBSTANCE ABUSE FACILITIES (CCP) | 31,560,000|

6. Capital Projects Fund Minor Rehabilitation Purpose | 5,310,000|

7. 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

8. Mental Hygiene Capital Improvement Fund - 389 | 13,125,000|

9. Preservation of Facilities Purpose New Facilities Purpose

10. 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

11. 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

DESIGN AND CONSTRUCTION SUPERVISION (CCP) .................. 2,000,000

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 (53A60530) .................. 1,500,000

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 (53060530) .................. 500,000

INSTITUTIONAL SERVICES PROGRAM (CCP) ......................... 3,200,000

Minor Rehabilitation Purpose

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
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 (53A20503) ....... 2,700,000

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, 2005 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 (53NB05NB) ......... 750,000
COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

By chapter 54, section 1, of the laws of 2004:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2004, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030489) ........................................ (re. $5,310,000)

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) ........................................ (re. $5,310,000)

By chapter 54, section 1, of the laws of 2002:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2002, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030289) ........................................ (re. $3,288,000)

By chapter 54, section 1, of the laws of 2001:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2001, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030189) ........................................ (re. $3,188,000)

By chapter 54, section 1, of the laws of 2000:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2000, 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 (53030089) ........................................ (re. $1,657,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2004:
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 (53030403) ................. (re. $13,280,000)
1 By chapter 54, section 1, of the laws of 2003:
2 For alterations and improvements for preservation of various facili-
3 ties including rehabilitation projects and the acquisition of prop-
4 erty, provided, however, that no expenditures may be made from this
5 appropriation until a comprehensive plan of projects has been
6 approved by the director of the budget (53030303) .................
7 13,280,000 ........................................ (re. $13,280,000)
8
9 By chapter 54, section 1, of the laws of 2002:
10 For alterations and improvements for preservation of various facili-
11 ties including rehabilitation projects and the acquisition of prop-
12 erty, provided, however, that no expenditures may be made from this
13 appropriation until a comprehensive plan of projects has been
14 approved by the director of the budget (53030203) .................
15 10,000,000 ........................................ (re. $9,662,000)
16
17 By chapter 54, section 1, of the laws of 2001:
18 For alterations and improvements for preservation of various facili-
19 ties including rehabilitation projects and the acquisition of prop-
20 erty, provided, however, that no expenditures may be made from this
21 appropriation until a comprehensive plan of projects has been
22 approved by the director of the budget (53030103) .................
23 10,000,000 ........................................ (re. $7,000,000)
24
25 By chapter 54, section 1, of the laws of 2000:
26 For alterations and improvements for preservation of various facili-
27 ties including rehabilitation projects and the acquisition of prop-
28 erty, provided, however, that no expenditures may be made from this
29 appropriation until a comprehensive plan of projects has been
30 approved by the director of the budget. Upon request of the commis-
31 sioner of the office of alcoholism and substance abuse services and
32 approval by the director of the budget, this appropriation may be
33 transferred to the dormitory authority of the state of New York
34 (53030003) ... 19,100,000 .................................... (re. $15,128,000)
35
36 By chapter 54, section 1, of the laws of 1999:
37 For alterations and improvements for preservation of various facili-
38 ties including rehabilitation projects and the acquisition of prop-
39 erty. Upon request of the commissioner of the office of alcoholism
40 and substance abuse services and approval by the director of the
41 budget, this appropriation may be transferred to the dormitory
42 authority of the state of New York (53039903) ......................
43 15,000,000 ........................................ (re. $4,519,000)
44
45 New Facilities Purpose
46
47 By chapter 54, section 1, of the laws of 2004:
48 For the acquisition of property, design, construction and extensive
49 rehabilitation of facilities for the purpose of delivering chemical
50 dependence services, pursuant to the mental hygiene law. No expendi-
51 ture shall be made from this appropriation until a spending plan for
52 proposed projects has been submitted by the commissioner of the
53 office of alcoholism and substance abuse services and approved by
54 the director of the budget (53AA0407) ..............................
55 12,970,000 ........................................ (re. $12,970,000)
56
57 By chapter 54, section 1, of the laws of 2003:
58 For the acquisition of property, design, construction and extensive
59 rehabilitation of facilities for the purpose of delivering chemical
60 dependence services, pursuant to the mental hygiene law. No expendi-
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

...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 (53AA0307) ......................... 12,970,000 ....................... (re. $10,983,000)

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

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 (53AA0207) ......................... 10,000,000 ........................ (re. $9,118,000)

By chapter 54, section 1, of the laws of 2001:

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 (53AA0107) ......................... 10,000,000 ........................ (re. $5,007,000)

By chapter 54, section 1, of the laws of 2000:

For the acquisition of property, design, construction and rehabilitation of not more than 100 beds for adolescents and/or women and their children, to be developed for operation by voluntary-operated or local government operated community alcohol, substance abuse and/or 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 alcohol, substance abuse and/or chemical dependency facilities. Notwithstanding any other inconsistent provision of law, and subject to the approval of the director of the budget, funds from this appropriation may be paid to the dormitory authority of the state of New York 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 project or projects provided for herein. No expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53010007) .... 5,000,000 .......... (re. $3,516,000)

By chapter 54, section 1, of the laws of 1990, as amended by chapter 295, part A, section 1, of the laws of 2001:

For the state funding of 100 percent of the cost of acquisition, design, construction and rehabilitation of facilities for approved family support communities. Facilities for family support communities shall consist of all facilities necessary to support a continuum of services for substance abusers and their children, including, but not limited to outpatient services, detoxification and residential treatment, supervised and supported housing, child care, and transitional housing. At least one facility with not more than 125 treatment beds shall be constructed in New York City and at least an additional four facilities with not more than 75 treatment beds per facility shall be located statewide.
State aid to municipalities and other public and not-for-profit private agencies for acquisition of property, construction and rehabilitation of community substance abuse treatment facilities, pursuant to article 25 of the mental hygiene law. Notwithstanding any other inconsistent provision of law, the moneys hereby appropriated may be available for payment of state aid heretofore accrued or hereafter to accrue, and with the approval of the director of the budget, may support up to 100 percent of approved capital and pre-operational costs of such substance abuse treatment facilities. Such substance abuse residential treatment facilities shall be operated by either public or not-for-profit providers and shall have a maximum treatment capacity of no more than 300 beds at any one location. This bed limit may be waived by the director of the budget only for facilities funded under a federal request for applications that specifically requires larger facilities, up to a maximum of 600 beds, for commitment of federal funds. In any such application, the federal minimum bed limit shall be the state's maximum, and the chairmen of the senate finance and assembly ways and means committees shall be notified within thirty days of such application, and any subsequent commitment of funds. Prior to the allocation of the appropriation for new treatment services, the commissioner shall issue, subject to the approval of the director of the budget, a request for proposals (RFP). The criteria of the RFP shall include but not be limited to: (1) cost per bed ranges based on program type, geographic considerations and a provider's proven ability to attract other sources of funding; (2) development of innovative program models encouraging shorter lengths of stay; (3) assessment of the full range of site options considered and the estimated costs of each option; (4) estimated operating costs of proposed beds; and (5) development of treatment facilities proposing to utilize personnel affected by state workforce reductions within the department of mental hygiene. No later than thirty days after the issuance of such RFP, and quarterly thereafter, the commissioner of the office of alcoholicism and substance abuse services shall report to the director of the budget and to the chairmen of the legislative fiscal committees on the status of the RFP process and of any proposed capital projects. 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 alcoholicism and substance abuse services and approved by the director of the budget with copies to the chairmen of the senate finance and assembly ways and means committees (53AA9007) ... 81,700,000 .............. (re. $6,723,000)

DESIGN AND CONSTRUCTION SUPERVISION (CCP)
Capital Projects Fund
Preparation of Plans Purpose

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 projects (53A60430) .................
1,500,000 ........................................ (re. $1,500,000)
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

INSTITUTIONAL SERVICES PROGRAM (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

By chapter 54, section 1, of the laws of 2004:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2004, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0489) .............................. 500,000 ............................................. (re. $500,000)

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. $500,000)

By chapter 54, section 1, of the laws of 2002:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2002, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0289) .............................. 500,000 ............................................. (re. $500,000)

By chapter 54, section 1, of the laws of 2001:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2001, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0189) .............................. 500,000 ............................................. (re. $328,000)

By chapter 54, section 1, of the laws of 1999:
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 (53HD9989) .............................. 1,000,000 ........................................... (re. $632,000)

Mental Hygiene Capital Improvement Fund - 389

Health and Safety Purpose

By chapter 54, section 1, of the laws of 1997:
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 (3/00)(53019701) ... 1,200,000 ............................................. (re. $1,200,000)
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

By chapter 54, section 1, of the laws of 1995:
For alterations and improvements to the Margaret A. Stutzman Alcoholism Treatment Center under the jurisdiction of the office of alcoholism and substance abuse services including liabilities incurred prior to April 1, 1995. 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 facilities development corporation or its successor agency.
(53019501) ... 704,000 ......................... (re. $204,000)

By chapter 54, section 1, of the laws of 1993:
For alterations and improvements relating to tuberculosis (TB) control in various alcoholism treatment facilities under the jurisdiction of the office of alcoholism and substance abuse services. Notwithstanding any inconsistent provision of law, no moneys hereby appropriated shall be expended until a spending plan detailing the TB controls needed and estimated cost by facility is submitted by the commissioner and approved by the director of the budget (6/97).
(53HT9301) ... 662,000 ......................... (re. $238,000)

By chapter 54, section 1, of the laws of 1992, as amended by chapter 54, section 3, of the laws of 1993:
For alterations and improvements to various alcohol treatment facilities under the jurisdiction of the office of alcoholism and substance abuse services including liabilities incurred prior to April 1, 1992 (3/97) (53H19201) ... 840,000 ....... (re. $342,000)

Accreditation Purpose

By chapter 54, section 1, of the laws of 1989, as amended by chapter 54, section 3, of the laws of 1991:
For alterations and improvements for accreditation projects at various facilities including payments of liabilities incurred prior to April 1, 1989 according to the following schedule (11/95) (53028902) ... ..... 2,015,000 ......................... (re. $185,000)

Preservation of Facilities Purpose

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. $1,000,000)

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
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 (53PR0303) ... 1,000,000 .................. (re. $1,000,000)

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 (53PR0203) ... 2,000,000 .................. (re. $2,000,000)

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 (53PR0103) ... 2,000,000 .................. (re. $1,867,000)

By chapter 54, section 1, of the laws of 1999:
For the cost of potential claims. 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 (53LL9903) ..... 1,600,000 ......................................... (re. $1,100,000)

