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

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

AN ACT making appropriations for the support of government

HEALTH AND MENTAL HYGIENE BUDGET

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

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

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

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

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.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [ ] is old law to be omitted.
e) The several amounts specified in this chapter as capital projects -
reappropriations, or so much thereof as shall be sufficient to accom-
plish the purpose of the appropriations, as appropriated by comprehen-
sive construction programs (hereinafter referred to by the abbreviation
CCP), purposes, and projects, being the undisbursed balances of the
prior year's appropriations, are reappropriated and unless otherwise
amended or repealed in part or total in this chapter shall continue to
be available for the same purposes as the prior appropriations or as
otherwise amended for the fiscal year beginning April 1, 2009.

The capital projects reappropriations contained in this chapter may be
amended by repealing the items set forth in brackets and by adding ther-
eto 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 clear-
ly 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 appro-
priated.

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 indi-
cated, chapter 54, section 1 or 2, of the laws of 2008.

f) The several amounts named herein, or so much thereof as shall be
sufficient to accomplish the purpose designated, being the unexpended
balances of the prior year's appropriations, are hereby reappropriated
from the same funds and made available for the same purposes as the
prior year's appropriations, unless herein amended, for the fiscal year
beginning April 1, 2009. Certain reappropriations in this chapter are
shown using abbreviated text, with three leader dots (an ellipsis)
followed by three spaces (....) used to indicate where existing law
that is being continued is not shown. However, unless a change is clear-
ly 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 appro-
priated.

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, chap-
ter 54, section 1 or 2, of the laws of 2008.

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

h) The appropriations contained in this chapter shall be available for
the fiscal year beginning on April 1, 2009.
OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For payment according to the following schedule:

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>General Fund - State and Local</th>
<th>Special Revenue Funds - Federal</th>
<th>Special Revenue Funds - Other</th>
<th>Enterprise Funds</th>
<th>Program fund subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPROPRIATIONS</td>
<td>113,716,000</td>
<td>118,587,000</td>
<td>1,230,000</td>
<td>100,000</td>
<td>233,633,000</td>
</tr>
<tr>
<td>REAPPROPRIATIONS</td>
<td>11,386,341</td>
<td>121,796,000</td>
<td>0</td>
<td>0</td>
<td>133,182,341</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>All Funds</td>
<td>14,629,000</td>
<td>219,004,000</td>
<td>0</td>
<td>233,633,000</td>
</tr>
</tbody>
</table>

SCHEDULE

ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM 14,629,000

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

Personal service--regular 2,803,000
Temporary service 8,000
Amount available for personal service 2,811,000

NONPERSONAL SERVICE

Supplies and materials 53,000
Travel 101,000
Contractual services 300,000
Equipment 27,000
Amount available for nonpersonal service 481,000
Program account subtotal 3,292,000

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

For programs provided under the titles of the federal older Americans act and other health and human services programs 9,394,000
Program fund subtotal 9,394,000
<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>Office for the Aging Federal Grants Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to the provision of aging services programs</td>
<td>1,200,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>1,200,000</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>Aging Grants and Bequest Account</td>
<td></td>
</tr>
<tr>
<td>For service and expenses of the state office for the aging</td>
<td></td>
</tr>
<tr>
<td>NONPERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>50,000</td>
</tr>
<tr>
<td>Travel</td>
<td>50,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>150,000</td>
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<td>Program account subtotal</td>
<td>250,000</td>
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<tr>
<td>Enterprise Funds / State Operations</td>
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<tr>
<td>Miscellaneous Enterprise Fund - 331</td>
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<tr>
<td>Aging Enterprises Account</td>
<td></td>
</tr>
<tr>
<td>For service and expenses related to video and other media</td>
<td></td>
</tr>
<tr>
<td>NONPERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Contractual services</td>
<td>100,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>100,000</td>
</tr>
<tr>
<td>COMMUNITY SERVICES PROGRAM</td>
<td>219,004,000</td>
</tr>
<tr>
<td>General Fund / Aid to Localities</td>
<td></td>
</tr>
<tr>
<td>Local Assistance Account - 001</td>
<td></td>
</tr>
</tbody>
</table>
| For services and expenses, including the payment of liabilities incurred prior to April 1, 2008, related to the community services elderly grant program. No expenditures shall be made from this appropriation.
tion until the director of the budget has approved a plan submitted by the office
outlining the amounts and purposes of such expenditures and the allocation of funds among the counties. Notwithstanding any provision of law, rule or regulation to the contrary, subject to the approval of the director of the budget, funds appropriated herein for the community services for the elderly program (CSE) and the expanded in-home services for the elderly program (EISEP) may be used in accordance with a waiver or reduction in county maintenance of effort requirements established pursuant to section 214 of the elder law, except for base year expenditures. To the extent that funds hereby appropriated are sufficient to exceed the per capita limit established in section 214 of the elder law, the excess funds shall be available to supplement the existing per capita level in a uniform manner consistent with statutory allocations.............. 15,312,000

For planning and implementation, including the payment of liabilities incurred prior to April 1, 2008, of a program of expanded in-home, case management and ancillary community services for the elderly (EISEP). No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts and purposes of such expenditures and the allocation of funds among the counties .................... 46,035,000

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

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

For services and expenses, including the payment of liabilities incurred prior to April 1, 2008, associated with the supplemental nutrition assistance program (SNAP), including a suballocation to the department of agriculture and markets to be transferred to state operations for administrative costs of the farmers market nutrition program. No expenditure shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts and purpose of such expenditures and the allocation of funds among the counties ............................... 21,380,000
Local grants for services and expenses of the long-term care ombudsman program ..... 621,000
For services and expenses of the retired and senior volunteer program (RSVP) .......... 433,000
For services and expenses of the EAC/Nassau senior respite program .................... 237,000
For services and expenses of the home aides of central New York, Inc. senior respite program ........................................ 142,000
For services and expenses of the New York foundation for senior citizens home shar-
ing and respite care program ............... 172,000
For state aid grants to providers of respite services to the elderly. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider ......................... 656,000
For state aid grants to providers of social model adult day services. Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider ............ 872,000
For state aid grants to naturally occurring retirement communities (NORC). Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider ........................................ 2,027,000
For state aid grants to neighborhood naturally occurring retirement communities (NNORC). Funding priority shall be given to the renewal of existing contracts with the state office for the aging. No expenditures shall be made from this appropriation until the director of the budget has approved a plan submitted by the office outlining the amounts to be distributed by provider .................... 2,027,000
For grants in aid to the 59 designated area agencies on aging for transportation oper-
ating expenses related to serving the elderly. Funds shall be allocated from this appropriation pursuant to a plan prepared by the director of the state office for the aging and approved by the director of the budget ............... 921,000
For services and expenses of the foster grandparents program ......................... 196,000
For services and expenses related to an elderly abuse education and outreach program in accordance with section 219 of
the elder law funding priority shall be given to the renewal of existing contracts with the state office for the aging ....... 490,000
Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment for providers of the following services, as determined by the director of the state office for the aging, expanded in-home services for the elderly program (BISEP), community services for the elderly program (CSE) and the supplemental nutrition assistance program (SNAP). The director of the state office for the aging shall determine the standards and requirements necessary for reimbursement of such increases. Further, all such increases shall be made pursuant to a provider attestation regarding the use of such funds to be provided in the format prescribed by the state office for the aging. Funds shall be allocated from this appropriation pursuant to a plan prepared by the director of the state office for the aging and approved by the director of the budget ......................... 13,207,000
For services and expenses of New York State-wide Senior Action Council, Inc. for the patients' rights hotline and advocacy project ...................... 63,000
For grants to the area agencies on aging for the health insurance information, counseling and assistance program ........ 921,000
For state matching funds for services and expenses to match federally funded model projects and/or demonstration grant programs, a portion of which may be transferred to state operations or to other entities as necessary to meet federal grant objectives ..................... 236,000
For grants in aid to up to seven designated area agencies on aging for the creation of regional caregiver centers for excellence for the purpose of providing education and training to caregivers, the development and implementation of innovative approaches to assisting caregivers and reducing caregiver stress, provision of technical assistance and training to caregiver program coordinators and other programs and other activities to directly support community caregivers. At least $200,000 of the amount appropriated shall be used to provide respite services to informal caregivers ...................... 230,000
For up to eight community empowerment initiative start up grants to enable communities, neighborhoods, elders and families to develop their own supportive services that enable older persons to "age in
place" and stay in their own neighborhoods 245,000
For the managed care consumer assistance
program for the purpose of providing
education, outreach, one-on-one coun-
seling, monitoring of the implementation
of medicare part D, and assistance with
drug appeals and fair hearings related to
medicare part D coverage for persons who
are eligible for medical assistance and
who are also beneficiaries under part D of
title XVIII of the federal social security
act and for participants of the elderly
pharmaceutical insurance coverage program
(EPIC) in accordance with the following:
Medicare Rights Center ...................... 414,000
New York StateWide Senior Action Council,
Inc. .............................................. 185,000
New York Legal Assistance Group ............ 58,000
Legal Aid Society of New York ............... 58,000
Selfhelp Community Assistance Services, Inc. 58,000
Empire Justice Center ........................ 81,000
Community Service Society .................. 69,000
For services and expenses of grants to area
agencies on aging and community-based
organizations to assist seniors enrolled
in the elderly pharmaceutical insurance
coverage program in selecting, accessing,
and maximizing medicare part D coverage.
Such grant awards shall be made in
consultation with the commissioner of the
department of health .......................... 2,000,000
---------------------
Program account subtotal ................... 110,424,000
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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 and other
health and human services programs.
Title III-b social services .................... 26,000,000
Title III-c nutrition programs, including a
suballocation to the department of health
for nutrition program activities ............ 41,000,000
Title III-e caregivers ......................... 12,000,000
Health and human services programs ....... 5,000,000
Nutrition services incentive program ....... 16,000,000
---------------------
Program fund subtotal ...................... 100,000,000
---------------------
Special Revenue Funds - Federal / Aid to Localities
Federal Operating Grants Fund - 290
Office for the Aging Federal Grants Account
For services and expenses related to the
provision of aging services programs .... 600,000
---------------------
Program account subtotal ................... 600,000
---------------------
Special Revenue Funds - Federal / Aid to Localities
Federal Operating Grants Fund - 290
Senior Community Service Employment Account

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

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

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

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

Program account subtotal ............. 980,000

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

==============  

OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

ADMINISTRATION AND GRANTS MANAGEMENT PROGRAM

General Fund / State Operations
State Purposes Account - 003

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

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

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

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

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

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265
1 By chapter 54, section 1, of the laws of 2008:
2 For programs provided under the titles of the federal older Americans
3 act and other health and human services programs ....................
4 8,700,000 ....................................................... (re. $8,700,000)

5 By chapter 54, section 1, of the laws of 2007:
6 For programs provided under the titles of the federal older Americans
7 act and other health and human services programs.
8 For the grant period October 1, 2007 to September 30, 2008 ...........
9 4,200,000 ....................................................... (re. $2,700,000)

11 By chapter 54, section 1, of the laws of 2006:
12 For programs provided under the titles of the federal older Americans
13 act and other health and human services programs:
14 For the grant period October 1, 2006 to September 30, 2006 ...........
15 4,200,000 ....................................................... (re. $250,000)

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

21 By chapter 54, section 1, of the laws of 2008:
22 For the senior community service employment program provided under
23 title V of the federal older Americans act .....................
24 350,000 ....................................................... (re. $196,000)

26 COMMUNITY SERVICES PROGRAM

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

31 By chapter 54, section 1 of the laws of 2008:
32 For services and expenses of New York Statewide Senior Action Council,
33 Inc. for the patients' rights hotline and advocacy project ......
34 63,000 ....................................................... (re. $63,000)
36 For state matching funds for services and expenses to match federally
37 funded model projects and/or demonstration grant programs, a portion
38 of which may be transferred to state operations or to other entities
39 as necessary to meet federal grant objectives ..................
40 236,000 ....................................................... (re. $236,000)

41 By chapter 54, section 1 of the laws of 2008, as amended by chapter 496,
43 section 5 of the laws of 2008:
44 For services and expenses, including the payment of liabilities
45 incurred prior to April 1, 2008, associated with the supplemental
46 nutrition assistance program (SNAP), including a suballocation to
47 the department of agriculture and markets to be transferred to state
48 operations for administrative costs of the farmers market nutrition
49 program. No expenditure shall be made from this appropriation until
50 the director of the budget has approved a plan submitted by the
51 office outlining the amounts and purpose of such expenditures and
52 the allocation of funds among the counties, provided, however, that
53 the amount of this appropriation available for expenditure and
54 disbursement on and after September 1, 2008 shall be reduced by six
55 percent of the amount that was undisbursed as of August 15, 2008 ...
56 22,745,000 ....................................................... (re. $300,000)