By chapter 54, section 1, of the laws of 1987, as amended by chapter 54, section 3, of the laws of 1993, and as supplemented by certificate of transfer issued pursuant to the provisions of section 93 of the state finance law, as amended:
For payment of the cost of construction, reconstruction and improvements, for various facilities and programs under the jurisdiction of the office of alcoholism and substance abuse services, including but
not limited to the following schedule of major and minor rehabilitation projects and for liabilities incurred for major and minor rehabilitation prior to April 1, 1987 (4/95) (53A28703) .........
1,919,000 ...................................................... (re. $197,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 1998:
For costs related to the major rehabilitation and/or relocation of various state-owned facilities including state-owned facilities operated by non-state entities under the jurisdiction of the office of alcoholism and substance abuse services including liabilities incurred prior to April 1, 1998. Upon request of the commissioner 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 (53019807) .................
3,051,000 ........................................................... (re. $3,051,000)
For payment according to the following schedule:

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>State Operations</th>
<th>Aid to Localities</th>
<th>Capital Projects</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund - State and Local</td>
<td>1,361,134,000</td>
<td>0</td>
<td>0</td>
<td>1,361,134,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal</td>
<td>41,856,000</td>
<td>37,818,000</td>
<td>0</td>
<td>79,674,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other</td>
<td>684,481,000</td>
<td>0</td>
<td>0</td>
<td>684,481,000</td>
</tr>
<tr>
<td>Capital Projects Funds</td>
<td>263,814,000</td>
<td>534,003,000</td>
<td>0</td>
<td>801,817,000</td>
</tr>
<tr>
<td>Enterprise Funds</td>
<td>8,349,000</td>
<td>0</td>
<td>0</td>
<td>8,349,000</td>
</tr>
<tr>
<td>Internal Service Funds</td>
<td>2,509,000</td>
<td>0</td>
<td>0</td>
<td>2,509,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>2,362,143,000</td>
<td>571,821,000</td>
<td></td>
<td>2,933,964,000</td>
</tr>
</tbody>
</table>

AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>State Operations</th>
<th>Aid to Localities</th>
<th>Capital Projects</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund - State/Local</td>
<td>587,210,000</td>
<td>773,924,000</td>
<td>0</td>
<td>1,361,134,000</td>
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<tr>
<td>Special Revenue Funds - Federal</td>
<td>1,272,000</td>
<td>40,584,000</td>
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<td>1,672,584,000</td>
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<tr>
<td>Special Revenue Funds - Other</td>
<td>604,196,000</td>
<td>80,285,000</td>
<td>0</td>
<td>684,481,000</td>
</tr>
<tr>
<td>Capital Projects Funds</td>
<td>0</td>
<td>263,814,000</td>
<td>263,814,000</td>
<td>263,814,000</td>
</tr>
<tr>
<td>Enterprise Funds</td>
<td>8,349,000</td>
<td>0</td>
<td>0</td>
<td>8,349,000</td>
</tr>
<tr>
<td>Internal Service Funds</td>
<td>2,509,000</td>
<td>0</td>
<td>0</td>
<td>2,509,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>1,203,536,000</td>
<td>894,793,000</td>
<td>263,814,000</td>
<td>2,362,143,000</td>
</tr>
</tbody>
</table>

SCHEDULE

ADMINISTRATION AND FINANCE PROGRAM .......................... 72,382,000

General Fund / State Operations
State Purposes Account - 003
Personal service ........................................... 39,189,000
Nonpersonal service ................................. 19,193,000
Program account subtotal ......................... 58,382,000

Special Revenue Funds - Federal / State Operations
Federal Block Grant Fund - 269
For the grant period October 1, 2004 to September 30, 2005:
Personal service ........................................... 395,000
Nonpersonal service ................................... 82,000
Fringe benefits ........................................ 159,000
Grant period total ................................. 636,000

For the grant period October 1, 2005 to September 30, 2006:
Personal service ........................................... 395,000
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonpersonal service</td>
<td>82,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>159,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>636,000</td>
</tr>
<tr>
<td>Program fund subtotal</td>
<td>1,272,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>Mental Hygiene Gifts and Donations Fund - 019</td>
<td></td>
</tr>
<tr>
<td>Office of Mental Health Gifts and Donations Account</td>
<td></td>
</tr>
<tr>
<td>For nonpersonal service expenditures to benefit patients or for other</td>
<td>500,000</td>
</tr>
<tr>
<td>purposes</td>
<td></td>
</tr>
<tr>
<td>from investment income, private donations</td>
<td></td>
</tr>
<tr>
<td>and other contributions</td>
<td></td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>500,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>Combined Gifts, Grants and Bequests Fund - 020</td>
<td></td>
</tr>
<tr>
<td>Office of Mental Health Grants and Bequests Account</td>
<td></td>
</tr>
<tr>
<td>For nonpersonal service expenditures to benefit patients from</td>
<td>70,000</td>
</tr>
<tr>
<td>bequests from patients' families</td>
<td></td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>70,000</td>
</tr>
<tr>
<td>Special Revenue Fund - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Cook/Chill Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to the operation of the cook/chill</td>
<td>1,300,000</td>
</tr>
<tr>
<td>production center at the Rockland psychiatric center</td>
<td></td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>1,300,000</td>
</tr>
<tr>
<td>Enterprise Funds / State Operations</td>
<td></td>
</tr>
<tr>
<td>Mental Health Sheltered Workshop Account - 351</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>2,045,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>3,708,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>5,753,000</td>
</tr>
<tr>
<td>Enterprise Funds / State Operations</td>
<td></td>
</tr>
<tr>
<td>Mental Hygiene Community Stores Account - 353</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>551,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>1,793,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>252,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>2,596,000</td>
</tr>
</tbody>
</table>
Internal Service Funds / State Operations

Mental Hygiene Revolving Account - 343

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>993,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>1,068,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>448,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>2,509,000</td>
</tr>
</tbody>
</table>

ADULT SERVICES PROGRAM

General Fund / State Operations

State Purposes Account - 003

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>654,409,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>147,804,000</td>
</tr>
<tr>
<td>Maintenance undistributed</td>
<td>3,165,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>805,378,000</td>
</tr>
</tbody>
</table>

General Fund / Aid to Localities

Local Assistance Account - 001

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>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. Notwithstanding any inconsistent provision of law, the amount hereby appropriated shall be available for the designated purpose, less the amount, as certified by the director of the budget, of any transfers from the general fund to the tobacco control and insurance initiatives pool established pursuant to section 2807-v of</td>
<td>1,455,330,000</td>
</tr>
</tbody>
</table>
the public health law, to reflect the
state savings attributable to this program
resulting from an increase in the federal
medical assistance percentage available to
the state pursuant to the applicable
provisions of the federal social security
act. 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 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 volun-
tary 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,
2005 or July 1, 2005 and for advances for
the period beginning January 1, 2006 for
local governments and voluntary agencies
with program years beginning January 1.
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
$632 per year based upon financial need
for the personal needs of each client
residing in the family care home.
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 obli-
gations for the period commencing July 1,
2005 and ending June 30, 2006 and shall be
available for expenditure from July 1,
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.
Notwithstanding any provision of law to the
contrary, the commissioner of mental
health shall be authorized to continue
contracts with entities providing
supported housing for persons with mental
illness, for all such contracts which were
executed on or before March 31, 2004,
without any additional requirements that
such contracts be subject to competitive
bidding or a request for proposals proc-
ess.
No expenditures shall be made for such
program prior to the approval of a method-
ology 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 expendi-
ture shall be made until a certificate of
allocation has been approved by the direc-
tor 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 and is author-
ized to refund such moneys to the credit
of the local assistance account of the
general fund for the purpose of reimburs-
ing the 2005-06 appropriation.
The amounts appropriated pursuant to such
appropriation may be transferred to other
state agencies, authorities, or accounts
for expenditures incurred in the operation
of programs funded by such appropriation. 609,468,000
Program account subtotal .................. 609,468,000
Special Revenue Funds - Federal / Aid to Localities
Federal Health and Human Services Fund - 265
For programs to assist and transition from
homelessness (PATH) grants. Notwithstand-
ing 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, administra-
tive and support services, including
fringe benefits, associated with the
grant:
For the grant period September 1, 2004 to
August 31, 2005 ......................... 176,000
For the grant period September 1, 2005 to August 31, 2006 .................................. 3,489,000

Program fund subtotal .............................. 3,665,000

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

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:

For the grant period October 1, 2004 to September 30, 2005 .................................. 12,477,000
For the grant period October 1, 2005 to September 30, 2006 .................................. 7,407,000

Subtotal ............................................. 19,884,000

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:

For the grant period October 1, 2004 to September 30, 2005 .................................. 600,000
For the grant period October 1, 2005 to September 30, 2006 .................................. 600,000

Subtotal ............................................. 1,200,000

Program fund subtotal ................................ 21,084,000

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
For grant periods occurring between October 1, 1999 and September 30, 2006 ........... 8,000,000

Program fund subtotal .................. 8,000,000

Special Revenue Funds - Other / Aid to Localities

For services and expenses related to adult mental health services, including assisted outpatient treatment pursuant to article 9 and other provisions of the mental hygiene law. Notwithstanding any other provision of law, this appropriation may be made available upon the approval of the director of the budget ......................... 7,735,000

Program account subtotal ............... 7,735,000

CHILDREN AND YOUTH SERVICES PROGRAM ....................... 289,856,000

General Fund / State Operations

State Purposes Account - 003

Personal service ......................... 113,870,000
Nonpersonal service ..................... 13,295,000

Program account subtotal ............ 127,165,000

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. Notwithstanding any inconsistent provision of law, the amount hereby appropriated shall be available for the designated purpose, less the amount, as certified by the director of the budget, of any transfers from the general fund to the tobacco control and insurance initiatives pool established pursuant to section 2807-v of the public health law, to reflect the state savings attributable to this program resulting from an increase
in the federal medical assistance percent-age available to the state pursuant to the applicable provisions of the federal social security act. Notwithstanding any inconsistent provision of law, a portion of the money herein appropriated may be made available for transfer to the depart-ment of health for the state share of disproportionate share payments to volun-
tary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997 as amended. 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, 2005 or July 1, 2005 and for advances for the period beginning January 1, 2006 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 obliga-tions for the period commencing July 1, 2005 and ending June 30, 2006 and shall be available for expenditure from July 1, 2005 through September 15, 2006.

No expenditures shall be made for such program prior to the approval of a method-ology 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 expendi-ture 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 and is author-
ized to refund such moneys to the credit
of the local assistance account of the
general fund for the purpose of reimburs-
ing the 2005-06 appropriation.
The amounts appropriated pursuant to such
appropriation may be transferred to other
state agencies, authorities, or accounts
for expenditures incurred in the operation
of programs funded by such appropriation.. 154,856,000
--
Program account subtotal .................. 154,856,000
--

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

For services and expenses related to chil-
dren's mental health services funded by
the community mental health services block
grant. Notwithstanding any inconsistent
 provision of law, a portion of this appro-
priation, 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 locali-
ties, administrative and support services,
including fringe benefits, associated with
the federal block grant:

For the grant period October 1, 2004 to
September 30, 2005 ........................... 7,835,000
--
Program fund subtotal ................... 7,835,000
--

COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT
PROGRAM ................................................ 9,600,000
--

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of community
mental health support and workforce rein-
vestment 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 any
inconsistent provision of law, the amount
hereby appropriated shall be available for
the designated purpose, less the amount,
as certified by the director of the budg-
et, of any transfers from the general fund
to the tobacco control and insurance
initiatives pool established pursuant to
section 2807-v of the public health law,
to reflect the state savings attributable
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

to this program resulting from and
increase in the federal medical assistance
percentage available to the state pursuant
to the applicable provisions of the feder-
al social security act.

Notwithstanding chapter 62 of the laws of
2003 or any provision of law to the
contrary, this appropriation shall repre-
sent the full and complete obligation of
the state and the office of mental health
community mental health support workforce
reinvestment program in fiscal year 2005-
06.

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 volun-
tary 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,
2005 or July 1, 2005 and for advances for
the period beginning January 1, 2006 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 obli-
gations for the period commencing July 1,
2005 and ending June 30, 2006 and shall be
available for expenditure from July 1,

No expenditures shall be made for such
program prior to the approval of a method-
ology 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 expendi-
ture shall be made until a certificate of
allocation has been approved by the direc-
tor of the budget with copies to be filed
with the chairperson 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 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
2005-06 appropriation.
The amounts appropriated pursuant to such appropriation may be transferred to other state agencies, authorities, or accounts for expenditures incurred in the operation of programs funded by such appropriation. This appropriation shall be distributed according to the following:

1. For services and expenses related to community mental health support and workforce reinvestment for adults .................. 7,000,000
2. For services and expenses related to community mental health support and workforce reinvestment for children ................ 2,600,000

Program account subtotal .................. 9,600,000

ENHANCED COMMUNITY SERVICES PROGRAM ...................... 92,150,000

General Fund / State Operations
State Purposes Account - 003

Maintenance undistributed

For services and expenses related to mental health initiatives including, but not limited to, adult transitional residences located on the grounds of state psychiatric centers, children's mobile mental health teams at office of children and family services facilities, and monitoring and oversight of community mental health programs ......................... 19,600,000

Program account subtotal .................. 19,600,000

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - P04
Enhanced Community Services Account

For services and expenses of various adult and children's 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,
2005 or July 1, 2005 and for advances for the period beginning January 1, 2006 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, 2005 and ending June 30, 2006 and shall be available for expenditure from July 1, 2005 through September 15, 2006.

Notwithstanding any provision of law to the contrary, the commissioner of mental health shall be authorized to continue contracts with entities providing supported housing for persons with mental illness, for all such contracts which were executed on or before March 31, 2004, without any additional requirements that such contracts be subject to competitive bidding or a request for proposals process.

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 and is authorized to refund such moneys to the credit of the enhanced community services account of the special revenue funds - other HCRA resources fund - F04 for the purpose of reimbursing the 2005-06 appropriation.

The amounts appropriated pursuant to such appropriation may be transferred to other state agencies, authorities, or accounts for expenditures incurred in the operation of programs funded by such appropriation.

For transfer to the department of health comprehensive care center for eating disorders development fund .................. 500,000

For services and expenses related to care coordination and office of mental health case management in adult homes. Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appro-
priated may be transferred to other state agencies, authorities, or accounts for expenditures incurred in the operation of programs funded by such appropriation .... 5,250,000

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Program account subtotal ............... 72,550,000

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FORENSIC SERVICES PROGRAM ................................. 129,975,000

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General Fund / State Operations
State Purposes Account - 003

Personal service ........................... 119,132,000
Nonpersonal service ........................ 10,843,000

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MAINTENANCE UNDISTRIBUTED .............................. 0

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General Fund / State Operations
State Purposes Account - 003

Less an amount appropriated as an offset from the special revenue funds - other miscellaneous special revenue fund - 339, mental hygiene patient income account. Notwithstanding any contrary provision of law, this offset shall reduce general fund appropriations within the various programs of the office of mental health funded from the state purposes account ............... (575,601,000)

Less an amount appropriated as an offset from the special revenue funds - other HCRA resources fund - F04, enhanced community services account. Notwithstanding any contrary provision of law, this offset shall reduce general fund appropriations within the enhanced community services program of the office of mental health funded from the state purposes account ... (19,600,000)

Program account subtotal ............... (595,201,000)

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Special Revenue Funds - Other / State Operations
HCRA Resources Fund - F04
Enhanced Community Services Account

Amount appropriated as an offset to the general fund - state purposes account within the enhanced community services program of the office of mental health. For services and expenses related to mental health initiatives including, but not limited to, adult transitional residences located on the grounds of state psychiatric centers, children's mobile mental health teams at office of children and
family services facilities, and monitoring
and oversight of community mental health
programs. The director of the budget is
hereby authorized to apportion funds to
the enhanced community services program of
this agency from this appropriation by
certificate of approval .................. 19,600,000

Program account subtotal ............... 19,600,000

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

Amount appropriated as an offset to the
general fund - state purposes account
within various office of mental 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 .................. 575,601,000

Program account subtotal ............... 575,601,000

RESEARCH IN MENTAL ILLNESS PROGRAM ....................... 49,036,000

General Fund / State Operations
State Purposes Account - 003

Personal service .................. 37,568,000
Nonpersonal service .................. 4,343,000

Program account subtotal ............... 41,911,000

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, 27
research scientists formerly supported by
the general fund, and other research
initiatives, including up to $200,000 for
services and expenses of a research
institute study. Funding will be provided
through research foundation for mental
hygiene, inc. resources, including, but
not limited to, indirect costs recoveries,
direct grant reimbursement, interest earn-
ings and operating balances:
<table>
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<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
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<td>1</td>
<td>Personal service</td>
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<td>2</td>
<td>Nonpersonal service</td>
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<td>3</td>
<td>Fringe benefits</td>
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<td>4</td>
<td>Program account subtotal</td>
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<td>5</td>
<td>Total new appropriations for state operations and aid to localities</td>
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DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

ADMINISTRATION AND FINANCE PROGRAM

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

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004: .... .... 636,000 .................................................. (re. $636,000)
For the grant period October 1, 2004 to September 30, 2005: .... .... 636,000 .................................................. (re. $636,000)

ADULT SERVICES PROGRAM

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

By chapter 54, section 1, of the laws of 2004:
For programs to assist and transition from homelessness (PATH) grants. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the grant:
For the grant period September 1, 2004 to August 31, 2005 ............ 3,313,000 ......................................... (re. $3,313,000)

By chapter 54, section 1, of the laws of 2003:
For programs to assist and transition from homelessness (PATH) grants. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the PATH grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the grant:
For the grant period September 1, 2003 to August 31, 2004 ............ 3,030,000 ......................................... (re. $1,747,000)

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

By chapter 54, section 1, of the laws of 2004:
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:
For the grant period October 1, 2003 to September 30, 2004 ............ 12,754,000 .................................................. (re. $9,694,000)
For the grant period October 1, 2004 to September 30, 2005 ............ 7,407,000 .................................................. (re. $7,407,000)
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:
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

For the grant period October 1, 2003 to September 30, 2004 ........... 600,000 ............................................. (re. $600,000)

For the grant period October 1, 2004 to September 30, 2005 ........... 600,000 ............................................. (re. $600,000)

By chapter 54, section 1, of the laws of 2004:

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:

For grant periods occurring between October 1, 1999 and September 30,
2005 ... 8,000,000 ............................................. (re. $5,400,000)

By chapter 54, section 1, of the laws of 2004:

For services and expenses related to children's mental health services
funded by the community mental health services block grant. Not-
withstanding 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 ser-
vice, including fringe benefits, associated with the federal block
grant:

For the grant period October 1, 2003 to September 30, 2004 ........... 7,835,000 ............................................. (re. $7,785,000)

Total reappropriations for state operations and aid to
localities .................................................. 37,818,000

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DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL HEALTH
CAPITAL PROJECTS 2005-06

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

Capital Projects Fund ....................................... 43,010,000
Mental Hygiene Capital Improvement Fund .................... 220,804,000

All Funds .................................................. 263,814,000

COMMUNITY MENTAL HEALTH FACILITIES (CCP) ................. 86,513,000

Capital Projects Fund

Minor Rehabilitation Purpose
State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100589) ....................... 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 (50120550) ......................... 513,000

Preservation of Facilities Purpose
For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies,
approved by the commissioner of the
office of mental health, pursuant to
article 41 of the mental hygiene law
(50230503) ................................. 5,000,000

New Facilities Purpose

For payment to municipalities and not-for-
profit community providers for the
acquisition of property, design, con-
struction and rehabilitation of housing
for mentally ill persons. Of such appro-
priations, up to eighty percent shall be
matched on a 50/50 basis (50VY0507) ....... 75,000,000

DESIGN AND CONSTRUCTION SUPERVISION (CCP) ................. 10,000,000

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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, esti-
mates, services, construction management
and supervision, inspection, studies,
appraisals, surveys, testing and envi-
ronmental 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 devel-
velopmental 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 (50DC0530) .............. 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, esti-
mates, services, construction management
and supervision, inspection, studies,
appraisals, surveys, testing and envi-
ronmental impact statements for new and
existing projects. Upon request of the
commissioner of mental health and
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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 appropri-
ation may be transferred to the office
of mental retardation and developmental
disabilities and the office of alcohol-
ism 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

EXECUTIVE DIRECTION (CCP) .................................... 3,591,000

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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 institu-
tional 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 (50990550) ........................ 3,591,000

MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP) ... 162,710,000

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Capital Projects Fund
Health and Safety

For payment of the cost of construction,
reconstruction and improvements, includ-
ing 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 direc-
tor of the budget, this appropriation
may be transferred to the dormitory
authority of the state of New York
(50HS0501) ........................................... 4,000,000
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 (50PF0503) ................................ 12,960,000

Energy Conservation Purpose

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 (50050505) ......................... 4,600,000

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 (50EP0506) .......... 7,450,000

Minor Rehabilitation Purpose

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 (50380589) .......... 5,000,000

Mental Hygiene Capital Improvement Fund - 389

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.
DEPARTMENT OF MENTAL HYGIENE

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CAPITAL PROJECTS 2005-06

1 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

2 Accreditation Purpose

3 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

4 Preservation of Facilities Purpose

5 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

6 Environmental Protection or Improvements Purpose

7 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 (50060506) ......................... 500,000

8 Program Improvement or Program Change Purpose

9 For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to
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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 direc-
tor of the budget, this appropriation
may be transferred to the dormitory
authority of the state of New York
(50080508) ................................ 14,146,000

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
the non-bondable cost of projects for
community facilities authorized by
appropriations or reappropriations fund-
ed from the Mental Hygiene Capital
Improvement Fund including liabilities
incurred prior to April 1, 2005 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 appropri-
ation may be transferred to the dormito-
ry authority of the state of New York
(502905NB) ................................. 1,000,000
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COMMUNITY MENTAL HEALTH FACILITIES (CCP)

Capital Projects Fund

Facilities for the Physically Disabled Purpose

By chapter 54, section 1, of the laws of 1998:
State aid to municipalities and other public and not-for-profit private agencies for improvements to existing community health facilities. 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 percent of reasonable capital costs associated with making improvements to existing community mental health facilities in order to satisfy handicapped accessibility requirements (3/99) (50219804) ...