57 For state aid grants to providers of respite services to the elderly.
58 Funding priority shall be given to the renewal of existing contracts
59 with the state office for the aging. No expenditures shall be made
60 from this appropriation until the director of the budget has
61 approved a plan submitted by the office outlining the amounts to be
62 distributed by provider, provided, however, that the amount of this
appropriation available for expenditure and disbursement on and
after September 1, 2008 shall be reduced by six percent of the
amount that was undisbursed as of August 15, 2008 ..................
698,000 .................................................. (re. $656,120)
For state aid grants to providers of social model adult day services.
Funding priority shall be given to the renewal of existing contracts
with the state office for the aging. No expenditures shall be made
from this appropriation until the director of the budget has
approved a plan submitted by the office outlining the amounts to be
distributed by provider, provided, however, that the amount of this
appropriation available for expenditure and disbursement on and
after September 1, 2008 shall be reduced by six percent of the
amount that was undisbursed as of August 15, 2008 .................
928,000 .................................................. (re. $872,320)
For state aid grants to naturally occurring retirement communities
(NORC). Funding priority shall be given to the renewal of existing
contracts with the state office for the aging. No expenditures shall
be made from this appropriation until the director of the budget has
approved a plan submitted by the office outlining the amounts to be
distributed by provider, provided, however, that the amount of this
appropriation available for expenditure and disbursement on and
after September 1, 2008 shall be reduced by six percent of the
amount that was undisbursed as of August 15, 2008 .................
2,156,000 ................................................ (re. $1,808,000)
For state aid grants to neighborhood naturally occurring retirement
communities (NNORC). Funding priority shall be given to the renewal
of existing contracts with the state office for the aging. No expenditures shall
be made from this appropriation until the director of the budget has
approved a plan submitted by the office outlining the amounts to be distributed
by provider, provided, however, that the amount of this appropriation available for
expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of
August 15, 2008 2,156,000 ......................................... (re. $2,027,000)
For additional grants in aid to the 59 designated area agencies on
aging for transportation operating expenses related to serving the
elderly. Funds shall be allocated from this appropriation pursuant
to a plan prepared by the director of the state office for the aging
and approved by the director of the budget .................................
940,000 .................................................. (re. $500,000)
For grants in aid in up to seven designated area agencies on aging for
the creation of regional caregiver centers for excellence for the
purpose of providing education and training to caregivers, the
development and implementation of innovative approaches to assisting
caregivers and reducing caregiver stress, provision of technical
assistance and training to caregiver program coordinators and other
programs and other activities to directly support community
caregivers. At least $200,000 of the amount appropriated shall be
used to provide respite services to informal caregivers ...............
230,000 .................................................... (re. $230,000)
For up to eight community empowerment initiative start up grants to
enable communities, neighborhoods, elders and families to develop
their own supportive services that enable older persons to "age in
place" and stay in their own neighborhoods ..........................
245,000 .................................................. (re. $245,000)
For services and expenses related to the enriched social adult day
services demonstration project to help older New Yorkers age in
place in the community while avoiding spend-down to medicaid. No
more than eight and one half percent of the amount appropriated for
such purpose may be expended by the office for the aging for
services and expenses in connection with the evaluation of the
demonstration project which shall be conducted by the center for
functional assessment research (CFAR) at the university of Buffalo.
An amount not to exceed 10 percent of the allocation may be used for
administration for the office ... 245,000 ............ (re. $245,000)
For the managed care consumer assistance program for the purpose of
providing education, outreach, one-on-one counseling, monitoring of
the implementation of medicare part D, and assistance with drug
appeals and fair hearings related to medicare part D coverage for
persons who are eligible for medical assistance and who are also
beneficiaries under part D of title XVIII of the federal social
security act and for participants of the elderly pharmaceutical
insurance coverage program (EPIC) in accordance with the following,
provided, however, that the amount of this appropriation available
for expenditure and disbursement on and after September 1, 2008
shall be reduced by six percent of the amount that was undisbursed
as of August 15, 2008:
Medicare Rights Center ... 882,000 .................. (re. $449,532)
New York StateWide Senior Action Council, Inc. .....................
392,000 ............................................. (re. $199,794)
New York Legal Assistance Group ... 123,000 ................. (re. $62,694)
Legal Aid Society of New York ... 123,000 ..................... (re. $62,694)
Selfhelp Community Services, Inc. ... 123,000 ............. (re. $62,694)
Empire Justice Center ... 172,000 ......................... (re. $87,667)
Community Service Society ... 147,000 ....................... (re. $74,926)
For continuation of the pilot programs in geriatric in-home medical
care initiatives, including in-home visits and consultations by
physicians ... 705,000 .................................. (re. $375,000)
For end of life care initiatives grants ... 188,000 ... (re. $100,000)
For additional state aid grants to existing providers of social model
adult day services pursuant to the following sub-schedule ........
244,400 .............................................. (re. $130,000)

sub-schedule

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

By chapter 54, section 1, of the laws of 2007:
For state aid grants to providers of respite services to the elderly.
Funding priority shall be given to the renewal of existing contracts
with the state office for the aging. No expenditures shall be made
from this appropriation until the director of the budget has
approved a plan submitted by the office outlining the amounts to be
distributed by provider . . . 712,000 ............... (re. $341,700)
For state aid grants to providers of social model adult day services.
Funding priority shall be given to the renewal of existing contracts
with the state office for the aging. No expenditures shall be made
from this appropriation until the director of the budget has
approved a plan submitted by the office outlining the amounts to be
distributed by provider . . . 947,000 .................... (re. $337,000)
For pilot programs in geriatric in-home medical care initiatives,
including in-home visits and consultations by physicians ........
1,000,000 .............................................. (re. $713,000)
For a study to be conducted by the School of Social Welfare at Stoney
Brook University to evaluate the pilot programs in geriatric home
medical care initiatives and the related pilot project studying the
role of social workers providing gerontological care coordination
services serving the patients of the pilot programs in geriatric
OFFICE FOR THE AGING

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

home medical initiatives. This study shall be developed in consulta-
tion with the Medical Society of the State of New York, New York
Academy of Medicine and the State Office for the Aging ............
150,000 ........................................... (re. $50,000)
For end of life care initiatives in at least four counties pursuant to
and RFP ... 200,000 ........................................... (re. $188,000)

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

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

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

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

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

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

Total reappropriations for state operations and aid to
localities ............................................... 133,182,341

=================
DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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>2,883,000</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>2,883,000</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>SR-Federal</td>
<td>4,550,000</td>
<td>0</td>
<td>0</td>
<td>4,550,000</td>
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<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>
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</tbody>
</table>

SCHEDULE

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

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

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

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

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

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

NONPERSONAL SERVICE

Supplies and materials .......... 10,000
Program account subtotal .... 10,000
Total new appropriations for state operations and aid to localities: 4,560,000
DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS  2009-10

DEVELOPMENTAL DISABILITIES PLANNING PROGRAM

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

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

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

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

Total reappropriations for state operations and aid to
localities ............................................. 2,883,000

==============
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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>12,036,035,000</td>
<td>172,179,940</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal</td>
<td>29,604,359,000</td>
<td>37,022,399,400</td>
</tr>
<tr>
<td>Special Revenue Funds - Other</td>
<td>7,692,909,800</td>
<td>1,527,031,800</td>
</tr>
<tr>
<td>Capital Projects Funds</td>
<td>350,580,000</td>
<td>829,603,000</td>
</tr>
<tr>
<td>Enterprise Funds</td>
<td>10,000</td>
<td>0</td>
</tr>
</tbody>
</table>

All Funds .................................. 49,683,893,800 39,551,214,140

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>303,492,400</td>
<td>11,732,542,600</td>
<td>0</td>
<td>12,036,035,000</td>
</tr>
<tr>
<td>SR-Federal</td>
<td>1,208,651,000</td>
<td>28,395,708,000</td>
<td>0</td>
<td>29,604,359,000</td>
</tr>
<tr>
<td>SR-Other</td>
<td>577,919,100</td>
<td>7,114,990,700</td>
<td>0</td>
<td>7,692,909,800</td>
</tr>
<tr>
<td>Cap Proj</td>
<td>0</td>
<td>0</td>
<td>350,580,000</td>
<td>350,580,000</td>
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<tr>
<td>Enterprise</td>
<td>10,000</td>
<td>0</td>
<td>0</td>
<td>10,000</td>
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</tbody>
</table>

All Funds .................................. 2,090,072,500 47,243,241,300 350,580,000 49,683,893,800

SCHEDULE

ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM ............... 80,588,200

General Fund / State Operations
State Purposes Account - 003

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>8,757,300</td>
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<tr>
<td>Temporary service</td>
<td>10,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>50,000</td>
</tr>
</tbody>
</table>

Amount available for personal service .... 8,817,300

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>1,077,400</td>
</tr>
<tr>
<td>Travel</td>
<td>406,500</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>19,352,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>628,300</td>
</tr>
</tbody>
</table>

Amount available for nonpersonal service.. 21,464,200

MAINTENANCE UNDISTRIBUTED

For services and expenses of health e-link.

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual services</td>
<td>750,000</td>
</tr>
</tbody>
</table>

Program account subtotal ................ 31,031,500
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

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

For services and expenses of the office of
minority health including competitive
grants to promote community strategic
planning or new or improved health care
delivery systems and networks in minority
areas. Up to $102,000 of this appropri-
atation may be transferred to state oper-
ations for administration, provided,
however, that the amount of this appropri-
ation available for expenditure and
disbursement on and after September 1,
2008 shall be reduced by six percent of
the amount that was undisbursed as of
August 15, 2008 ......................... 532,000

Program account subtotal ............ 561,000

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

For various food and nutritional services .. 818,000

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

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

For various food and nutritional services .. 1,983,000

Program account subtotal ............ 1,983,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265
STATE OPERATIONS AND AID TO LOCALITIES  2009-10

1 For administration of the national health
d2 services corps. Notwithstanding any incon-
3 sistent provision of law, and subject to
4 the approval of the director of the budg-
5 et, moneys hereby appropriated may be
6 suballocated to the higher education
7 services corporation ................ 419,000
8
9 Program fund subtotal .............. 419,000
10
11
12 Special Revenue Funds - Federal / State Operations
13 Federal Health and Human Services Fund - 265
14 Federal Block Grant Account
15
16 For various health prevention, diagnostic,
d17 detection and treatment services .......... 6,656,000
18
19 Program account subtotal ............ 6,656,000
20
21
22 Special Revenue Funds - Other / State Operations
23 Combined Gifts, Grants and Bequests Fund - 020
24 Technology Transfer Account
25
26 For services and expenses related to the
d27 department of health's patent and technol-
28 ogy transfer program. The department of
29 health may receive and deposit revenue
30 from the sale and licensing of inventions
31 pursuant to a technology and patent trans-
32 fer policy established in accordance with
33 section 64-a of the public officers law.
34 Notwithstanding any other provision of
35 law, these funds may be used for payments
to Health Research, Inc. as reimbursement
36 for expenses incurred in its patent and
37 technology transfer operations, to support
38 research, training, and infrastructure
39 development in the department's research
40 facilities, and for payments to inventors.
41 The moneys hereby appropriated shall be
42 available for liabilities heretofore and
43 hereafter to accrue.

NONPERSONAL SERVICE

48 Contractual services ..................... 500,000
49
50 Program account subtotal ............ 500,000
51
52
53 Special Revenue Funds - Other / State Operations
54 HCRA Resources Fund - 061
55 Health Occupation Development and Workplace Demo Account
56
57 For services and expenses related to admin-
58 istration of the health occupation devel-
59 opment and workplace demonstration program
60 established pursuant to sections 2807-g
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

and 2807-h of the public health law. Up to 50 percent of this appropriation may be suballocated to the department of labor.

PERSONAL SERVICE

Personal service-regular ...................... 594,700
Temporary service .......................... 40,000

Amount available for personal service .... 634,700

NONPERSONAL SERVICE

Supplies and materials ....................... 5,000
Travel ...................................... 10,300
Contractual services ......................... 1,184,800
Equipment .................................. 10,000
Fringe benefits ................................ 255,100
Indirect costs ................................ 254,300

Amount available for nonpersonal service... 1,719,500

Program account subtotal .................... 2,354,200

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

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

PERSONAL SERVICE

Personal service-regular ...................... 1,164,400
Holiday/overtime compensation .............. 3,000

Amount available for personal service .... 1,167,400

NONPERSONAL SERVICE

Supplies and materials ....................... 15,000
Travel ...................................... 20,000
Contractual services ......................... 73,000
Equipment .................................. 100,000
Fringe benefits ................................ 464,400
Indirect costs ................................ 463,200

Amount available for nonpersonal service... 1,135,600

Program account subtotal .................... 2,303,000

Special Revenue Funds - Other / State Operations
HCRA Resources Fund - 061
Primary Care Initiatives Account
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For services and expenses related to the administration of the program authorized by section 2807-1 of the public health law.

**PERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>587,900</td>
</tr>
<tr>
<td>Temporary service</td>
<td>5,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>5,000</td>
</tr>
</tbody>
</table>

Amount available for personal service: 597,900

**NONPERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>5,400</td>
</tr>
<tr>
<td>Travel</td>
<td>7,600</td>
</tr>
<tr>
<td>Contractual services</td>
<td>15,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>15,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>235,500</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>233,200</td>
</tr>
</tbody>
</table>

Amount available for nonpersonal service: 511,700

Program account subtotal: 1,109,600

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

HCRA Resources Fund - 061

Health Care Delivery Administration Account

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

**PERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>275,400</td>
</tr>
<tr>
<td>Temporary Service</td>
<td>5,000</td>
</tr>
</tbody>
</table>

Amount available for personal service: 280,400

**NONPERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
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<tr>
<td>Supplies and materials</td>
<td>20,000</td>
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<tr>
<td>Travel</td>
<td>62,500</td>
</tr>
<tr>
<td>Contractual services</td>
<td>182,600</td>
</tr>
<tr>
<td>Equipment</td>
<td>34,500</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>111,600</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>111,300</td>
</tr>
</tbody>
</table>

Amount available for nonpersonal service: 522,500

Program account subtotal: 802,900
## DEPARTMENT OF HEALTH

### STATE OPERATIONS AND AID TO LOCALITIES 2009-10

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Account Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>60</td>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td>6,627,200</td>
</tr>
<tr>
<td>61</td>
<td>Professional Medical Conduct Account</td>
<td>170,000</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>6,797,200</strong></td>
</tr>
</tbody>
</table>

### PERSONAL SERVICE

- **Personal service--regular**: 6,627,200
- **Holiday/overtime compensation**: 170,000
- **Total amount available for personal service**: 6,797,200

### NONPERSONAL SERVICE

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

### SPECIAL REVENUE FUNDS - OTHER / STATE OPERATIONS

- **Miscellaneous Special Revenue Fund - 339**: 3,190,000
- **Health-SPARCS Account**: 55,000
- **Total amount available for personal service**: 3,245,000

### NONPERSONAL SERVICE

- **Supplies and materials**: 52,000
- **Travel**: 18,000
- **Contractual services**: 1,658,000
- **Equipment**: 800,000
- **Fringe benefits**: 1,323,200
- **Indirect costs**: 1,002,100
- **Total amount available for nonpersonal service**: 4,853,300
- **Program account subtotal**: 9,098,300

### SPECIAL REVENUE FUNDS - OTHER / STATE OPERATIONS

- **Profession Medical Conduct Account**:
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES  2009-10

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

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>4,868,100</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>10,000</td>
</tr>
<tr>
<td>Amount available for personal service</td>
<td>4,878,100</td>
</tr>
</tbody>
</table>

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>65,000</td>
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<tr>
<td>Travel</td>
<td>118,000</td>
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<tr>
<td>Contractual services</td>
<td>1,622,000</td>
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<tr>
<td>Equipment</td>
<td>52,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>1,989,200</td>
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<tr>
<td>Amount available for nonpersonal service</td>
<td>3,846,200</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>8,724,300</td>
</tr>
</tbody>
</table>

Special Revenue Funds - Other / State Operations

Miscellaneous Special Revenue Fund - 339

Vital Records Management Account

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

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>1,199,800</td>
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<tr>
<td>Holiday/overtime compensation</td>
<td>125,000</td>
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<tr>
<td>Amount available for personal service</td>
<td>1,324,800</td>
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NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>30,000</td>
</tr>
<tr>
<td>Travel</td>
<td>2,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>500,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>17,000</td>
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<tr>
<td>Fringe benefits</td>
<td>508,600</td>
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<td>Indirect costs</td>
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<tr>
<td>Amount available for nonpersonal service</td>
<td>1,466,700</td>
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<tr>
<td>Program account subtotal</td>
<td>2,791,500</td>
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AIDS INSTITUTE PROGRAM .......................... 124,483,000

General Fund / State Operations
State Purposes Account - 003
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>11,918,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>20,000</td>
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<tr>
<td>Amount available for personal service</td>
<td>11,938,000</td>
</tr>
<tr>
<td><strong>NONPERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>1,333,881</td>
</tr>
<tr>
<td>Travel</td>
<td>311,700</td>
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<tr>
<td>Contractual services</td>
<td>3,636,900</td>
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<tr>
<td>Equipment</td>
<td>228,519</td>
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<tr>
<td>Amount available for nonpersonal service</td>
<td>5,511,000</td>
</tr>
<tr>
<td><strong>MAINTENANCE UNDISTRIBUTED</strong></td>
<td></td>
</tr>
<tr>
<td>For suballocation to the office of children and family services through a memorandum of understanding with the AIDS institute, for services and expenses related to HIV policy development and training.</td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</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 services and expenses of the provision of AIDS education by AIDS regional training coordinators for staff in elementary and secondary schools.</td>
<td></td>
</tr>
<tr>
<td>Contractual services</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 and expenses of the office of AIDS discrimination investigation.</td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>97,000</td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>2,600</td>
</tr>
<tr>
<td>Travel</td>
<td>400</td>
</tr>
<tr>
<td>Amount available</td>
<td>100,000</td>
</tr>
<tr>
<td>Amount available for maintenance undistributed</td>
<td>450,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>17,899,000</td>
</tr>
</tbody>
</table>

General Fund / Aid to Localities
Local Assistance Account - 001
For services and expenses related to a joint project between the state and the city of New York, known as the New York/New York III Supportive Housing Agreement. No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee.

The amounts appropriated pursuant to such appropriation may be suballocated to other state agencies, authorities, or accounts for expenditures incurred in the operation of programs funded by such appropriation, provided 4,490,000

Notwithstanding any inconsistent provision of law, effective October 1, 2006, expenditures made from this appropriation shall effectively provide a cost of living adjustment for providers of the following services, as determined by the commissioner of the department of health, adolescent services - act for youth; adolescent services - general; adolescent services schools; clinical education; clinical guidelines development, clinical scholars; clinical trials experimental treatment; community development initiative; community HIV prevention and primary care; community services programs; criminal justice; education and training; evaluation and research; expanded syringe access program; families in transition; family centered care; harm reduction; general; harm reduction - syringe exchange; HIV health care and support services for women and kids; HIV prevention, primary care support services for substance abusers; homeless shelters; legal services and advocacy; lesbian, gay, bisexual, transgender - adolescent; lesbian, gay, bisexual, transgender - general; lesbian, gay, bisexual, transgender - substance use; multiple service agency; nutritional services; pediatric centers of excellence; permanency planning; racial and ethnic minority; social day care; specialized care centers for youth; specialty; supportive housing; treatment adherence; women's services - general; women's services - peer; women's services - supportive services and youth access program. The commissioner of the department of health shall determine the standards and requirements necessary to qualify for such increases. Further, each local government unit or direct contract
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 provider receiving such funding shall submit a written certification regarding the use of such funds to be provided in the format proscribed by the department. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner and approved by the director of the budget ................. 6,497,000

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

13 For additional demonstration project grants to designated AIDS centers, and not-for-profit organizations, including but not limited to community service programs and community-based organizations, providing specialized AIDS-related services for purposes of patient education and case management services related to promoting compliance with HIV-related treatment therapies and regimes ....................... 517,000

23 For grants to New York state community service programs to provide HIV/AIDS related education, prevention, outreach, legal and supportive services .......... 1,626,000

27 For services and expenses related to the operation of the communities of color initiative .................................... 3,581,000

30 For services and expenses related to the communities of color initiative, notwithstanding any inconsistent provision of law to the contrary, funds shall be available for the statewide communities of color initiative to provide advocacy, education, preventive services and treatment on behalf of and for individuals with HIV/AIDS from communities of color, including but not limited to Latino and African-American communities pursuant to the following:

Action for a Better Community, Inc. ........ 41,454
AIDS Center of Lower Manhattan .......... 73,696
Alianza Dominicana, Inc. .................. 41,454
American Indian Community House, Inc. .... 41,454
Anthony Jordan Health Center ............. 20,774
Asian and Pacific Islander Coalition on HIV/AIDS, Inc. .................. 41,454
Audre Lorde Project, Inc. .................. 41,454
Bedford Stuyvesant Family Health Center, Inc. 41,454
Betances Health Center ..................... 20,774
Black Men and Latino Men Health Crisis, Inc. 9,212
Black Veterans for Social Justice, Inc. .... 20,774
East Harlem Council for Human Services, Inc. 20,774
Breaking Ground .......................... 9,212
Brooklyn Plaza Medical-Rising Heights ...... 9,212
Capital District African-American Coalition on AIDS .......................... 41,454
Caribbean Women's Health Association, Inc. 41,454
Center for Rapid Recovery .......................... 9,212
Centro Civico of Amsterdam, Inc. .......... 41,454
Chinese-American Planning Council, Inc. .... 41,454
<table>
<thead>
<tr>
<th></th>
<th>Name of Organization</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Circulo de la Hispanidad, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>2</td>
<td>Citizen's Advice Bureau</td>
<td>41,454</td>
</tr>
<tr>
<td>3</td>
<td>Coalition for Hispanic Family Service</td>
<td>20,774</td>
</tr>
<tr>
<td>4</td>
<td>Committee for Hispanic Children and Families</td>
<td>20,774</td>
</tr>
<tr>
<td>5</td>
<td>Dale House Resource Center</td>
<td>20,774</td>
</tr>
<tr>
<td>6</td>
<td>Discipleship Outreach Ministries, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>7</td>
<td>Economic Opportunity Council of Suffolk, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>8</td>
<td>El Puente de Williamsburg</td>
<td>9,212</td>
</tr>
<tr>
<td>9</td>
<td>Family Services Network of New York, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>10</td>
<td>Federation of Protestant Welfare Agencies, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>11</td>
<td>Five Towns Community Center, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>12</td>
<td>Gay Men of African Descent</td>
<td>20,774</td>
</tr>
<tr>
<td>13</td>
<td>Greater Hudson Valley Family Health Center, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>14</td>
<td>Group Ministries, Inc.</td>
<td>41,454</td>
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<tr>
<td>15</td>
<td>Haitian Center's Council</td>
<td>41,454</td>
</tr>
<tr>
<td>16</td>
<td>Diaspora Community Services, Inc.</td>
<td>46,060</td>
</tr>
<tr>
<td>17</td>
<td>Harlem Congregations for Community Improvement</td>
<td>20,774</td>
</tr>
<tr>
<td>18</td>
<td>Harlem Dowling-Westside Center for Children and Families</td>
<td>41,454</td>
</tr>
<tr>
<td>19</td>
<td>Harlem United Community AIDS Center</td>
<td>41,454</td>
</tr>
<tr>
<td>20</td>
<td>Hispanic AIDS Forum, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>21</td>
<td>Hispanic Federation, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>22</td>
<td>Hispanic United of Buffalo</td>
<td>9,212</td>
</tr>
<tr>
<td>23</td>
<td>Housing Works, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>24</td>
<td>Hunts Point Multi-Service Center</td>
<td>20,774</td>
</tr>
<tr>
<td>25</td>
<td>Institute for Puerto Rican Hispanic Elderly.</td>
<td>9,212</td>
</tr>
<tr>
<td>26</td>
<td>Iris House</td>
<td>20,774</td>
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<tr>
<td>27</td>
<td>J-CAP Foundation, Inc.</td>
<td>41,454</td>
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<tr>
<td>28</td>
<td>Latino Commission on AIDS, Inc.</td>
<td>41,454</td>
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<tr>
<td>29</td>
<td>Life Force: Women Fighting AIDS, Inc.</td>
<td>20,774</td>
</tr>
<tr>
<td>30</td>
<td>Long Island Minority AIDS Coalition</td>
<td>41,454</td>
</tr>
<tr>
<td>31</td>
<td>Men of Color Health Awareness Project</td>
<td>20,774</td>
</tr>
<tr>
<td>32</td>
<td>El Regresso Foundation, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>33</td>
<td>National Black Leadership Commission on AIDS, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>34</td>
<td>New York Council on Adoptable Children</td>
<td>20,774</td>
</tr>
<tr>
<td>35</td>
<td>New York State Gay Men's Network</td>
<td>9,212</td>
</tr>
<tr>
<td>36</td>
<td>NYC HHC/Kings County Hospital</td>
<td>20,774</td>
</tr>
<tr>
<td>37</td>
<td>People of Color in Crisis, Inc.</td>
<td>92,120</td>
</tr>
<tr>
<td>38</td>
<td>Promesa, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>39</td>
<td>Puerto Rican Family Institute</td>
<td>20,774</td>
</tr>
<tr>
<td>40</td>
<td>Puerto Rican Youth Development</td>
<td>9,212</td>
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<tr>
<td>41</td>
<td>Safe Space NYC, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>42</td>
<td>Saint Ann's Corner of Harm Reduction</td>
<td>20,774</td>
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<tr>
<td>43</td>
<td>Settlement Health &amp; Medical Services</td>
<td>41,454</td>
</tr>
<tr>
<td>44</td>
<td>Sharing Community, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>45</td>
<td>Southeast Queens Clergy for Community Empowerment, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>46</td>
<td>Steinway Child &amp; Family Services, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>47</td>
<td>Syracuse Model Neighborhood Facility, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>48</td>
<td>Ten Points Ministral Alliance</td>
<td>9,212</td>
</tr>
<tr>
<td>49</td>
<td>United Bronx Parents, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>50</td>
<td>Urban Health Plan, Inc.</td>
<td>20,774</td>
</tr>
<tr>
<td>51</td>
<td>Urban League of Westchester County, Inc.</td>
<td>41,454</td>
</tr>
<tr>
<td>52</td>
<td>United States Family Services</td>
<td>9,212</td>
</tr>
<tr>
<td>53</td>
<td>Vocational Instruction Project Community Services</td>
<td>41,454</td>
</tr>
<tr>
<td>54</td>
<td>Whitney M. Young, Jr. Health Center</td>
<td>41,454</td>
</tr>
</tbody>
</table>
29

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

1 William F. Ryan Community Health Center ....  41,454
2 For additional grants to existing community
3 based organizations and to article 28 of
4 the public health law diagnostic and
5 treatment centers that must operate in a
6 neighborhood or geographic area with high
7 concentrations of at risk populations and
8 provide services and programs that are
9 culturally sensitive to the special social
10 and cultural needs of the at risk popu-
11 lations. Such grants shall be used to meet
12 increased demands for HIV education,
13 prevention, outreach, and legal programs.
14 Such grants shall be equitably
15 distributed ........................................  1,626,000
16 For grants to organizations with specialty
17 contracts administered by the AIDS insti-
18 tute to be allocated to organizations
19 based on the proportionate share of the
20 value of an organization's specialty
21 contract to the value of all specialty
22 contracts administered by the AIDS insti-
23 tute, provided ....................................  573,000
24 For suballocation to the office of temporary
25 and disability assistance for operational
26 support to projects which have received
27 capital grant awards through the homeless
28 housing assistance program ...............  175,000
29 For services and expenses related to the
30 national black leadership commission on
31 AIDS ......................................................  175,000
32 For services and expenses of the New York
33 AIDS coalition .....................................  87,000
34 For services and expenses of AIDS and HIV
35 testing and rapid testing program ........  490,000
36 For services and expenses for supplemental
37 reviews and information management systems
38 activities for AIDS related utilization
39 review ............................................  390,000
40 For services and expenses of the comprehen-
41 sive hepatitis c program. A portion of
42 these funds may be transferred to state
43 operations appropriations ...............  1,190,000
44 For services and expenses of an HIV-related
45 risk reduction program ....................  625,000
46 For services and expenses of an HIV care
47 retention in communities of color ........  200,000
48 Program account subtotal ..................  25,166,000
49
50
51
52 Special Revenue Funds - Other / Aid to Localities
53 HCRA Resources Fund - 061
54 Health Care Services Account
55
56 For grants to existing community service
57 programs, as deemed appropriate by the
58 department of health, including but not
59 limited to community based organizations
60 and other organizations providing special-
61 ized AIDS-related services targeted to
62 minority and other high-risk populations.
To ensure organizational viability, agency administration may be supported subject to review and approval of the commissioner of health. Up to $125,000 may be transferred to the general fund - state purposes account for the administration of this program. Notwithstanding any provision of law to the contrary, the commissioner of health shall be authorized to continue contracts with community service programs, multi-service agencies and community development initiatives for all such contracts which were executed on or before March 31, 2008, without any additional requirements that such contracts be subject to competitive bidding or a request for proposals process ............ 18,923,000

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

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

For services and expenses related to the operation of the Cornell university parent HIV/AIDS education project to provide...
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 educational workshops for parents in
2 Nassau county, and to enhance the project
3 in Suffolk county .......................... 74,000
4 For services and expenses of the Long Island
5 association for AIDS care to conduct a
6 study to (1) identify the medical and
7 social services gaps for children orphaned
8 by AIDS on Long Island, as well as strate-
9 gies to link families with AIDS with
10 community services in order to plan for
11 future care needs of their children, and
12 (2) develop innovative comprehensive model
13 service programs for such children ....... 49,000
14 For grants to county health departments for
15 HIV-related public health activities in
16 rural underserved counties and counties
17 with the most rapid increases in HIV inci-
18 dence ................................. 294,000
19 For services and expenses of the AIDS insti-
20 tute related to training and education
21 activities and continuum of care initi-
22 atives ................................. 2,147,000
23 For services and expenses of a pilot
24 surveillance project for investigation of
25 reported AIDS cases by county health
26 departments as authorized by the commis-
27 sioner of health ...................... 88,000
28 For grants to community based organizations
29 for the provision of services to parolees
30 and their families. Up to $730,000 of this
31 appropriation may be transferred to the
32 general fund - state purposes account for
33 administration of this program ........ 1,041,000
34 For HIV counseling and testing services in
35 facilities operated by the New York state
36 department of correctional services. All
37 or part of this appropriation may be
38 transferred to the general fund - state
39 purposes account for administration of
40 this program ......................... 854,000
41 For grants for the provision of outreach and
42 case management services to high-risk
43 women and children .................... 1,267,000
44 For services and expenses related to the
45 provision of outreach and education to
46 low-income and minority communities
47 concerning the availability of and access
48 to clinical drug trials ................... 98,000
49 For services and expenses related to the
50 care and service needs of children,
51 adolescents and families with the HIV
52 disease .................................. 1,693,000
53 For grants for the provision of comprehen-
54 sive HIV prevention and health care
55 services to high-risk adolescents and
56 young adults. Up to 5 percent of this
57 appropriation may be transferred to the
58 general fund - state purposes account for
59 the administration of this program,
60 provided .............................. 2,139,000
61 For grants for housing, supported housing
62 and referral services for homeless persons
with HIV/AIDS and their families, including those with tuberculosis or if warranted those with tuberculosis only, in areas as determined by data collected by the department of health ................. 2,303,000

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

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

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

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

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

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

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

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

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

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

For grants for AIDS prevention and education and AIDS related services to existing community based organizations, as deemed appropriate by the department of health and to article 28 of the public health law diagnostic and treatment centers. For the
purposes of this program, eligible organ-
izations must (1) operate in a neighbor-
hood or geographic area with high concen-
trations 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 popu-
lations. To ensure organizational viabil-
ity, agency administration may be
supported subject to review and approval
of the commissioner of health. Notwith-
sanding any provision of law to the
contrary, the commissioner of health shall
be authorized to continue contracts with
community service programs, multi-service
agencies and community development initi-
atives for all such contracts which were
executed on or before March 31, 2008,
without any additional requirements that
such contracts be subject to competitive
bidding or a request for proposals

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
centrations 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.

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

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

For services and expenses relating to the
provision of HIV counseling and testing by
family planning clinics and prenatal care
assistance programs to the extent that
reimbursement through medical assistance
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

is not available. These funds shall not be used by the department for any costs directly related to the processing of tests 3,180,000

For grants for the development of women's HIV clinics to provide comprehensive obstetrical/gynecological services and for grants to health care facilities and community organizations for the provisions of primary care, subspecialty care and supportive services to HIV-infected women and children in underserved, high seroprevalence areas. Up to 5 percent of this appropriation may be transferred to the general fund - state purposes account for the administration of this program, provided 1,192,000

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

For services and expenses associated with the HIV clinical education initiative 1,474,000

Program account subtotal 71,254,000

Special Revenue Funds - Other / Aid to Localities

HCRA Resources Fund - 061
Hospital Based Grants Program Account

For grants to community service programs including but not limited to community based organizations and other organizations providing specialized AIDS-related services targeted to minority and other high-risk populations 956,000

For services and expenses of an HIV and substance abuse fellowship program to encourage physicians and nurses to work in clinical settings providing care and treatment to persons with HIV infection, including but not limited to designated care centers, community health centers, hospital outpatient clinics, substance abuse treatment programs, mental health clinics, family planning and prenatal clinics, for training in diagnosis and management of HIV illness and substance abuse treatment. Up to 5 percent of the amount appropriated may be transferred to the general fund - state purposes account for administration of the program 1,372,000

For services and expenses related to the provision of HIV counseling and testing by family planning clinics and prenatal care assistance programs 505,000
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES  2009-10

1 For services and expenses of the AIDS institute related to training and education activities and continuum of care initiatives .............................. 318,000
2 For grants for the provision of primary health care services in drug treatment programs. Up to 5 percent of this amount may be transferred to the general fund - state purposes account .................. 361,000
3 For grants for the provision of comprehensive HIV prevention and health care service to high-risk adolescents and young adults ............................ 783,000
4 For grants for the development of women's HIV clinics to provide comprehensive obstetrical/gynecological services and for grants to health care facilities and community organizations for the provision of primary care, subspecialty care and supportive services to HIV infected women and children in underserved, high seroprevalence areas ..................... 743,000
5 For grants for the provision of HIV prevention and primary care services to high-risk populations in community health centers and substance abuse programs ...... 472,000
6 For grants to community based organizations for HIV prevention and outreach efforts targeted to substance abusers ............ 29,000
7 Program account subtotal ....................................... 5,539,000
8
9 Special Revenue Funds - Other / Aid to Localities
10 HCRA Resources Fund - 061
11 Maternal and Child HIV Services Account
12
13 For services and expenses related to special programs for HIV services for infants and pregnant women established pursuant to section 71 of chapter 731 of the laws of 1993. Such programs may provide continuing services to high-risk and HIV-positive women and children. Up to 5 percent of this appropriation may be transferred to the general fund-state purposes account for administration of this program ...... 4,625,000
14 Program account subtotal .......................... 4,625,000
15
16 CENTER FOR COMMUNITY HEALTH PROGRAM .................... 1,590,814,700
17
18 General Fund / State Operations
19 State Purposes Account - 003
20
21 PERSONAL SERVICE
22
23 Personal service--regular ...................... 2,851,000
Holiday/overtime compensation ............ 20,000

Amount available for personal service .... 2,871,000

NONPERSONAL SERVICE

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

Amount available for nonpersonal service.. 10,114,000

Program account subtotal ............. 12,985,000

General Fund / Aid to Localities
Local Assistance Account - 001

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

Notwithstanding any other provision of article 6 of the public health law, a county may obtain reimbursement pursuant to this act, only after the county chief financial officer certifies, in the municipal health services plan, that county tax levies used to fund services carried out by the county health department have not been added to or supplanted directly or indirectly by any funds obtained by the county pursuant to the Master Settlement Agreement entered into on November 23, 1998 by the state and leading United States tobacco product manufacturers, except in the case of a public health emergency, as determined by the commissioner of health. Notwithstanding annual aggregate limits for bad debt and charity care allowances and any other provision of law, up to $1,700,000 shall be transferred to the medical assistance program general fund - local assistance account for eligible publicly sponsored certified home health agencies that demonstrate losses from a disproportionate share of bad debt and charity care, pursuant to chapter 884 of the laws of 1990. Within the maximum limits specified herein, the department shall transfer only those funds which are necessary to meet the state share requirements for disproportionate share adjustments expected to be paid for the period January 1, 2009 through December 31, 2009. The
moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued .............................. 201,713,000

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

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

For services and expenses of an obesity prevention program in support of healthy eating collaboratives. A portion of this appropriation may be transferred to state operations appropriations for administration of this program .............. 1,645,000

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

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

For services and expenses, including operating expenses related to providing nutri-
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1. Operational services and nutrition education for hunger prevention and nutrition assistance. A portion of this appropriation may be transferred to state operations appropriations for administration of this program ......................... 30,900,000

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

3. For grants to rape crisis centers for services to rape victims and programs to prevent rape. The amounts appropriated pursuant to such appropriation may be suballocated to other state agencies or accounts for expenditures incurred in the operation of programs funded by such appropriation subject to the approval of the director of the budget ......................... 1,871,000