500,000 ............................................. (re. $157,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2000:
State aid for the construction and rehabilitation of article 28 hospitals for the provision of psychiatric services, including the construction of not less than 3 comprehensive psychiatric emergency programs pursuant to section 31.23 and article 41 of the Mental Hygiene Law and section 18 of chapter 723 of the laws of 1989. Notwithstanding the provisions of section 41.27 of such law and any other inconsistent provision of law, moneys hereby appropriated shall be available for state aid grants. Provided, however, that no funds shall be granted pursuant to this section, unless a certificate of need has been issued by the office of mental health. This appropriation represents the total estimated state share of the capital costs (50100007) ...

1,000,000 .................. (re. $932,000)

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 percent 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. $5,708,000)

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. $2,587,000)

Minor Rehabilitation Purpose

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 acquisi-
tion, rehabilitation, and/or improvements (50100489) ............... 6,000,000 ............................................... (re. $6,000,000)

By chapter 54, section 1, of the laws of 2003:
State aid to municipalities and other public and not-for-profit agen-
cies for acquisition, rehabilitation, and/or improvements to exist-
ing 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. $6,000,000)

By chapter 54, section 1, of the laws of 2002:
State aid to municipalities and other public and not-for-profit agen-
cies for acquisition, rehabilitation, and/or improvements to exist-
ing 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 (50100189) ............... 5,000,000 ............................................... (re. $2,112,000)

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2004:
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
(50230403) ... 5,000,000 ............................................... (re. $5,000,000)

By chapter 54, section 1, of the laws of 2003:
For the acquisition of property, construction and rehabilitation of
new facilities and/or relocation of existing community mental health
facilities under the auspice of municipalities and other public and
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not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230303) ... 5,000,000 .......................... (re. $2,680,000)

By chapter 54, section 1, of the laws of 2002:
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 (50230203) ... 5,000,000 .......................... (re. $3,571,000)

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. $5,000,000)

New Facilities Purpose

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. $65,000,000)

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. $32,912,000)

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. $8,320,000)

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. $3,887,000)

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. $8,137,000)

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 rehabili-
tation of community facilities (50159307) .........................
10,000,000 ........................................ (re. $2,834,000)

By chapter 54, section 1, of the laws of 1991, as amended by chapter 54,
section 1, of the laws of 1996:

For the acquisition of property, construction and rehabilitation of
community facilities under the auspice of municipalities and other
public and not-for-profit private agencies approved by the commis-
sioner of the office of mental health, pursuant to article 41 of the
mental hygiene law. 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 compt-
troller, and copies of the comprehensive plan and the certificate
filed with the chairman of the senate finance committee and the
chairman of the assembly ways and means committee (50099107) ....
24,000,000 ........................................ (re. $1,860,000)

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, pursu-
ant 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 availabili-
ty issued by the director of the budget with copies of the certif-
icate 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. $3,679,000)

By chapter 54, section 1, of the laws of 1990, as amended by chapter 54,
section 1, of the laws of 1996, for:

State aid to municipalities and other public and not-for-profit
private agencies for acquisition of property, design, construction
and rehabilitation of supported housing facilities for mentally ill
persons. Notwithstanding the provisions of section 41.27 of the
Mental Hygiene Law and any other inconsistent provision of law, the
moneys hereby appropriated shall be available for payment of state
aid grants for up to 100 per centum of the costs of those portions
of acquired, constructed or rehabilitated facilities intended to
house mentally ill persons. Notwithstanding any other provision of
law to the contrary, section 20 of chapter 58 of the laws of 1987,
as amended by section 9 of chapter 90 of the laws of 1989, is hereby
amended to provide that for purposes of this section a mental health
services facility shall also mean a building owned or leased by a
voluntary agency approved by the state department of mental hygiene,
all or a portion of which building contains one or more housing
units for supported housing as approved by the commissioner of the
office of mental health.
In addition, section 1 of chapter 359 of the laws of 1968 as amended
is hereby amended to provide that for purposes of this section a
mental hygiene facility shall also mean a building owned or leased
by a voluntary agency approved by the state department of mental
hygiene all or a portion of which building contains one or more
housing units for supported housing as approved by the commissioner
of the office of mental health.
No expenditure shall be made from this appropriation until a compre-
hensive plan for proposed projects and a certificate of approval of
availability have both been approved by the director of the budget
and 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 (50099007) ....................
14,750,000 ........................................ (re. $3,165,000)

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Preparation of Plans Purpose

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 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 (50DC0430) ..................
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 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
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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. $8,000,000)

By chapter 54, section 1, of the laws of 2003:
For payment to the design and construction management account of the
centralized services fund of the New York state office of general
services or to the dormitory authority of the state of New York for
the purpose of preparation and review of plans, specifications,
estimates, services, construction management and supervision,
inspection, studies, appraisals, surveys, testing and environmental
impact statements for new and existing projects. Upon request of the
commissioner of mental health and approval by the director of the
budget, this appropriation may be transferred to the dormitory
authority of the state of New York. Upon approval of the director of
the budget, funds from this appropriation may be transferred to the
office of mental retardation and developmental disabilities and the
office of alcoholism and substance abuse services for payment to the
dormitory authority of the state of New York for preparation of
plans purpose (50310330) ... 8,000,000 ............ (re. $300,000)

EXECUTIVE DIRECTION (CCP)

Mental Hygiene Capital Improvement Fund - 389
Administration Purpose

The appropriation made by chapter 54, section 1, of the laws of 2004, as
supplemented by a certificate of transfer, is hereby amended and
reappropriated to read:
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 reapp-
propriated 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) ............

[3,300,000] 3,591,000 ......................................... (re. $3,591,000)

By chapter 54, section 1, of the laws of 2003:
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 reapp-
propriated 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 (50990350) ............

3,300,000 ........................................................ (re. $1,074,000)

By chapter 54, section 1, of the laws of 2002:
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 reapp-
propriated 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 (50990250) ............
3,300,000 ........................................................ (re. $381,000)

MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP)

Capital Projects Fund

Health and Safety

By chapter 54, section 1, of the laws of 2004:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates, for health and safety improvements to existing facil-
ities 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 auth-
ority of the state of New York (50HS0401) ............
6,000,000 ........................................................ (re. $6,000,000)

By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates, for health and safety improvements to existing facili-
ties 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 au-
thority of the state of New York (50HS0301) ............
4,000,000 ........................................................ (re. $2,518,000)

Preservation of Facilities Purpose

The appropriation made by chapter 54, section 1, of the laws of 2004, as
supplemented by a certificate of transfer, is hereby amended and
reappropriated to read:
For payment of the cost of construction, reconstruction and improve-
ments, 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 (50PF0403) ..................................
[11,650,000] 11,660,000 ................................................ (re. $11,660,000)

By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates to existing facilities and programs, provided, howev-
er, that no expenditures may be made from this appropriation until a
comprehensive plan of projects has been approved by the director of
the budget (50PF0303) ... 11,650,000 ............... (re. $1,820,000)
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 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 (50050405) ... 4,800,000 ................. (re. $4,800,000)

By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for 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 (50050305) ... 4,800,000 ................. (re. $1,373,000)

By chapter 54, section 1, of the laws of 2002:
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 (50050205) ... 5,000,000 ................. (re. $1,028,000)

By chapter 54, section 1, of the laws of 2001:
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 (50050105) ... 5,657,000 ................. (re. $629,000)

By chapter 54, section 1, of the laws of 2000:
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 (50050006) ... 3,638,000 ................. (re. $5581,000)

By chapter 54, section 1, of the laws of 2004:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2004,
provided, however, that no expenditures may be made from this 
appropriation until a comprehensive plan of projects has been 
approved by the director of the budget (50380489) ............... 
5,000,000 ........................................ (re. $5,000,000) 

By chapter 54, section 1, of the laws of 2003:
For minor alterations and improvements to various facilities, includ- 
ing the payment of liabilities incurred prior to April 1, 2003, 
provided, however, that no expenditures may be made from this appro- 
priation until a comprehensive plan of projects has been approved by 
the director of the budget (50480389) .............................. 
5,000,000 ........................................... (re. $174,000) 

Mental Hygiene Capital Improvement Fund - 389  
Health and Safety Purpose  

By chapter 54, section 1, of the laws of 2004: 
For payment of the cost of construction, reconstruction and improve- 
ments, including the preparation of designs, plans, specifications 
and estimates, for health and safety improvements to existing facil- 
ities 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 


By chapter 54, section 1, of the laws of 2003: 
For payment of the cost of construction, reconstruction and improve- 
ments, including the preparation of designs, plans, specifications 
and estimates, for health and safety improvements to existing facil- 
ities 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 


By chapter 54, section 1, of the laws of 2002: 
For payment of the cost of construction, reconstruction and improve- 
ments, including the preparation of designs, plans, specifications 
and estimates, for health and safety improvements to existing facil- 
ities 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 


By chapter 54, section 1, of the laws of 2001: 
For payment of the cost of construction, reconstruction and improve- 
ments, including the preparation of designs, plans, specifications 
and estimates, for health and safety improvements to existing facil- 
ities 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
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1 commissioner of mental health and approval by the director of the
2 budget, this appropriation may be transferred to the dormitory
3 authority of the state of New York (50010101) ......................
4 9,474,000 .................................................... (re. $6,913,000)
5
6 By chapter 54, section 1, of the laws of 2000:
7 For payment of the cost of construction, reconstruction and improve-
8 ments, including the preparation of designs, plans, specifications
9 and estimates, for health and safety improvements to existing facil-
10 ities and programs, provided, however, that no expenditures may be
11 made from this appropriation until a comprehensive plan of projects
12 has been approved by the director of the budget. Upon request of the
13 commissioner of mental health and approval by the director of the
14 budget, this appropriation may be transferred to the dormitory
15 authority of the state of New York (50010001) ......................
16 26,432,000 ............................................ (re. $10,452,000)
17
18 By chapter 54, section 1, of the laws of 1999:
19 For payment of the cost of construction, reconstruction and improve-
20 ments, including the preparation of designs, plans, specifications
21 and estimates, for health and safety improvements to existing facil-
22 ities and programs, provided, however, that no expenditures may be
23 made from this appropriation until a comprehensive plan of projects
24 has been approved by the director of the budget. Upon request of the
25 commissioner of mental health and approval by the director of the
26 budget, this appropriation may be transferred to the dormitory
27 authority of the state of New York (50019901) ......................
28 19,973,000................................................ (re. $4,306,000)
29
30 By chapter 54, section 1, of the laws of 1998:
31 For payment of the cost of construction, reconstruction and improve-
32 ments, including the preparation of designs, plans, specifications
33 and estimates, for health and safety improvements to existing facil-
34 ities and programs, provided, however, that no expenditures may be
35 made from this appropriation until a comprehensive plan of projects
36 has been approved by the director of the budget. Upon request of the
37 commissioner of mental health and approval by the director of the
38 budget, this appropriation may be transferred to the dormitory
39 authority of the state of New York (3/99) (50019801) ............... 40
41 5,060,000 ................................................ (re. $1,510,000)
42
43 Accreditation Purpose
44
45 By chapter 54, section 1, of the laws of 2004:
46 For payment of the cost of land acquisition, construction, recon-
47 struction and improvements, including the preparation of designs,
48 plans, specifications and estimates related to accreditation
49 improvements to existing facilities and programs. Upon request of
50 the commissioner of mental health and approval by the director of
51 the budget, this appropriation may be transferred to the dormitory
52 authority of the state of New York (50060402) ......................
53 8,500,000 ................................................ (re. $8,500,000)
54
55 By chapter 54, section 1, of the laws of 2003:
56 For payment of the cost of land acquisition, construction, recon-
57 struction and improvements, including the preparation of designs,
58 plans, specifications and estimates related to accreditation
59 improvements to existing facilities and programs. Upon request of
By chapter 54, section 1, of the laws of 2002:
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 (50060202) ....................... 5,000,000 ............................................ (re. $3,817,000)