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

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

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

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

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

9. The moneys hereby appropriated shall be available for respite services for families of eligible children. Such moneys shall be allocated to each municipality by the department of health as determined by the department, to reimburse such munici-
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

palities in the amount of 50 percent of
the costs of respite services provided to
eligible children and their families with
the approval of the early intervention
official, in accordance with section 2547
of the public health law, section 69-4.18
of title 10 of the New York codes rules
and regulation and standards established
by the department for the provision of
respite services. The moneys allocated to
each municipality by the department shall
be the total amount of respite funds
available for such purpose .............. 1,861,000
For services and expenses of a comprehensive
adolescent pregnancy prevention program. A
portion of this appropriation may be
transferred to state operations appropri-
ations for administration of this program.
Notwithstanding any inconsistent provision
of law, a portion of these funds may be
suballocated to the office of children and
family services to continue contracting
with existing providers for the adolescent
pregnancy prevention and services program
until the program is transferred to the
department of health .................... 11,259,000
For services and expenses of the cancer
registry. A portion of this appropriation
may be transferred to state operations
appropriations for administration of this
program ................................................. 49,000
For state grants for breast cancer detection
and education program pursuant to chapter
328 of the laws of 1989 as amended. A
portion of this appropriation may be
transferred to state operations appropri-
ations for administration of this program. 4,521,000
For services and expenses of cancer perman-
ecy planning, legal and family counseling
services ................................. 490,000
For services and expenses of the health and
social services sexuality-related
programs .................................................. 5,537,000
For services and expenses of the osteoporosis prevention and education program. The
commissioner of health, pursuant to a plan
subject to the approval of the director of
the budget, may transfer funds to the
state operations budget of Helen Hayes
hospital for this program ............... 65,000
For services and expenses of a childhood
cancer awareness program ............... 35,000
For services and expenses associated with
red cross emergency response preparedness,
including support for capital projects and
ensuring an adequate blood supply. Funds
shall be allocated from this appropriation
pursuant to a plan prepared by the commis-
sioner of health and approved by the
director of the budget ...................... 3,000,000
For a grant to the Coalition of New York
State Alzheimer's Chapter, Inc. in support
of and for distribution to a statewide
network of not-for-profit corporations
established and dedicated to responding at
the local level to the needs of the New
York State Alzheimer's community pursuant
to subdivision 2 of section 2005 of the
public health law .......................... 246,000
For services and expenses of the arthritis
foundation ................................. 246,000
For grants to community based programs
providing support, including educational
and outreach services to persons diagnosed
with breast and other cancers ............ 392,000
For services and expenses related to the
statewide breast cancer support, education
and outreach program, notwithstanding any
inconsistent provision of law to the
contrary, funds shall be available for the
statewide breast cancer support, education
and outreach program to provide support
and education services to community-based
providers pursuant to the following:
Breast Cancer Coalition of Rochester, Inc.
............................................. 20,385
Breast Cancer Network of WNY, Inc. ...... 20,385
Brentwood/Bayshore Breast Cancer Coalition.. 6,454
Capital Region Action Against Breast Cancer
(CRAAB!) ................................. 20,385
Health Care Choices, Inc. ..................... 4,461
Huntington Breast Cancer Action Coalition .. 20,385
Ithaca Breast Cancer Alliance ................ 20,385
Mid Hudson Options Project, Inc. (dba Breast
Cancer Options) .......................... 20,385
New York State Breast Cancer Support &
Education Network, Inc. .................... 27,879
Share Self-Help for Women with Breast or
Ovarian Cancer, Inc. ....................... 37,511
Young Survivor Coalition .................. 20,385
Notwithstanding any inconsistent provision
of law, effective October 1, 2006, expend-
itures made from this appropriation shall
effectively provide a cost of living
adjustment for providers of the following
services, as determined by the commissi-
er of the department of health, red cross
emergency preparedness, nutrition educa-
tion and outreach, obesity prevention,
nutritional services to pregnant women,
infants and children, hunger prevention
and nutrition assistance program, Indian
health, asthma, prenatal care assistance
program, rape crisis, health and human
services sexuality related programs,
maternity and early childhood foundation,
comprehensive adolescent pregnancy
prevention, family planning, school
health, sudden infant death syndrome
education and outreach, childhood lead
poisoning prevention, enhanced services
for kids, act for youth, children with
special health care needs, regional peri-
natal data centers, migrant health, dental
DEPARTMENT OF HEALTH  
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

services, osteoporosis prevention, eating  
disorders, cancer services, cancer registry,  
healthy heart, Alzheimer's disease  
assistance centers, Alzheimer's research  
and education, diabetes screening, education,  
and prevention, tobacco control,  
rabies, tick-borne disease, immunization,  
universal prenatal and postpartum home  
visitation, public health campaign, sexually  
transmitted diseases, and tuberculosis control. The commissioner of the  
department of health shall determine the  
standards and requirements necessary to qualify for such increases. Further, each  
local government unit or direct contract provider receiving such funding shall submit written certification regarding the  
use of such funds to be provided in the format prescribed by the department. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner and approved by the director of the budget ................................ 30,440,000

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

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

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

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

For services and expenses related to statewide health broadcasts involving local, state and federal agencies. A portion of this appropriation may be transferred to state operations appropriations for administration of this program .................. 167,000

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

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

For services and expenses of a shaken baby syndrome public educational campaign, pursuant to chapter 110 of the laws of 2006. A portion of this appropriation may be transferred to state operations appropriations for administration of this program by the department of health ...... 180,000
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>For services and expenses of a public health</td>
<td>50,000</td>
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<td>For services and expenses for stockpile</td>
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<td>Program account subtotal</td>
<td>554,655,000</td>
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<td>Special Revenue Funds - Federal / State Operations</td>
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<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 food and nutritional services</td>
<td>9,195,000</td>
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<tr>
<td>Program account subtotal</td>
<td>9,195,000</td>
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<tr>
<td>Special Revenue Funds - Federal / Aid to Localities</td>
<td></td>
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<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</td>
<td>214,200,000</td>
</tr>
<tr>
<td>appropriated shall be available for payment of financial assistance</td>
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<td>accrued</td>
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<td>Program account subtotal</td>
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<td>Special Revenue Funds - Federal / State Operations</td>
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<tr>
<td>Federal USDA-Food and Nutrition Services Fund - 261</td>
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<tr>
<td>Federal Food and Nutrition Services Account</td>
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<tr>
<td>For various food and nutritional services</td>
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<td>Program account subtotal</td>
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<td>Special Revenue Funds - Federal / Aid to Localities</td>
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<tr>
<td>Federal USDA-Food and Nutrition Services Fund - 261</td>
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<tr>
<td>Federal Food and Nutrition Services Account</td>
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<tr>
<td>For various federal food and nutritional services. The moneys hereby</td>
<td>437,600,000</td>
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<td>Special Revenue Funds - Federal / State Operations</td>
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<tr>
<td>Federal USDA - Food and Nutrition Services Fund - 261</td>
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</tr>
<tr>
<td>Women, Infants, and Children (WIC) Civil Monetary Account</td>
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</tr>
</tbody>
</table>
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

NONPERSONAL SERVICE

Contractual services .................. 5,000,000

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

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

For various health prevention, diagnostic,
detection and treatment services. The
amounts appropriated pursuant to such
appropriation may be suballocated to other
state agencies or accounts for
expenditures incurred in the operation of
programs funded by such appropriation
subject to the approval of the director of
the budget .......................... 29,819,000

Program fund subtotal .............. 29,819,000

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

For various health prevention, diagnostic,
detection and treatment services. The
amounts appropriated pursuant to such
appropriation may be suballocated to other
state agencies or accounts for
expenditures incurred in the operation of
programs funded by such appropriation
subject to the approval of the director of
the budget .......................... 41,938,000

Program fund subtotal .............. 41,938,000

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

For various health prevention, diagnostic,
detection and treatment services. The
amounts appropriated pursuant to such
appropriation may be suballocated to other
state agencies or accounts for
expenditures incurred in the operation of
programs funded by such appropriation
subject to the approval of the director of
the budget .......................... 24,023,000

Program account subtotal ........... 24,023,000
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

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

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

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Program account subtotal .............  57,475,000

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

39 For activities related to a handicapped
40 infants and toddlers program ............  24,265,000
41
42 Program account subtotal .............  24,265,000
43
44 Special Revenue Funds - Federal / Aid to Localities
45 Federal Department of Education Fund - 267
46 Individuals with Disabilities-Part C Account
47
48 For activities related to a handicapped
49 infants and toddlers program ............  51,578,000
50
51 Program account subtotal .............  51,578,000
52
53 Special Revenue Funds - Other / State Operations
54 Combined Gifts, Grants and Bequests Fund - 020
55 Alzheimer's Research Account
56
57 For Alzheimer's disease research and assistance pursuant to chapter 590 of the laws of 1999.
DEPARTMENT OF HEALTH
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NONPERSONAL SERVICE

Contractual services .......................... 1,000,000

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

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

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

NONPERSONAL SERVICE

Contractual services .......................... 20,000

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

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

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

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

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

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

NONPERSONAL SERVICE

Contractual services .......................... 150,000

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

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

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

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

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

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

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

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

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

For grants to community based programs providing support, educational and outreach services to persons diagnosed with breast cancer ............... 245,000

For services and expenses related to tobacco enforcement, education and related activities, pursuant to chapter 433 of the laws of 1997. Of amounts appropriated herein, up to $500,000 may be used for educational programs. A portion of this appropriation may be transferred to state operations ... 2,303,000

For services and expenses of the maternity and early childhood foundation ........ 1,198,000

For transfer to the comprehensive care center for eating disorders development fund ........................................ 490,000

Program account subtotal .................. 39,074,000

------------------
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

For services and expenses related to providing nutritional services to pregnant women, infants, and children. Notwithstanding any other provision of law to the contrary, up to 5 percent of the amount appropriated may be transferred to the general fund - state purposes account for the administration of this program by the department of health ..................... 8,572,000

For grants in aid to contract for hypertension prevention, screening and treatment programs ........................................... 669,000

State grants for a program of family planning services pursuant to article 2 of the public health law .................................. 2,300,000

For grants to rape crisis centers for services to rape victims and programs to prevent rape. The amounts appropriated pursuant to such appropriation may be suballocated to other state agencies or accounts for expenditures incurred in the operation of programs funded by such appropriation subject to the approval of the director of the budget .................. 128,000

For services and expenses for a school health program ........................................... 2,007,000

For services and expenses of breast cancer detection and education ................... 270,000

For services and expenses of tuberculosis treatment, detection and prevention ...... 599,000

For services and expenses of a lead poisoning prevention program ................... 392,000

Program account subtotal .................. 14,937,000

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

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

PERSONAL SERVICE

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

Amount available for personal service .... 2,767,700

NONPERSONAL SERVICE

Supplies and materials .................. 10,000
Travel .................. 45,000
DEPARTMENT OF HEALTH  
STATE OPERATIONS AND AID TO LOCALITIES  2009-10

<table>
<thead>
<tr>
<th>Contractual services</th>
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<tbody>
<tr>
<td>Equipment</td>
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<tr>
<td>Fringe benefits</td>
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<tr>
<td>Indirect costs</td>
<td>751,000</td>
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<tr>
<td>Amount available for nonpersonal service</td>
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<th>Special Revenue Funds - Other / State Operations</th>
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<tbody>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
</tr>
<tr>
<td>Cable Television Account</td>
</tr>
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</table>

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

**NONPERSONAL SERVICE**

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<tr>
<th>Contractual services</th>
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<table>
<thead>
<tr>
<th>Special Revenue Funds - Other / Aid to Localities</th>
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</thead>
<tbody>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
</tr>
<tr>
<td>Comprehensive Care Center for Eating Disorders Development Grant Account</td>
</tr>
</tbody>
</table>

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

| Program account subtotal | 921,000 |

<table>
<thead>
<tr>
<th>Special Revenue Funds - Other / State Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
</tr>
<tr>
<td>CSFP Salvage Account</td>
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For services and expenses of the department of health related to the commodity supplemental food program.

**NONPERSONAL SERVICE**

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<th>Contractual services</th>
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<th>Special Revenue Funds - Other / State Operations</th>
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<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
</tr>
<tr>
<td>Diabetes Research and Education Account</td>
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</table>

For diabetes research and education pursuant to chapter 339 of the laws of 2001.
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

NONPERSONAL SERVICE

Contractual services ............................... 100,000

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

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

For services and expenses to implement the early intervention program act of 1992, as amended by a chapter of the laws of 2009. The money's hereby appropriated shall be available for payment of financial assistance heretofore accrued or hereafter to accrue, and shall be available for early intervention program administrative costs and for the state share for reimbursement of early intervention services. A portion of these funds shall be available to transfer to state operations for administration of this program ............................. 1,700,000

Program account subtotal ..............