By chapter 54, section 1, of the laws of 1999:
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 (50069902) ...................... 1,738,000 ............................................ (re. $63,000)

By chapter 54, section 1, of the laws of 1998:
For payment of the cost of 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 (3/99) (50069802) ... 9,120,000 .......... (re. $1,214,000)

Preservation of Facilities Purpose

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. $29,350,000)

By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, and minor rehabilitation and improvements for the preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50030303) ... 21,700,000 .................... (re. $17,908,000)
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By chapter 54, section 1, of the laws of 2002:
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 (50030203) ... 35,677,000 ......................... (re. $7,243,000)

By chapter 54, section 1, of the laws of 2001:
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 (50030103) ... 37,933,000 ........................ (re. $13,265,000)

By chapter 54, section 1, of the laws of 2000:
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 (50030003) ... 20,645,000 ......................... (re. $1,947,000)

By chapter 54, section 1, of the laws of 1999:
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 (50039903) ... 14,325,000 ......................... (re. $3,294,000)

By chapter 54, section 1, of the laws of 1998:
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 (3/99) (50039803) ... 6,897,000 ......................... (re. $2,183,000)
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1 Energy Conservation Purpose

By chapter 54, section 1, of the laws of 1998:
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 (3/99) (50059805) ... 1,500,000 ............ (re. $725,000)

2 Environmental Protection or Improvements Purpose

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 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 (50060406) ...................... 500,000 ............................................. (re. $500,000)

By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for 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. $1,978,000)

By chapter 54, section 1, of the laws of 1999:
For payment of the cost of construction, reconstruction and improvements, including the preparation 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 (50069906) ...................... 558,000 ............................................. (re. $467,000)

By chapter 54, section 1, of the laws of 1998:
For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and the approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (3/99) (50069806) ............... 1,132,000 ........................................... (re. $467,000)

Program Improvement or Program Change Purpose

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 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 (50080408) ............
11,000,000 ............................................... (re. $11,000,000)

5

By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates related to improvements or changes to existing facili-
ties and programs, provided, however, that no expenditures may be
made from this appropriation until a comprehensive plan of projects
has been approved by the director of the budget. Upon request of the
commissioner of mental health and approval by the director of the
budget, this appropriation may be transferred to the dormitory
authority of the state of New York (50080308) ......................
18,000,000 ............................................... (re. $17,145,000)

17

By chapter 54, section 1, of the laws of 2002:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates related to improvements or changes to existing facili-
ties 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 (50080208) ......................
24,290,000 ............................................... (re. $15,149,000)

27

By chapter 54, section 1, of the laws of 2001:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates related to improvements or changes to existing facili-
ties 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 (50080108) ......................
25,001,000 ............................................... (re. $11,100,000)

39

By chapter 54, section 1, of the laws of 2000:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates related to improvements or changes to existing facili-
ties 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 (50080008) ......................
25,343,000 ............................................... (re. $6,803,000)

49

By chapter 54, section 1, of the laws of 1999:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates related to improvements or changes to existing facili-
ties 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 (50089908) .................... 10,766,000 ......................................................... (re. $4,084,000)

By chapter 54, section 1, of the laws of 1998:
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 (3/99) (50089908) ............... 17,799,000 ........................................ (re. $5,008,000)

Minor Rehabilitation Purpose

By chapter 54, section 1, of the laws of 1999:
For minor alterations and improvements to existing facilities, including the payment of liabilities incurred prior to April 1, 1999, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. 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 (50MR9989) ... 1,767,000 .......... (re. $620,000)

By chapter 54, section 1, of the laws of 1998, as amended by chapter 54, section 1, of the laws of 2004:
For minor alterations and improvements to existing facilities, including the payment of liabilities incurred prior to April 1, 1998, 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 (3/99) (50MR9889) ............... 9,992,000 ........................................... (re. $3,252,000)

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. $8,000,000)
By chapter 1, section 8, of the laws of 1965, as amended by chapter 54, section 3, of the laws of 1989, 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 or the facilities development corporation 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 (00638103) ... 4,000,000 .... (re. $3,325,000)
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES  2005-06

For payment according to the following schedule:

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>State Operations</th>
<th>Aid to Localities</th>
<th>Capital Projects</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund - State and Local</td>
<td>507,221,000</td>
<td>409,689,000</td>
<td>0</td>
<td>916,910,000</td>
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<tr>
<td>Special Revenue Funds - Federal</td>
<td>230,000</td>
<td>0</td>
<td>230,000</td>
<td>230,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other</td>
<td>1,212,695,000</td>
<td>0</td>
<td>0</td>
<td>2,059,344,000</td>
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<tr>
<td>Capital Projects Funds</td>
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<td>0</td>
<td>136,280,000</td>
<td>136,280,000</td>
</tr>
<tr>
<td>Enterprise Funds</td>
<td>2,374,000</td>
<td>0</td>
<td>0</td>
<td>2,374,000</td>
</tr>
<tr>
<td>Internal Service Funds</td>
<td>150,000</td>
<td>0</td>
<td>0</td>
<td>150,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>1,356,624,000</td>
<td>1,622,384,000</td>
<td>136,280,000</td>
<td>3,115,288,000</td>
</tr>
</tbody>
</table>

SCHEDULE

CENTRAL COORDINATION AND SUPPORT PROGRAM .................... 67,882,000

General Fund / State Operations
State Purposes Account - 003
Personal service ........................................... 48,732,000
Nonpersonal service ........................................ 18,770,000
Program account subtotal ............................. 67,502,000

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290
Maintenance undistributed
For services and expenses related to the administration of the federal senior companions program .................. 230,000
Program fund subtotal .................................. 230,000

Internal Service Fund / State Operations
Miscellaneous Internal Service Fund - 334
OMRDD Copy Center Account
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2005-06

1 Maintenance undistributed
2 For services and expenses associated with
3 the office of mental retardation and
4 developmental disabilities copy center ... 150,000
5 -----------------
6 Program account subtotal ............... 150,000
7 -----------------
8
9 COMMUNITY SERVICES PROGRAM ........................................ 2,442,973,000
10 -----------------
11
12 General Fund / State Operations
13 State Purposes Account - 003
14
15 Personal service
16 Notwithstanding any inconsistent provision
17 of law, the amount hereby appropriated
18 shall be available for the designated
19 purposes, less the amount, as certified by
20 the director of the budget, of any trans-
21 fers from the general fund to the tobacco
22 control and insurance initiatives pool
23 established pursuant to section 2807-v of
24 the public health law, to reflect the
25 state savings attributable to this program
26 resulting from an increase in the federal
27 medical assistance percentage available to
28 the state pursuant to the applicable
29 provisions of the federal social security
30 act ...................................... 702,401,000
31
32 Nonpersonal service, including moneys for
33 the community services program, net of
34 refunds, rebates, reimbursements and cred-
35 its ...................................... 109,884,000
36
37 Maintenance undistributed
38 For expenses related to the payment of a
39 provider of services assessment for the
40 period April 1, 2005 through March 31,
41 2006 pursuant to section 43.04 of the
42 mental hygiene law ....................... 8,304,000
43 -----------------
44 Program account subtotal ............... 820,589,000
45 -----------------
46
47 General Fund / Aid to Localities
48 Local Assistance Account - 001
49
50 For services and expenses of the community
51 services program, net of disallowances,
52 for community mental retardation and
53 developmental disabilities programs pursu-
54 ant to article 41 of the mental hygiene
55 law, and/or chapter 620 of the laws of
56 1974, chapter 660 of the laws of 1977,
57 chapter 412 of the laws of 1981, chapter
58 27 of the laws of 1987, chapter 729 of the
59 laws of 1989, chapter 329 of the laws of
60 1993 and other provisions of the mental
61 hygiene law.
Notwithstanding any other provision of law, advances and reimbursement made pursuant to subdivision (d) of section 41.15 and section 41.18 of the mental hygiene law shall be apportioned 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, 2005, April 1, 2005 or July 1, 2005, and for advances for the 3 month period beginning January 1, 2006.

Notwithstanding the provisions of article 41 of the mental hygiene law or any other inconsistent provision of law, rule or regulation, the commissioner, with the approval of the director of the budget, may contract with voluntary agencies that are receiving, or are eligible to receive, state aid directly or through written agreements with local governments pursuant to article 41 of the mental hygiene law. The commissioner, pursuant to such contract and in the manner provided therein, may pay all or a portion of the expenses incurred by such voluntary agencies arising out of loans which are funded from the proceeds of bonds and notes issued by the dormitory authority of the state of New York. Such expenses may include, but shall not be limited to, amounts relating to principal and interest and any other fees and charges arising from such loans.

Notwithstanding any inconsistent provision of law, reimbursement from this appropriation for services delivered under the medical assistance program shall be pursuant to economic and efficient rates of payments, which recognize consumer choice, established by the commissioner, and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.

Notwithstanding any other provision of law, a portion of the amount hereby appropriated may be made available to reimburse local governments for any medicaid costs
incurred during the period April 1, 2005 to December 31, 2005 that are the direct result of the conversion of community-based mental retardation and developmental disability programs operated by voluntary non-profit agencies during the same period.

Notwithstanding any inconsistent provision of law, the amount hereby appropriated shall be available for the designated purposes, less the amount, as certified by the director of the budget, of any transfers from the general fund to the tobacco control and insurance initiatives pool established pursuant to section 2807-v of the public health law, to reflect the state savings attributable to this program resulting from an increase in the federal medical assistance percentage available to the state pursuant to the applicable provisions of the federal social security act.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net deficit costs of day training programs.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for expenses incurred by the office of mental retardation and developmental disabilities that may arise from the assumption of operational responsibility for programs when operating certificates for such programs cease to be in effect.