1,700,000

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

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

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

Notwithstanding any other provision of law to the contrary, this appropriation is available for transfer to the state operations miscellaneous special revenue fund - local public health services program account, in the administration and executive direction program fiscal management group ............................... 285,000
Notwithstanding any other provision of law to the contrary, this appropriation is available for contractual audits of localities to supplement the audits performed by the department of health for 209,000.

Program account subtotal for 4,625,000.

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

**Tobacco Enforcement and Education Account**

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

**Nonpersonal Service**

Contractual services for 75,000.

Program account subtotal for 75,000.

**Center for Environmental Health Program**

General Fund / State Operations

State Purposes Account - 003

**Personal Service**

Personal service--regular for 7,428,100.

Temporary service for 243,700.

Holiday/overtime compensation for 24,000.

Amount available for personal service for 7,695,800.

**Nonpersonal Service**

Supplies and materials for 101,000.

Travel for 374,400.

Contractual services for 1,661,000.

Equipment for 100,600.

Amount available for nonpersonal service for 2,237,000.

Program account subtotal for 9,932,800.

**General Fund / Aid to Localities**

Local Assistance Account - 001

For services and expenses related to the water supply protection program for 5,527,200.

For services and expenses of the healthy neighborhood program for 1,983,400.

For services and expenses related to enhancing the childhood lead poisoning primary prevention program in accordance
DEPARTMENT OF HEALTH 
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

----------------------------------
Program account subtotal .......... 10,010,600
----------------------------------

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

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

----------------------------------
Program account subtotal .......... 1,673,000
----------------------------------

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

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

----------------------------------
Program account subtotal .......... 6,808,000
----------------------------------

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

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

----------------------------------
Program account subtotal .......... 3,687,000
----------------------------------

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

For various environmental projects including 
suballocation for the department of envi-
ronmental conservation ...................... 9,703,000

----------------------------------
Program account subtotal .......... 9,703,000
----------------------------------

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

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

PERSONAL SERVICE

Personal service--regular .............. 658,600
## DEPARTMENT OF HEALTH
### STATE OPERATIONS AND AID TO LOCALITIES 2009-10

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Holiday/overtime compensation</td>
<td>5,500</td>
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<tr>
<td>Amount available for personal service</td>
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<td>Supplies and materials</td>
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<td><strong>MAINTENANCE UNDISTRIBUTED</strong></td>
<td></td>
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<tr>
<td>For suballocation to the energy research and</td>
<td></td>
</tr>
<tr>
<td>development authority, pursuant to chapter</td>
<td></td>
</tr>
<tr>
<td>673 of the laws of 1986, as amended by</td>
<td></td>
</tr>
<tr>
<td>368 and 913 of the laws of 1990.</td>
<td>150,000</td>
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<td>Program account subtotal</td>
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<tr>
<td><strong>Environmental Protection and Oil Spill Compensation Fund</strong></td>
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<tr>
<td>For services and expenses related to the oil</td>
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<tr>
<td>spill relocation network program.</td>
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<td><strong>PERSONAL SERVICE</strong></td>
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<tr>
<td>Personal service--regular</td>
<td>181,300</td>
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<td>Holiday/overtime compensation</td>
<td>2,000</td>
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<td>Amount available for personal service</td>
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<td><strong>NONPERSONAL SERVICE</strong></td>
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<tr>
<td>Supplies and materials</td>
<td>6,900</td>
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<td>Travel</td>
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<td>Contractual services</td>
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<td>Equipment</td>
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<td>Fringe benefits</td>
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<td>Indirect costs</td>
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<td>Amount available for nonpersonal service</td>
<td>155,200</td>
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<td>Program fund subtotal</td>
<td>338,500</td>
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</table>

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

Training and Education Program on Occupational Safety and Health Fund - 305

OSH Training and Education Account
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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<tbody>
<tr>
<td>These funds shall be available to the department of health occupational safety and health training education account to conduct occupational and environmental lead study</td>
<td>196,000</td>
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<td>Program account subtotal</td>
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<td>Special Revenue Funds - Other / State Operations</td>
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<tr>
<td>Clean Air Fund - 314</td>
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<tr>
<td>Operating Permit Program Account</td>
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<tr>
<td>For services and expenses of the department of health in developing, implementing and operating the operating permit program.</td>
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<td>PERSONAL SERVICE</td>
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<td>NONPERSONAL SERVICE</td>
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<td>Supplies and materials</td>
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<td>Travel</td>
<td>5,000</td>
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<td>Contractual services</td>
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<td>Equipment</td>
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<td>Fringe benefits</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>Asbestos Safety Training Account</td>
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<td>For services and expenses of the asbestos safety training program.</td>
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<td>PERSONAL SERVICE</td>
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<tr>
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<td>NONPERSONAL SERVICE</td>
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<td>Supplies and materials</td>
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<td>Travel</td>
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<td>Contractual services</td>
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<td>Equipment</td>
<td>11,600</td>
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### DEPARTMENT OF HEALTH

#### STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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<th>Account Number</th>
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<tr>
<td>1</td>
<td>Fringe benefits</td>
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<td>2</td>
<td>Indirect costs</td>
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<td>Amount available for nonpersonal service</td>
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<td>Special Revenue Funds - Other / State Operations</td>
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<tr>
<td>10</td>
<td>Miscellaneous Special Revenue Fund - 339</td>
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<tr>
<td>11</td>
<td>Occupational Health Clinics Account</td>
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<tr>
<td>12</td>
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<tr>
<td>13</td>
<td>For services and expenses of implementing and operating a statewide network of occupational health clinics for diagnostic, screening, treatment, referral, and education services.</td>
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<td>PERSONAL SERVICE</td>
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<td>Personal service--regular</td>
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<td>Amount available for personal service</td>
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<td>21</td>
<td>NONPERSONAL SERVICE</td>
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<tr>
<td>22</td>
<td>Supplies and materials</td>
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<td>23</td>
<td>Travel</td>
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<td>24</td>
<td>Contractual services</td>
<td>9,550,000</td>
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<td>25</td>
<td>Equipment</td>
<td>3,400</td>
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<tr>
<td>26</td>
<td>Fringe benefits</td>
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<td>27</td>
<td>Indirect costs</td>
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<td>29</td>
<td>Amount available for nonpersonal service</td>
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<td>33</td>
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<td>34</td>
<td>Miscellaneous Special Revenue Fund - 339</td>
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<tr>
<td>35</td>
<td>Radiological Health Protection Program Account</td>
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</tr>
<tr>
<td>36</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>For services and expenses related to the radiological health protection account.</td>
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</tr>
<tr>
<td>38</td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>PERSONAL SERVICE</td>
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<td>40</td>
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<td>Temporary service</td>
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<td>44</td>
<td>Amount available for personal service</td>
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<td>46</td>
<td>NONPERSONAL SERVICE</td>
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<tr>
<td>47</td>
<td>Supplies and materials</td>
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<td>48</td>
<td>Travel</td>
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<td>49</td>
<td>Contractual services</td>
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<tr>
<td>50</td>
<td>Equipment</td>
<td>39,400</td>
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### DEPARTMENT OF HEALTH

#### STATE OPERATIONS AND AID TO LOCALITIES 2009-10

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Fringe benefits</td>
<td>997,400</td>
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<tr>
<td>Indirect costs</td>
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<td><strong>Amount available for nonpersonal service</strong></td>
<td>1,923,700</td>
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<td><strong>Program account subtotal</strong></td>
<td>4,369,500</td>
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**Special Revenue Funds - Other / State Operations**

- Miscellaneous Special Revenue Fund - 339
- Radon Detection Device Account

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

**NONPERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
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<tr>
<td>Contractual services</td>
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**Special Revenue Funds - Other / State Operations**

- Drinking Water Program Management and Administration Fund - 366

For services and expenses of the state revolving funds program.

**PERSONAL SERVICE**

<table>
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<th>Description</th>
<th>Amount</th>
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<tr>
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<td>Holiday/overtime compensation</td>
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<td><strong>Amount available for personal service</strong></td>
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**NONPERSONAL SERVICE**

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<tr>
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<td>Travel</td>
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<td>Contractual services</td>
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<td>Equipment</td>
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**CHILD HEALTH INSURANCE PROGRAM**

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<td>****</td>
<td>1,010,926,400</td>
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**Special Revenue Funds - Federal / State Operations**

- Federal Health and Human Services Fund - 265
- Children's Health Insurance Account

The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

Program account subtotal ............... 64,130,000

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

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

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

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

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

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

2. In addition, the cost of coverage
provided under subdivision 5 of section
2511 of the public health law shall be
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

Program account subtotal ............... 487,800,000

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

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

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

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

PERSONAL SERVICE

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

Amount available for personal service .... 3,228,400

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

NONPERSONAL SERVICE

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

Amount available for nonpersonal service.. 13,268,000

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

Program account subtotal ............... 16,496,400

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

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

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

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

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

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

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

2. In addition, the cost of coverage provided under subdivision 5 of section 2511 of the public health law shall be determined solely by the commissioner of health and shall be no more than the cost of providing such coverage.

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

Program account subtotal .................. 442,500,000

Division of Managed Care and Program Evaluation ........ 18,725,200

General Fund / State Operations
State Purposes Account - 003

Personal Service

Personal service--regular .................... 12,279,200
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

NONPERSONAL SERVICE

<table>
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<tr>
<th>Item</th>
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<tbody>
<tr>
<td>Supplies and materials</td>
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<td>Travel</td>
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<td>Contractual services</td>
<td>6,000,000</td>
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<tr>
<td>Equipment</td>
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<td>Amount available for nonpersonal service.</td>
<td>6,446,000</td>
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<td>Program account subtotal</td>
<td>18,725,200</td>
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</tbody>
</table>

ELDERLY PHARMACEUTICAL INSURANCE COVERAGE PROGRAM ....... 415,061,000

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, payment under the elderly pharmaceutical insurance coverage program for brand name drugs required by the prescriber to be dispensed as written and for covered drugs other than multiple source drugs shall be determined by applying the lower of: (A) average wholesale price discounted by 17.25 percent, plus a dispensing fee as defined in paragraph (c) of subdivision 1 of section 250 of the elder law, or (B) the pharmacy’s usual and customary charge to the general public, taking into consideration any quantity and promotional discounts to the general public at the time of purchase.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2009 through March 31, 2010, for purposes of the program for elderly pharmaceutical insurance coverage, provider pharmacies shall include nonresident establishments registered pursuant to section 6800-b of the education law; provided, however, that the participation in the program of pharmacies registered in the state pursuant to section 6808-b of the education law shall be limited to elderly pharmaceutical insurance coverage program assistance for prescription drugs covered by a program participant’s medicare or other drug plan; and provided further that, if this chapter appropriates sufficient additional funds to exclude non-resident establishments from
60

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 participation in the elderly
2 pharmaceutical insurance coverage program
3 as described herein, then the provisions
4 of this paragraph shall not apply and
5 shall be considered null and void as of
6 March 31, 2009.
7 Notwithstanding any inconsistent provision
8 of law, rule or regulation to the
9 contrary, for the period July 1, 2009
10 through March 31, 2010, for a participant
11 in the program for elderly pharmaceutical
12 insurance coverage whose prescription drug
13 expenses are paid or reimbursable under
14 the provisions of the medicare program,
15 assistance under the program for elderly
16 pharmaceutical insurance coverage shall be
17 limited to prescription drugs covered by
18 the participant's medicare plan and to
19 drugs excluded from medicare coverage in
20 accordance with section 1860-D-2 of the
21 federal social security act, and in such
22 cases the program for elderly
23 pharmaceutical insurance coverage shall
24 cover the amount that is the
25 responsibility of the participant under
26 the medicare plan benefit, subject to the
27 participant's cost-sharing responsibility
28 on such amount under sections 247 or 248
29 of the elder law.
30 Notwithstanding any inconsistent provision
31 of law, rule or regulation to the
32 contrary, for the period July 1, 2009
33 through March 31, 2010, under the elderly
34 pharmaceutical insurance coverage program,
35 the requirement that, as a condition of
36 continued eligibility for benefits under
37 such program, a program participant who is
38 eligible for medicare part D drug coverage
39 under section 1860D of the federal social
40 security act be required to enroll in
41 medicare part D at the first available
42 enrollment period and to maintain such
43 enrollment shall not be waived if such
44 enrollment would result in significant
45 additional financial liability by the
46 participant, including, but not limited
47 to, individuals in a medicare advantage
48 plan whose cost sharing would be
49 increased; provided further that elderly
50 pharmaceutical insurance coverage program
51 representation of program participants in
52 the pursuit of medicare part D coverage
53 and the medicare savings programs shall be
54 permitted notwithstanding additional
55 financial liability on behalf of such
56 program participants; provided further
57 that, if this chapter appropriates
58 sufficient additional funds to permit a
59 waiver of the medicare part D enrollment
60 requirement and the representation
61 requirement described herein if the
62 participant incurs significant additional
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

financial liability, or additional financial liability, respectively, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2009.
Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2009 through March 31, 2010, it shall be a condition of eligibility for benefits under the program for elderly pharmaceutical insurance coverage that, if a program participant's income indicates that the participant could be eligible for an income-related subsidy under section 1860D-14 of the federal social security act by enrolling in a medicare savings program as a qualified medicare beneficiary, a specified low-income medicare beneficiary, or a qualifying individual, the participant shall provide any information or documentation required to establish the participant's eligibility for such subsidy, and shall authorize the program to apply on behalf of the participant for the subsidy or the medicare savings program; provided, however, if this chapter appropriates sufficient additional funds to allow eligibility for the elderly pharmaceutical insurance coverage program without the eligibility conditions described herein, then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2009.
Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2009 through March 31, 2010, a covered drug under the elderly pharmaceutical insurance coverage program shall not include any drug excluded from coverage by the medical assistance program established under title 11 of article 5 of the social services law.
The moneys hereby appropriated shall be available for payment of financial assistance heretofore accrued ................. 168,150,000