Notwithstanding any inconsistent provision of law, and pursuant to criteria established by the commissioner of the office of mental retardation and developmental disabilities and approved by the director of the budget, expenditures may be made from this appropriation for residential facilities which are pending recertification as intermediate care facilities for the developmentally disabled.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net operating costs related to the provision of family support services, including up to $225,000 for services to persons with epilepsy. Notwithstanding any inconsistent provision of law, up to $315,000 shall be made available to the epilepsy coalition of New York state.

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 voluntar-
y-operated community residences and volun-
tary-operated community residential alter-
natives, 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 resi-
dences 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-pro-
fit agencies, moneys from this appropri-
ation 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 subdivi-
sion 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 certi-
fied 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 includ-
ing, but not limited to, direct housing
subsidies to individuals, start-up
expenses for family care providers, envi-
ronmental modifications, adaptive technol-
ogies, appraisals, property options,
feasibility studies and preoperational
expenses.
Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for the operation of clinics licensed pursuant to article 16 of the mental hygiene law and operated by voluntary non-profit providers, for appropriate clinical services including, but not limited to, supportive and habilitative services consistent with the home and community based services waiver.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used to provide access to existing, out-of-home, site-based respite and recreation services to children served by the NYC administration for children's services and residing in either a foster family boarding home where up to six children reside or a kinship foster home where individuals reside with relatives in a foster family care setting.

Notwithstanding any inconsistent provision of law, the following appropriation amount shall be net of refunds, rebates, reimbursements, and credits .............. 1,293,960,000

For services and expenses associated with the NYS-CARES initiative related to the operation of certified and non-certified voluntary operated community residential program alternatives including family care and community day program alternatives consistent with economic and efficient rates of payment and amounts, which recognize consumer choice, established by the commissioner, and approved by the director of the budget. Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for appropriate day program services and residential services including, but not limited to, start up expenses, environmental modifications, adaptive technologies, appraisals, property options, feasibility studies and preoperational expenses. 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 ....................... 215,729,000

Total amount available ......................... 1,509,689,000

Less amount appropriated as an offset in the special revenue funds - other, miscellaneous special revenue fund - 339, mental hygiene patient income account .............. (1,100,000,000)

Program account subtotal ....................... 409,689,000
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES  2005-06

1 Special Revenue Funds - Other / Aid to Localities
2 Combined Nonexpendable Trust Fund - 332
3 VOICF/HCBS Advance Account

4 For the provision of temporary loans to
5 voluntary providers to address short term
6 delays in medical assistance reimbursement
7 within the first 12 months of operation,
8 provided, however, no payments shall be
9 made from this appropriation until a writ-
10 ten repayment agreement is entered into
11 between the office of mental retardation
12 and developmental disabilities and the
13 appropriate provider agency, subject to
14 the approval of the director of the budg-
15 et. Each and every such repayment agree-
16 ment shall include a repayment schedule
17 which states the date or dates on which
18 the amount of each part or all of the
19 expenditures from this appropriation shall
20 be repaid to the state and shall contain
21 such other terms and conditions as deter-
22 mined by the director of the budget ......  3,000,000

23 Program account subtotal ............... 3,000,000

24 --------------

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

28 Amount appropriated as an offset to the
29 general fund - local assistance account .. 1,100,000,000

30 Program account subtotal ............... 1,100,000,000

31 --------------

32 Special Revenue Funds - Other / Aid to Localities
33 Miscellaneous Special Revenue Fund - 339
34 OMRDD Joint Clinic Operating Account

35 For services and expenses of operating clin-
36 ic treatment facilities serving persons
37 with developmental disabilities ............ 29,474,000

38 Program account subtotal ............... 29,474,000

39 --------------

40 Special Revenue Funds - Other / Aid to Localities
41 Miscellaneous Special Revenue Fund - 339
42 OMRDD - Provider of Service Account

43 For services and expenses related to mental
44 retardation and developmental disabilities
45 services associated with the New York
46 state options for people through services
47 (NYS-OPTS) initiative, in accordance with
48 a programmatic and fiscal plan to be
49 approved by the director of the budget.
50 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 herefore accrued or hereafter to accrue ....... 80,221,000  

Program account subtotal .................. 80,221,000  

INSTITUTIONAL SERVICES PROGRAM ................. 451,796,000  

General Fund / State Operations  
State Purposes Account - 003  

Personal service ......................... 263,114,000  
Nonpersonal service .................... 71,062,000  

Maintenance undistributed  
For expenses related to the payment of a provider of services assessment for the period April 1, 2005 through March 31, 2006 pursuant to section 43.04 of the mental hygiene law .................. 114,742,000  

Program account subtotal .................. 448,918,000  

Special Revenue Funds - Other / State Operations  
Mental Hygiene Gifts and Donations Fund - 019  
Office of Mental Retardation and Developmental Disabilities Gifts and Donations Account  

For expenditures on behalf of residents from donated funds:  
Nonpersonal service ....................... 500,000  

Program account subtotal .................. 500,000  

Special Revenue Funds - Other / State Operations  
Combined Nonexpendable Trust Fund - 332  
OMRDD Nonexpendable Trust Account  

For expenditures on behalf of residents from donated funds:  
Nonpersonal service ....................... 4,000  

Program account subtotal .................. 4,000
<table>
<thead>
<tr>
<th>Account Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enterprise Funds / State Operations</td>
<td></td>
</tr>
<tr>
<td>Mental Retardation Sheltered Workshop Account - 352</td>
<td></td>
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<tr>
<td>Sheltered Workshop Fund OMRDD Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses including residents' salaries, supplies and materials of</td>
<td></td>
</tr>
<tr>
<td>sheltered workshops and vocational rehabilitation work activities:</td>
<td></td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>1,400,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>1,400,000</td>
</tr>
<tr>
<td>Enterprise Funds / State Operations</td>
<td></td>
</tr>
<tr>
<td>Mental Hygiene Community Stores Account - 353</td>
<td></td>
</tr>
<tr>
<td>MR Community Stores Fund Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses including supervision and administration of community</td>
<td></td>
</tr>
<tr>
<td>stores located at various developmental centers:</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>282,000</td>
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<tr>
<td>Nonpersonal service</td>
<td>592,000</td>
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<td>Fringe benefits</td>
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<td>Indirect costs</td>
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<td>Program account subtotal</td>
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<td>MAINTENANCE UNDISTRIBUTED</td>
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<tr>
<td>General Fund / State Operations</td>
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</tr>
<tr>
<td>State Purposes Account - 003</td>
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</tr>
<tr>
<td>Less amount appropriated as an offset in special revenue funds - other, miscellaneous special revenue fund - 339, mental hygiene patient income account. Notwithstanding any contrary provision of law, this offset shall reduce general fund appropriations within the various programs of the office of mental retardation and developmental disabilities funded from the state purposes account</td>
<td>(846,095,000)</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>(846,095,000)</td>
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<tr>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Mental Hygiene Patient Income Account</td>
<td></td>
</tr>
<tr>
<td>Amount appropriated as an offset to the general fund - state purposes account within various office of mental retardation and developmental disabilities programs. The director of the budget is</td>
<td></td>
</tr>
</tbody>
</table>
hereby authorized to apportion funds to the various programs of this agency from this appropriation by certificate of approval ................................. 846,095,000

Program account subtotal ............... 846,095,000

RESEARCH IN MENTAL RETARDATION PROGRAM ............... 16,357,000

General Fund / State Operations
State Purposes Account - 003

Personal service ......................... 14,391,000
Nonpersonal service ...................... 1,916,000

Program account subtotal ............... 16,307,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Research in Mental Retardation Account

Amount available on behalf of clients for genetic counseling and research from external grants and contributions:

Nonpersonal service ...................... 50,000

Program account subtotal ............... 50,000

Total new appropriations for state operations and aid to localities .......................... 2,979,008,000
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS  2005-06

CENTRAL COORDINATION AND SUPPORT PROGRAM

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

By chapter 54, section 1, of the laws of 2004:
Maintenance undistributed
For services and expenses related to the administration of the federal
senior companions program ... 230,000 ..................... (re. $230,000)

COMMUNITY SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 1997, as amended by chapter 55,
section 1, of the laws of 1998:
For services and expenses related to start-up and operation for a
group home to serve medically frail children ....................... 500,000 .............................................. (re. $45,000)

Total reappropriations for state operations and aid to
localities ........................................... 275,000

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

Capital Projects Fund ....................................... 56,257,000
Mental Hygiene Capital Improvement Fund - 389 ............... 80,023,000

All Funds ............................................................... 136,280,000

DESIGN AND CONSTRUCTION SUPERVISION (CCP) ...................... 5,000,000

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 (51F20530) ......................... 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
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
CAPITAL PROJECTS 2005-06

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 (51F10530) ......................... 3,000,000

INSTITUTIONAL SERVICES PROGRAM (CCP) ......................... 82,890,000

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 (51H10501) ......................... 7,350,000

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 (51P10503) ......................... 6,200,000

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20503) ......................... 2,469,000
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 (51H30501) ......................... 26,871,000

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 (51BF0501) ......................... 40,000,000

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, 2005 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 (51FL05NB) ................. 1,000,000
STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP) ............. 21,438,000

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 (51A105C1) ....................... 2,398,000

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 (51M10503) ....................... 10,540,000

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 (51L10507) ....................... 3,500,000

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 appro-
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS  2005-06

1 appropriation may be transferred to the
2 dormitory authority of the state of New
3 York (51PR0503) ............................ 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 commis-
sioner of the office of mental retarda-
tion 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 commis-
sioner of the office of mental retarda-
tion and developmental disabilities, and
approval by the director of the budget,
this appropriation may be used for the
acquisition and alterations and improve-
ments of property to be used as not-for-
profit facilities licensed pursuant to
articles 16 and 41 of the mental hygiene
law (51R10507) ............................. 4,000,000

VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP) ............... 25,952,000

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, 2005, 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 commu-
nity residential and day service
programs (51200503) .......................... 17,218,000

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, 2005 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 appur-
tenant 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 (51B10507) ........... 3,582,000

Mental Hygiene Capital Improvement Fund - 389

Community Facilities Purpose

For the comprehensive construction programs, purposes and projects as here-in 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 auspices 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 (513205H2) ........................................ 5,152,000
By chapter 54, section 1, of the laws of 2004:
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 (51H10401) .......
7,028,000 ......................................... (re. $6,491,000)

By chapter 54, section 1, of the laws of 2003:
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 (51H10301) .......
6,850,000 ......................................... (re. $4,500,000)

By chapter 54, section 1, of the laws of 2002:
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 (51H10201) .......
6,000,000 ......................................... (re. $3,445,000)

Preservation of Facilities Purpose

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. $8,170,000)

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. $2,600,000)

By chapter 54, section 1, of the laws of 2003:
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 (51P10303) ... 8,000,000 ....................... (re. $7,264,000)
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

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 appro-
priation may be transferred to the dormitory authority of the state
of New York (51M20303) ... 2,600,000 .............. (re. $2,400,000)

By chapter 54, section 1, of the laws of 2002:
For alterations and improvements for preservation of various facili-
ties 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
(51P10203) ... 9,050,000 ....................... (re. $3,561,000)
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 appro-
priation may be transferred to the dormitory authority of the state
of New York (51M20203) ... 1,600,000 .............. (re. $1,300,000)

By chapter 54, section 1, of the laws of 2001:
For alterations and improvements for preservation of various facili-
ties 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
(51P10103) ... 7,950,000 ....................... (re. $3,393,000)
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 appro-
priation may be transferred to the dormitory authority of the state
of New York (51M20103) ... 1,300,000 .............. (re. $880,000)

By chapter 54, section 1, of the laws of 2000:
For alterations and improvements for preservation of various facili-
ties 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
(51P10003) ... 6,000,000 ....................... (re. $1,175,000)
For alterations and improvements associated with the alternate use 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
(51DC0003) ... 4,775,000 ....................... (re. $3,530,000)
For services and expenses relating to feasibility studies and/or
design of projects associated with the alternate use of former
developmental centers. Upon request of the commissioner of the
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

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 (51DP0003) ... 670,000 ......................... (re. $300,000)

Mental Hygiene Capital Improvement Fund - 389

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. $26,270,000)

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. $25,980,000)

By chapter 54, section 1, of the laws of 2002:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30201) ............ 48,612,000 ......................... (re. $44,210,000)

By chapter 54, section 1, of the laws of 2001:
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 (51H30101) ............ 8,100,000 ......................... (re. $6,140,000)

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. $7,000,000)
By chapter 54, section 1, of the laws of 2000:
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 (51H30001) .................. 9,450,000 ........................................ (re. $1,260,000)

By chapter 54, section 1, of the laws of 1999:
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 (51H39901) ............ 16,700,000 ........................................ (re. $8,160,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2000:
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 (51M30003) ... 2,000,000 ................ (re. $650,000)

By chapter 54, section 1, of the laws of 1999:
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 (51M39903) ... 1,286,000 ................ (re. $270,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 1998:
For alterations and improvements of property to be used as state operated secure care treatment 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 (51VP9807) ... 6,500,000 ........... (re. $6,500,000)

NON-BONDABLE PROJECTS (CCP)

Capital Projects Fund

Non-Bondable Purpose

By chapter 54, section 1, of the laws of 2004:
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
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

Improvement Fund including liabilities incurred prior to April 1, 2004 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 (51FL04NB) ... 1,000,000 ......................... (re. $1,000,000)

STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2004:
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 (51M10403) ... 10,450,000 ......................... (re. $8,000,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2004:
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 (51L10407) ........ 1,250,000 ........................................... (re. $1,250,000)

By chapter 54, section 1, of the laws of 2003:
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 (51L10307) ........ 1,250,000 ........................................... (re. $1,150,000)

By chapter 54, section 1, of the laws of 2002:
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 (51L10207) ........ 1,400,000 .................................................. (re. $360,000)

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2004:
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
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

By chapter 54, section 1, of the laws of 2003:
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 (51PR0403) ... 1,000,000 ...................... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2004:
For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10407) ...........
4,000,000 ........................................ (re. $4,000,000)

By chapter 54, section 1, of the laws of 2003:
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 (51R10307) ............
10,000,000 ........................................ (re. $6,630,000)
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
CAPITAL PROJECTS - REAPPROPRIATIONS 2005-06

1 By chapter 54, section 1, of the laws of 2000:
2 For the acquisition and alterations and improvements of property to be
3 used as state-operated community residential facilities. Upon
4 request of the commissioner of the office of mental retardation and
5 developmental disabilities and approval by the director of the budg-
6 et, this appropriation may be transferred to the dormitory authority
7 of the state of New York. Upon request of the commissioner of the
8 office of mental retardation and developmental disabilities, and
9 approval by the director of the budget, this appropriation may be
10 used for the acquisition and alterations and improvements of proper-
11 ty to be used as not-for-profit facilities licensed pursuant to
12 articles 16 and 41 of the mental hygiene law (51R10007) .......... 13
14 2,500,000 ........................................... (re. $300,000)

15 By chapter 54, section 1, of the laws of 1999:
16 For the acquisition, design and construction of 100 state-operated New
17 York State Cares beds. Upon request of the commissioner of the
18 office of mental retardation and developmental disabilities and
19 approval by the director of the budget, this appropriation may be
20 transferred to the dormitory authority of the state of New York
21 (51R29907) ... 5,000,000 .......................... (re. $1,370,000)

22 By chapter 54, section 1, of the laws of 1998:
23 For the acquisition and alterations and improvements of property to be
24 used as state-operated community residential facilities. Upon
25 request of the commissioner of the office of mental retardation and
26 developmental disabilities and approval by the director of the budg-
27 et, this appropriation may be transferred to the dormitory authority
28 of the state of New York. Upon request of the commissioner of the
29 office of mental retardation and developmental disabilities, and
30 approval by the director of the budget, this appropriation may be
31 used for the acquisition and alterations and improvements of proper-
32 ty to be used as not-for-profit facilities licensed pursuant to
33 articles 16 and 41 of the mental hygiene law (51R19807) .......... 34
35 7,400,000 ........................................... (re. $490,000)

36 VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP)
37 Capital Projects Fund
38 New Facilities Purpose
39
40 By chapter 54, section 1, of the laws of 2004:
41 For state aid, to municipalities and other public and not-for-profit
42 agencies, including the payment of liabilities incurred prior to
43 April 1, 2004 for up to 100 per centum of the net cost of feasibil-
44 ity studies, property options, capital renovations, acquisition of
45 property, construction, rehabilitation and capital costs incidental
46 and appurtenant to facilities required to be licensed pursuant to
47 article 16, as defined in the mental hygiene law, and for services
48 and expenses related to environmental modifications and adaptive
49 technology services at voluntary not-for-profit provider operated
50 community residential facilities, certified family care homes and
51 private residences, as a loan and/or grant to family care providers,
52 for payment to other state and federal housing agencies, private
53 corporations and for capital development of residential housing or
54 day program alternatives not currently defined in the mental hygiene
55 law (51B10407) ... 3,478,000 .......................... (re. $3,478,000)
By chapter 54, section 1, of the laws of 2004:
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 (513204H2) ................ $5,002,000 ................................. (re. $5,002,000)

By chapter 54, section 1, of the laws of 2003:
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 (513203H2) ................ $6,926,000 ......................................... (re. $6,920,000)

By chapter 54, section 1, of the laws of 2002:
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 (513202H2) ................ $8,111,000 ............................................ (re. $5,500,000)
For payment according to the following schedule:

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Appropriations</th>
<th>Reappropriations</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund - State and Local</td>
<td>4,305,000</td>
<td>0</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal</td>
<td>7,249,000</td>
<td>13,937,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other</td>
<td>4,269,000</td>
<td>0</td>
</tr>
<tr>
<td>Enterprise Funds</td>
<td>45,000</td>
<td>0</td>
</tr>
<tr>
<td><strong>All Funds</strong></td>
<td><strong>15,868,000</strong></td>
<td><strong>13,937,000</strong></td>
</tr>
</tbody>
</table>

**AGENCY BUDGET SUMMARY OF NEW APPROPRIATIONS**

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>State Purposes</th>
<th>Aid to Operations</th>
<th>Capital Projects</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>GF-St/Local</td>
<td>4,012,000</td>
<td>293,000</td>
<td>0</td>
<td>4,305,000</td>
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<tr>
<td>SR-Federal</td>
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<td>0</td>
<td>7,249,000</td>
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<tr>
<td>SR-Other</td>
<td>3,851,000</td>
<td>418,000</td>
<td>0</td>
<td>4,269,000</td>
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<tr>
<td>Enterprise</td>
<td>45,000</td>
<td>0</td>
<td>0</td>
<td>45,000</td>
</tr>
<tr>
<td><strong>All Funds</strong></td>
<td><strong>15,157,000</strong></td>
<td><strong>711,000</strong></td>
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<td><strong>15,868,000</strong></td>
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**SCHEDULE**

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Total</th>
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<tbody>
<tr>
<td>General Fund / State Operations</td>
<td>8,668,000</td>
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<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program account subtotal</td>
<td>4,012,000</td>
</tr>
</tbody>
</table>

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 for the mentally disabled:

For the grant period October 1, 2004 to September 30, 2006 ....................... 300,000

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program fund subtotal</td>
<td>300,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td>Federal Health and Human Services Fund - 265</td>
</tr>
</tbody>
</table>

For the grant period October 1, 2004 to September 30, 2006 ....................... 300,000

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program fund subtotal</td>
<td>300,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td>Federal Department of Education Fund - 267</td>
</tr>
</tbody>
</table>

1031-OT-Education Account
COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES  2005-06

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:

For the grant period October 1, 2004 to September 30, 2005 ........................................... 230,000
For the grant period October 1, 2005 to September 30, 2006 ........................................... 230,000
Program account subtotal ........................................... 460,000

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 ........................................... 193,000
Program account subtotal ........................................... 193,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Conference Fee Account
Nonpersonal service ........................................... 125,000
Program account subtotal ........................................... 125,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Federal Salary Sharing Account
Personal service ........................................... 2,074,000
Nonpersonal service ........................................... 300,000
Fringe benefits ........................................... 896,000
Indirect costs ........................................... 63,000
Program account subtotal ........................................... 3,333,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Telework Account
For administrative expenses related to the federal access for telework program that are incurred either by the agency or through contract with a community based organization as specified in the grant award ........................................... 200,000
Program account subtotal ........................................... 200,000
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enterprise Funds / State Operations</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Enterprise Fund - 331</td>
<td></td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>20,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>20,000</td>
</tr>
<tr>
<td>Enterprise Funds / State Operations</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Enterprise Fund - 331</td>
<td></td>
</tr>
<tr>
<td>TRAID Services Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to TRAID project activities including the</td>
<td></td>
</tr>
<tr>
<td>provision of educational, outreach, training and support services:</td>
<td></td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>25,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>25,000</td>
</tr>
<tr>
<td>ADULT HOMES PROGRAM</td>
<td>170,000</td>
</tr>
<tr>
<td>General Fund / Aid to Localities</td>
<td></td>
</tr>
<tr>
<td>Local Assistance Account - 001</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to the adult homes advocacy program</td>
<td>170,000</td>
</tr>
<tr>
<td>CLIENT ASSISTANCE PROGRAM</td>
<td>745,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Department of Education Fund - 267</td>
<td></td>
</tr>
<tr>
<td>For the grant period October 1, 2004 to September 30, 2005:</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>65,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>29,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>30,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>1,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>125,000</td>
</tr>
<tr>
<td>For the grant period October 1, 2005 to September 30, 2006:</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>65,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>524,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>30,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>1,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>620,000</td>
</tr>
</tbody>
</table>
### Protection and Advocacy for Assistive Technology Program