Program account subtotal ................. 168,150,000

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

PERSONAL SERVICE

Personal service--regular ................ 2,141,600
DEPARTMENT OF HEALTH  
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

<table>
<thead>
<tr>
<th>NONPERSONAL SERVICE</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>30,000</td>
</tr>
<tr>
<td>Travel</td>
<td>25,000</td>
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<tr>
<td>Contractual services</td>
<td>18,498,900</td>
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<tr>
<td>Equipment</td>
<td>15,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>975,500</td>
</tr>
<tr>
<td>Amount available for nonpersonal service.</td>
<td>19,544,400</td>
</tr>
</tbody>
</table>

MAINTENANCE UNDISTRIBUTED

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

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

Special Revenue Funds - Other / Aid to Localities

Miscellaneous Special Revenue Fund - 339

EPIC Premium Account

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, payment under the elderly pharmaceutical insurance coverage program for brand name drugs required by the prescriber to be dispensed as written and for covered drugs other than multiple source drugs shall be determined by applying the lower of: (A) average wholesale price discounted by 17.25 percent, plus a dispensing fee as defined in paragraph (c) of subdivision 1 of section 250 of the elder law, or (B) the pharmacy's usual and customary charge to the general public, taking into consideration any quantity and promotional discounts to the general public at the time of purchase.

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

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

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

Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period July 1, 2009
through March 31, 2010, it shall be a
condition of eligibility for benefits
under the program for elderly pharma-
caceutical insurance coverage that, if a
program participant's income indicates
that the participant could be eligible for
an income-related subsidy under section
1860D-14 of the federal social security
act by enrolling in a medicare savings
program as a qualified medicare bene-
ficiary, a specified low-income medicare
beneficiary, or a qualifying individual,
the participant shall provide any
information or documentation required to
establish the participant's eligibility
for such subsidy, and shall authorize the
program to apply on behalf of the
participant for the subsidy or the
medicare savings program; provided,
however, if this chapter appropriates
sufficient additional funds to allow
eligibility for the elderly pharmaceutical
insurance coverage program without the
eligibility conditions described herein,
then the provisions of this paragraph
shall not apply and shall be considered
null and void as of March 31, 2009.

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

#### STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

2. Program account subtotal... 225,000,000

3. **HEALTH CARE FINANCING PROGRAM** ... 21,288,700

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**General Fund / State Operations**

**State Purposes Account - 003**

**PERSONAL SERVICE**

- Personal service--regular... 5,420,100
- Temporary service... 10,000
- Holiday/overtime compensation... 40,000

4. Amount available for personal service... 5,470,100

---

**NONPERSONAL SERVICE**

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

5. Amount available for nonpersonal service... 2,507,000

6. Program account subtotal... 7,977,100

---

**General Fund / Aid to Localities**

**Local Assistance Account - 001**

7. For services and expenses related to the annual hospital institutional cost report.

8. A portion of this appropriation may be transferred to state operations appropriations... 147,000

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

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

11. For services and expenses of the gateway institute through the research foundation of the city university of New York to promote minority participation in medical...
**STATE OPERATIONS AND AID TO LOCALITIES 2009-10**

1. **education. A portion of this appropriation may be transferred to state operations appropriations** ........................................... 220,000
2. Program account subtotal ........................................... 798,000

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

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

**PERSONAL SERVICE**

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

**NONPERSONAL SERVICE**

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

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

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

**PERSONAL SERVICE**

1. **Personal service--regular** ........................................... 3,221,800
2. **Holiday/overtime compensation** ........................................... 40,000
3. Amount available for personal service ........................................... 3,261,800
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

NONPERSONAL SERVICE

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

Amount available for nonpersonal service.. 3,179,000

Program account subtotal .................... 6,440,800

HEALTH CARE REFORM ACT PROGRAM .................. 654,270,000

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

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

For transfer to the pool administrator for
the purpose of making supplemental gradu-
ate medical education payments ............. 30,400,000

For services and expenses of the ambulatory
care training program pursuant to subdivi-
sion 5-a of section 2807-m of the public
health law ................................. 4,900,000

For services and expenses of the physician
loan repayment program pursuant to subdi-
vision 5-a of section 2807-m of the public
health law. All or part of this appropriation may be suballocated to the NYS higher education services corporation ......... 1,960,000
For services and expenses of the physician practice support program pursuant to subdivision 5-a of section 2807-m of the public health law .................. 4,900,000
For services and expenses related to physicians workforce studies pursuant to subdivision 5-a of section 2807-m of the public health law .................. 590,000
For services and expenses of the diversity in medicine/post-baccalaureate program pursuant to subdivision 5-a of section 2807-m of the public health law ............. 1,960,000
For transfer to Roswell park cancer institute corporation .................. 76,400,000
For suballocation to the state insurance department related to the healthy NY program. A portion of this appropriation may be transferred to state operations appropriations .................. 185,000,000
For suballocation to the state insurance department related to the pilot program for entertainment industry employees ...... 1,960,000
For suballocation to the state insurance department related to the physicians excess medical malpractice program ........ 127,400,000
For transfer to health research incorporated (HRI) for the AIDS drug assistance program .................. 42,300,000
For state grants for the health workforce retraining program. Notwithstanding section 2807-g of the public health law, or any other provision of law to the contrary, funds hereby appropriated may be made available to other state agencies and facilities operated by the department of health for services and expenses related to the worker retraining program as disbursed pursuant to section 2807-g of the public health law. Provided, however, that the director of the budget must approve the release of any request for proposal or request for application or any other procurement initiatives issued on or after April 1, 2007. Further provided that any contract executed on or after April 1, 2007 must receive the prior approval of the director of the budget. A portion of this appropriation may be transferred to state operations appropriations ............. 10,400,000
For suballocation to the state insurance department for the health maintenance organization direct pay market program ... 36,800,000
For services and expenses of the New York state area health education center program .................. 2,500,000
For state grants for rural health care access development .................. 10,400,000
For state grants for rural health network development .................. 6,700,000
For services and expenses, including grants, related to emergency assistance distributions as designated by the commissioner of health. Notwithstanding section 112 or 163 of the state finance law or any other contrary provision of law, such distributions shall be limited to providers or programs where, as determined by the commissioner of health, emergency assistance is vital to protect the life or safety of patients, to ensure the retention of facility caregivers or other staff, or in instances where health facility operations are jeopardized, or where the public health is jeopardized or other emergency situations exist 2,900,000.

For transfer to the pool administrator for distributions related to school based health clinics 6,400,000.

For services and expenses related to the disease management demonstration program 6,700,000.

For services and expenses related to audit ing or payment of audit contracts to determine payor and provider compliance requirements. All or a portion of this appropriation may be transferred to state operations appropriations 7,800,000.

For services and expenses related to audit ing or payment of audit contracts to determine hospital compliance with paragraph 6 of subdivision (a) of section 405.4 of title 10, NYCCR. All or a portion of this appropriation may be transferred to state operations appropriations 2,700,000.

For services and expenses, including personal services, related to the long term care insurance education and outreach program. All or a portion of this appropriation may be transferred to state operations appropriations 1,400,000.

For services and expenses related to the pool administration. All or a portion of this appropriation may be transferred to state operations appropriations 4,600,000.

For services and expenses related to school based health centers. The total amount of funds provided herein shall be distributed to school-based health center providers based on the ratio of each provider’s total enrollment for all sites to the total enrollment of all providers. This formula shall be applied to the total amount made available herein, provided, however, that notwithstanding any contrary provision of law, the commissioner of health may establish minimum and maximum awards for providers 3,200,000.

For payments for uncompensated care to eligible voluntary non-profit diagnostic and treatment centers 54,400,000.
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For transfer to the dormitory authority of
the state of New York for the health
facility restructuring program ............ 19,600,000
-----------
Program account subtotal ............ 654,270,000
-----------

INSTITUTIONAL MANAGEMENT PROGRAM ....................... 165,752,100

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

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

NONPERSONAL SERVICE

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

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

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

NONPERSONAL SERVICE

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

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

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

NONPERSONAL SERVICE

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

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

For services and expenses of patient bene-
fits and other activities and other
services as funded by gifts and donations.
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>50,000</td>
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<tr>
<td>Program account subtotal</td>
<td>50,000</td>
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<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>Oxford Gifts and Donations Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses of patient benefits and other activities and services as funded by gifts and donations.</td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>200,000</td>
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<td>Program account subtotal</td>
<td>200,000</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>Helen Hayes Hospital Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses of the Helen Hayes hospital including an affiliation agreement contract. Up to $304,273 of this amount may be suballocated to the department of law for services and expenses of a collection unit at Helen Hayes hospital.</td>
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<tr>
<td>Personal service--regular</td>
<td>36,223,800</td>
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<td>Temporary service</td>
<td>3,150,000</td>
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<td>Holiday/overtime compensation</td>
<td>956,000</td>
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<td>Amount available for personal service</td>
<td>40,329,800</td>
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<td>Supplies and materials</td>
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<td>Travel</td>
<td>32,000</td>
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<td>Contractual services</td>
<td>19,247,000</td>
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<tr>
<td>Equipment</td>
<td>823,000</td>
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<tr>
<td>Fringe benefits</td>
<td>3,000,000</td>
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<tr>
<td>Indirect costs</td>
<td>200,000</td>
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<td>Amount available for nonpersonal service.</td>
<td>27,247,000</td>
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<td>Program account subtotal</td>
<td>67,576,800</td>
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<td>Special Revenue Funds - Other / State Operations</td>
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<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
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<tr>
<td>New York City Veterans' Home Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses of the New York city veterans' home.</td>
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<tr>
<td></td>
<td>Amount</td>
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<tr>
<td>DEPARTMENT OF HEALTH</td>
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<tr>
<td>STATE OPERATIONS AND AID TO LOCALITIES 2009-10</td>
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<tr>
<td>this amount may be suballocated to the</td>
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<tr>
<td>department of law for services and</td>
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<td>expenses of a collection unit at the New</td>
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<tr>
<td>York city veterans' home for the New</td>
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<tr>
<td>state home for veterans and their depen-</td>
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<tr>
<td>dents at Oxford, the New York city veter-</td>
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<td>ans' home, the Western New York veterans'</td>
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<td>home and New York state veterans' home at</td>
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<tr>
<td>Montrose.</td>
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<tr>
<td>PERSONAL SERVICE</td>
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<tr>
<td>Personal service--regular</td>
<td>13,741,100</td>
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<tr>
<td>Holiday/overtime compensation</td>
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<td>Amount available for personal service ....</td>
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<td>NONPERSONAL SERVICE</td>
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<td>Supplies and materials</td>
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<td>Travel</td>
<td>52,000</td>
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<td>Contractual services</td>
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<td>Equipment</td>
<td>466,000</td>
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<td>Fringe benefits</td>
<td>6,700,000</td>
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<td>Indirect costs</td>
<td>75,000</td>
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<tr>
<td>Amount available for nonpersonal service..</td>
<td>19,532,000</td>
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<tr>
<td>Program account subtotal</td>
<td>34,698,100</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>
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<tr>
<td>New York State Home for Veterans and Their Dependen-</td>
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</tr>
<tr>
<td>ts at Oxford Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses of the New</td>
<td></td>
</tr>
<tr>
<td>state home for veterans and their depen-</td>
<td></td>
</tr>
<tr>
<td>dents at Oxford.</td>
<td></td>
</tr>
<tr>
<td>PERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>14,462,700</td>
</tr>
<tr>
<td>Temporary service</td>
<td>795,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>1,012,000</td>
</tr>
<tr>
<td>Amount available for personal service ....</td>
<td>16,269,700</td>
</tr>
<tr>
<td>NONPERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>4,373,000</td>
</tr>
<tr>
<td>Travel</td>
<td>65,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>2,612,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>513,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>1,200,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>60,000</td>
</tr>
<tr>
<td>Amount available for nonpersonal service..</td>
<td>8,823,000</td>
</tr>
<tr>
<td>Description</td>
<td>Amount</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>25,092,700</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>New York State Home for Veterans in the Lower-Hudson Valley Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses of the New York state home for veterans in the lower-Hudson Valley account</td>
<td></td>
</tr>
<tr>
<td>PERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>13,939,200</td>
</tr>
<tr>
<td>Temporary service</td>
<td>2,159,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>1,875,000</td>
</tr>
<tr>
<td><strong>Amount available for personal service</strong></td>
<td>17,973,200</td>
</tr>
<tr>
<td>NONPERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>2,389,000</td>
</tr>
<tr>
<td>Travel</td>
<td>15,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>4,784,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>290,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>60,000</td>
</tr>
<tr>
<td><strong>Amount available for nonpersonal service</strong></td>
<td>7,538,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>25,511,200</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>Western New York Veterans' Home Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses of the Western New York veterans' home.</td>
<td></td>
</tr>
<tr>
<td>PERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>8,013,300</td>
</tr>
<tr>
<td>Temporary service</td>
<td>280,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>490,000</td>
</tr>
<tr>
<td><strong>Amount available for personal service</strong></td>
<td>8,783,300</td>
</tr>
<tr>
<td>NONPERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>828,000</td>
</tr>
<tr>
<td>Travel</td>
<td>25,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>1,997,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>800,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>45,000</td>
</tr>
<tr>
<td><strong>Amount available for nonpersonal service</strong></td>
<td>3,695,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>12,478,300</td>
</tr>
</tbody>
</table>
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