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Department of Education Fund - 267</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements. A portion of the funds hereby appropriated may, subject to the availability of federal funds, be suballocated to the office of advocate for persons with disabilities for the provision of assistive technology education and outreach services, pursuant to memorandum of agreement between the commission on quality of care for the mentally disabled and the office of advocate for persons with disabilities:</td>
<td>252,000</td>
</tr>
<tr>
<td>For the grant period April 1, 2005 to March 31, 2006</td>
<td>252,000</td>
</tr>
</tbody>
</table>

### Protection and Advocacy for Beneficiaries of Social Security Program

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Operating Grants Fund - 290</td>
<td></td>
</tr>
<tr>
<td>For the grant period October 1, 2004 to November 30, 2005:</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>30,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>14,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>44,000</td>
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<tr>
<td>For the grant period December 1, 2005 to November 30, 2006:</td>
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</tr>
<tr>
<td>Personal service</td>
<td>30,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>237,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>14,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>1,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>282,000</td>
</tr>
</tbody>
</table>

### Protection and Advocacy for Developmentally Disabled Program

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Health and Human Services Fund - 265</td>
<td></td>
</tr>
<tr>
<td>For the grant period October 1, 2004 to September 30, 2005:</td>
<td></td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>208,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>263,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>94,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>3,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>568,000</td>
</tr>
</tbody>
</table>

For the grant period October 1, 2005 to September 30, 2006:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>208,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>1,276,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>94,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>3,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>1,581,000</td>
</tr>
</tbody>
</table>

PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS PROGRAM

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Health and Human Services Fund - 265</td>
<td></td>
</tr>
</tbody>
</table>

For the grant period October 1, 2004 to September 30, 2005:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>303,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>131,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>138,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>4,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>576,000</td>
</tr>
</tbody>
</table>

For the grant period October 1, 2005 to September 30, 2006:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>303,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>681,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>138,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>4,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>1,126,000</td>
</tr>
</tbody>
</table>

PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Health and Human Services Fund - 265</td>
<td></td>
</tr>
</tbody>
</table>

For the grant period September 1, 2005 to August 31, 2006:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonpersonal service</td>
<td>90,000</td>
</tr>
</tbody>
</table>

---
<table>
<thead>
<tr>
<th>Program Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM</td>
<td>$200,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Health and Human Services Fund - 265</td>
<td></td>
</tr>
<tr>
<td>For the grant period October 1, 2004 to September 30, 2006:</td>
<td></td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>$200,000</td>
</tr>
<tr>
<td>PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM</td>
<td>$1,025,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal / State Operations</td>
<td></td>
</tr>
<tr>
<td>Federal Department of Education Fund - 267</td>
<td></td>
</tr>
<tr>
<td>For the grant period October 1, 2004 to September 30, 2005:</td>
<td></td>
</tr>
<tr>
<td>Personal service</td>
<td>$75,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>$123,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>$34,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>$1,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>$233,000</td>
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<tr>
<td>For the grant period October 1, 2005 to September 30, 2006:</td>
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</tr>
<tr>
<td>Personal service</td>
<td>$75,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>$682,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>$34,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>$1,000</td>
</tr>
<tr>
<td>Grant period total</td>
<td>$792,000</td>
</tr>
<tr>
<td>SURROGATE DECISION-MAKING COMMITTEE PROGRAM</td>
<td>$541,000</td>
</tr>
<tr>
<td>General Fund / Aid to Localities</td>
<td></td>
</tr>
<tr>
<td>Local Assistance Account - 001</td>
<td></td>
</tr>
<tr>
<td>For surrogate decision-making committee program contracts with local service</td>
<td></td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>$123,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other / Aid to Localities</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Federal Salary Sharing Account</td>
<td></td>
</tr>
<tr>
<td>For surrogate decision-making committee program contracts with local service</td>
<td></td>
</tr>
<tr>
<td>Program contracts with local service providers</td>
<td>$418,000</td>
</tr>
</tbody>
</table>
Program account subtotal ............... 418,000

Total new appropriations for state operations and aid to localities ................................. 15,868,000
COMMISSION ON QUALITY OF CARE AND ADVOCACY
FOR [THE MENTALLY DISABLED] PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

ADMINISTRATION PROGRAM

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

By chapter 54, section 1, of the laws of 2004:
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 for the mentally disabled:
For the grant period October 1, 2003 to September 30, 2005 .......................... (re. $300,000)

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267
1031-OT-Education Account

The appropriation made by chapter 54, section 1, of the laws of 2004, to the office of advocate for persons with disabilities is hereby transferred to the commission on quality of care and advocacy for persons with disabilities:
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:
For the grant period October 1, 2003 to September 30, 2004 .......................... (re. $230,000)
For the grant period October 1, 2004 to September 30, 2005 .......................... (re. $230,000)

The appropriation made by chapter 54, section 1, of the laws of 2003, to the office of advocate for persons with disabilities is hereby transferred to the commission on quality of care and advocacy for persons with disabilities:
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:
For the grant period October 1, 2002 to September 30, 2003 .......................... (re. $71,000)
For the grant period October 1, 2003 to September 30, 2004 .......................... (re. $139,000)

The appropriation made by chapter 54, section 1, of the laws of 2002, to the office of advocate for persons with disabilities is hereby transferred to the commission on quality of care and advocacy for persons with disabilities:
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:
For the grant period October 1, 2001 to September 30, 2002 .......................... (re. $71,000)
COMMISSION ON QUALITY OF CARE AND ADVOCACY
FOR [THE MENTALLY DISABLED] PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

For the grant period October 1, 2002 to September 30, 2003 .......... 230,000 .............................................. (re. $14,000)

Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267
Telework Account

The appropriation made by chapter 54, section 1, of the laws of 2004, to
the office of advocate for persons with disabilities is hereby
transferred to the commission on quality of care and advocacy for
persons with disabilities:

For services and expenses related to the federal access for telework
program:

For the grant period October 1, 2003 to September 30, 2004 ...........
2,600,000 ............................................. (re. $2,600,000)

CLIENT ASSISTANCE PROGRAM

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

By chapter 54, section 1, of the laws of 2004:

For the grant period October 1, 2003 to September 30, 2004: ... ....
399,000 .................................................. (re. $381,000)
For the grant period October 1, 2004 to September 30, 2005: ... ....
601,000 .................................................. (re. $601,000)

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

For the grant period October 1, 2002 to September 30, 2003: ... ....
436,000 .................................................. (re. $118,000)
For the grant period October 1, 2003 to September 30, 2004: ... ....
291,000 .................................................. (re. $134,000)

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 2004:

For services and expenses related to assisting individuals with
obtaining assistive technology services and devices consistent with
federal grant requirements. A portion of the funds hereby appropri-
ated may, subject to the availability of federal funds, be suballoca-
ted to the office of advocate for persons with disabilities for
the provision of assistive technology education and outreach ser-
dvices, pursuant to memorandum of agreement between the commission on
quality of care for the mentally disabled and the office of advocate
for persons with disabilities:

For the grant period April 1, 2004 to March 31, 2005 .................
259,000 .................................................. (re. $238,000)

[TECHNOLOGY RELATED PROTECTION AND ADVOCACY PROGRAM

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

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

For the grant period October 1, 2002 to September 30, 2003:
Nonpersonal service ... 45,000 .................................. (re. $45,000)
COMMISSION ON QUALITY OF CARE AND ADVOCACY
FOR [THE MENTALLY DISABLED] PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2005-06

By chapter 54, section 1, of the laws of 2002:
For the grant period October 1, 2002 to September 30, 2003:
Nonpersonal service ... 55,000 .............................. (re. $55,000)

PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to November 30, 2004: ...
107,000 ................................................. (re. $98,000)
For the grant period December 1, 2004 to November 30, 2005: ...
296,000 ................................................. (re. $296,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2003 to September 30, 2004: ...
238,000 ................................................. (re. $53,000)

PROTECTION AND ADVOCACY FOR DEVELOPMENTALLY DISABLED PROGRAM

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004: ...
1,176,000 ............................................ (re. $1,107,000)
For the grant period October 1, 2004 to September 30, 2005: ...
1,470,000 ............................................ (re. $1,470,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003: ...
1,094,000 ............................................ (re. $674,000)
For the grant period October 1, 2003 to September 30, 2004: ...
853,000 ............................................ (re. $327,000)

PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS

By chapter 54, section 1, of the laws of 2004:
For the grant period October 1, 2003 to September 30, 2004: ...
969,000 ............................................ (re. $867,000)
For the grant period October 1, 2004 to September 30, 2005: ...
1,080,000 ............................................ (re. $1,080,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003: ...
1,018,000 ............................................ (re. $621,000)

PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM

By chapter 54, section 1, of the laws of 2004:
For the grant period September 1, 2004 to August 31, 2005:
Nonpersonal service ... 85,000 .............................. (re. $85,000)
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS  2005-06

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 2004:
For the grant period October 1, 2004 to September 30, 2005:
Nonpersonal service ... 37,000 .......................... (re. $37,000)

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 2004:
For the grant period October 1, 2003 to September 30, 2004: ... ....
725,000 .................................................. (re. $667,000)
For the grant period October 1, 2004 to September 30, 2005: ... ....
755,000 .................................................. (re. $755,000)

By chapter 54, section 1, of the laws of 2003:
For the grant period October 1, 2002 to September 30, 2003: ... ....
821,000 .................................................. (re. $129,000)
For the grant period October 1, 2003 to September 30, 2004: ... ....
257,000 .................................................. (re. $71,000)

Total reappropriations for state operations and aid to localities .......................... 13,937,000

==========
§ 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 herein-after provided, for the several purposes specified.
Fiduciary Funds / Aid to Localities
Miscellaneous New York State Agency Fund - 169
Medical Assistance Restitution Account

For direct payment or transfer to other funds as restitution to the federal, state and local governments, and when appropriate, payments to contractors, of funds collected from providers participating in the medical assistance program through recovery of overpayments and third party activities including $1,250,000 to be transferred to the department of health third-party health insurance recoveries account, miscellaneous special revenue fund - 339, for activities related to the medicaid management information system and third-party health insurance recoveries and $3,700,000 to be transferred to the department of health recoveries and revenue account, miscellaneous special revenue fund - 339, for activities related to provider fraud recoveries and revenue maximization. Notwithstanding any inconsistent provision of law, contractor fees may be shared between the state and local social services districts, after first deducting therefrom any federal funds properly received or to be received on account thereof. Notwithstanding section 40 of the state finance law, this appropriation shall remain in effect until March 31, 2006. Notwithstanding any other provision of law to the contrary, upon the advice of the commissioner of health, the director of the budget may transfer or suballocate any of the amounts appropriated herein to the department of health .............................................. 1,771,200,000
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)

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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