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

NONPERSONAL SERVICE

Supplies and materials ......................... 10,000

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

MEDICAID MANAGEMENT INFORMATION SYSTEM PROGRAM ............ 199,759,000

General Fund / State Operations
State Purposes Account - 003

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

NONPERSONAL SERVICE

Contractual services ......................... 94,505,000

Program account subtotal ...................... 94,505,000

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

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

Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, the amount appropriated herein may be increased or decreased by interchange with any other appropriation or with any other item or items within the amounts appropriated within the department of health special revenue funds - federal with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with
the chairman of the senate finance committee and means committee 105,254,000

Program fund subtotal 105,254,000

MAINTENANCE UNDISTRIBUTED 0

General Fund / State Operations
State Purposes Account - 003

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

Program account subtotal (112,822,000)

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

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

Program account subtotal 11,800,000

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

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

Program account subtotal 300,000
DEPARTMENT OF HEALTH

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

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

Program account subtotal ............... 99,472,000

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

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

Program account subtotal ............... 1,250,000

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

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

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

Program account subtotal ............... 7,288,000
MEDICAL ASSISTANCE ADMINISTRATION PROGRAM ............... 1,130,300,000

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

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

Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services
district's share of payments made pursuant
to section 367-b of the social services
law .............................................. 422,800,000
For contractual services related to medical
necessity and quality of care reviews
related to medicaid patients. Subject to
the approval of the director of the budg-
et, all or part of this appropriation may
be transferred to the health care stand-
ards and surveillance program, general
fund - local assistance account ........... 3,700,000
The amount appropriated herein, together
with any federal matching funds obtained,
may be available to the department,
subject to the approval of the director of
the budget, for contractual services
related to a third party entity responsi-
ble 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 appro-
priation may be transferred to the office
of managed care, general fund - state
purposes account. Notwithstanding any
other provision of law, the money hereby
appropriated may be increased or decreased
by interchange, with any appropriation of
the department of health, and may be
increased or decreased by transfer or
suballocation between these appropriated
amounts ................................. 22,000,000
For state reimbursement of administrative
expenses for the medical assistance
program provided by the office of mental
health, office of mental retardation and
developmental disabilities and office of
alcoholism and substance abuse services.
The money hereby appropriated is available
for payment of aid heretofore accrued and
hereafter to accrue. Notwithstanding any
other provision of law, the money hereby
appropriated may be increased or decreased
by interchange with any other appropri-
ation of the department of health with the
approval of the director of the budget ...... 100,000,000
-------------------
Program account subtotal ............... 548,500,000
-------------------
Special Revenue Funds - Federal / Aid to Localities
Federal Health and Human Services Fund - 265
Medicaid Administration Transfer Account

For reimbursement of local administrative
expenses of medical assistance programs
provided pursuant to title XIX of the
federal social security act or its succes-
sor program.
The moneys hereby appropriated are to be
available for payment of aid heretofore
accrued or hereafter to accrue to munici-
DEPARTMENT OF HEALTH

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

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

Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the state commissioner of temporary and disability assistance or the state commissioner of health as due from local social services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law .................. 481,800,000

For reimbursement of administrative expenses of the medical assistance program provided by the office of mental health, office of mental retardation and developmental disa-
DEPARTMENT OF HEALTH
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1 abilities, and office of alcoholism and
2 substance abuse services provided pursuant
3 to title XIX of the federal social securi-
4 ty act. The money hereby appropriated is
5 available for payment of aid heretofore
6 accrued and hereafter to accrue. Notwith-
7 standing any other provision of law, the
8 money hereby appropriated may be increased
9 or decreased by interchange with any other
10 appropriation of the department of health
11 with the approval of the director of budg-
12 et ........................................... 100,000,000
13
14 Program account subtotal .................. 581,800,000
15
16 MEDICAL ASSISTANCE PROGRAM .................. 42,238,804,000
17
18 General Fund / Aid to Localities
19 Local Assistance Account - 001
20
21 For the medical assistance program, includ-
22 ing administrative expenses, for local
23 social services districts, and for medical
24 care rates for authorized child care agen-
25 cies.
26 The money hereby appropriated is to be
27 available for payment of aid heretofore
28 accrued or hereafter to accrue to munici-
29 palities, and to providers of medical
30 services pursuant to section 367-b of the
31 social services law, and for payment of
32 state aid to municipalities and to provid-
33 ers of family care where payment systems
34 through the fiscal intermediaries are not
35 operational, and shall be available to the
36 department net of disallowances, refunds,
37 reimbursements, and credits.
38 Notwithstanding any inconsistent provision
39 of law to the contrary, funds may be used
40 by the department for outside legal
41 assistance on issues involving the federal
42 government, the conduct of preadmission
43 screening and annual resident reviews
44 required by the state's medicaid program,
45 computer matching with insurance carriers
46 to insure that medicaid is the payer of
47 last resort and activities related to the
48 management of the pharmacy benefit avail-
49 able under the medicaid program.
50 Notwithstanding any inconsistent provision
51 of law, in lieu of payments authorized by
52 the social services law, or payments of
53 federal funds otherwise due to the local
54 social services districts for programs
55 provided under the federal social security
56 act or the federal food stamp act, funds
57 herein appropriated, in amounts certified
58 by the state commissioner of temporary and
59 disability assistance or the state commis-
60 sioner of health as due from local social
services districts each month as their share of payments made pursuant to section 367-b of the social services law may be set aside by the state comptroller in an interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

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

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

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

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

Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of the public health law, subdivision 2-b of section 2808 of the public health law, section 21 of chapter 1 of the laws of 1999 and any other contrary provision of law, except with regard to subparagraph (iii) of paragraph (b) of subdivision 33 of section 2807-c of the public health law, for the period April 1, 2009 through March 31, 2010, rates of payments by state governmental agencies for inpatient and outpatient services provided by general hospitals, for inpatient services and adult day health care outpatient services provided by residential health care facilities pursuant to article 28 of the public health law, except for residential health care facilities that provide extensive nursing, medical, psychological and counseling support services to children, for home health care services provided pursuant to article 36 of the public health law by certified home health agencies and long term home health care programs, and personal care services provided pursuant to paragraph (e) of subdivision 2 of section 365-a of the social services law, including personal care services provided in those local social service districts, including New York City, whose rates of payment for such
services are established by such local
social service districts pursuant to a
rate-setting exemption issued by the
commissioner of health to such local
social service districts in accordance
with applicable regulations, and including
rates of payment for assisted living
program services, shall reflect zero trend
factor projections for the 2009 calendar
year.
For services and expenses of the medical
assistance program including hospital
inpatient services.
Notwithstanding any contrary provision of
law and subject to the availability of
federal financial participation, for the
period April 1, 2009 through March 31,
2010, the operating cost component of
medicaid per diem and per discharge rates
of payment for inpatient services for
discharges and days occurring during such
period shall, after application of any
applicable adjustments to the trend
factors affecting such rates, be subject
to a uniform percentage reduction of 2
percent.
Notwithstanding any inconsistent provision
of section 2807-c of the public health law
or any other contrary provision of law,
and subject to the availability of federal
financial participation, rates of payment
by governmental agencies for general
hospital inpatient services with regard to
discharges occurring on and after July 1,
2009 through March 31, 2010, shall be in
accordance with the following:
(a) For periods on and after July 1, 2009
through March 31, 2010, the operating cost
component of such rates of payment shall
reflect the use of 2005 operating costs as
reported by each facility to the
department of health prior to December 1,
2008 and as otherwise computed in
accordance with the provisions of this
section and shall be in accordance with
the following:
(i) The computation of a case mix neutral
statewide base price applicable to each
rate period, but excluding adjustments for
graduate medical education costs, high
cost outlier costs and cost related to
patient transfers, and as may be
periodically adjusted to reflect changes
in provider coding patterns and case-mix;
and
(ii) Only those 2005 base year costs which
relate to the cost of services provided to
medicaid inpatients, as determined by the
applicable ratio of costs to charges
methodology, shall be utilized for rate-
setting and case-mix purposes;
such rates shall reflect the application of hospital specific wage equalization factors and power equalization factors reflecting differences in wage rates and utility costs;
(iv) Such rates shall reflect the utilization of all patient refined (APR) case mix methodology, utilizing diagnostic related groups with assigned weights that incorporate differing levels of severity of patient condition and the associated risk of mortality, and as may be periodically updated by the commissioner of health;
(v) Such regulations may incorporate quality related measures pertaining to potentially preventable complications and re-admissions;
(vi) Such regulations shall address adjustments based on the costs of high cost outlier patients;
(vii) Such rates shall continue to reflect trend factor adjustments as otherwise provided in paragraph (c) of subdivision 10 of section 2807-c of the public health law;
(viii) Such rates shall not include any adjustments pursuant to subdivision 9 of section 2807-c of the public health law;
(ix) Rates for non-public, not-for-profit general hospitals which have not, as of the effective date of this section, published an ancillary charges schedule as provided in paragraph (j) of subdivision 1 of section 2303 of the public health law shall have their inlier payments increased by an amount equal to the statewide average of cost outlier payments as determined by such regulations;
(x) Administrative rate appeals shall be permitted only with regard to: (A) the correction of computational errors or omissions of data, including with regard to the hospital specific computations pertaining to graduate medical education, wage equalization factor adjustments and power equalization factor adjustments, and (B) capital cost reimbursement.
(xi) Rates for teaching general hospitals shall include reimbursement for direct and indirect graduate medical education and the commissioner of health shall specify the reports and information required to assess the cost, quality and health system needs for medical education provided; and
(b) The provisions of this section shall not apply to those general hospitals or distinct units of general hospitals whose inpatient reimbursement does not, as of June 30, 2009, reflect case-based payments per diagnosis related group; and
(c) Notwithstanding section 112 or 163 of the state finance law or any other law, rule or regulation to the contrary, the commissioner of health may contract with a vendor for consideration to develop the specifications for the diagnosis-related groups methodology as provided for in this section if the commissioner of health certifies to the state comptroller that such contract is in the best interest of the health of the people of the state. Notwithstanding that such specifications shall be available pursuant to article 6 of the public officers law, such contract may provide that the specifications for such adjusted or additional diagnosis-related groups provided by the vendor shall be subject to copyright protection pursuant to federal copyright law; and

(d) Notwithstanding any inconsistent provision of this section or any other contrary provision of law, the commissioner of health may, for rate periods on and after July 1, 2009 through March 31, 2010, and subject to the availability of federal financial participation, make additional adjustments of up to $75,000,000 in aggregate to the inpatient rates of payment of eligible general hospitals, to facilitate improvements in hospital operations and finances, in accordance with the following:

(i) Such payments shall be available to non-public hospitals which, as determined by the commissioner of health, experience a reduction in their medicaid inpatient revenue as determined by the commissioner of health, as a result of the application of the provisions of paragraphs 1 and 2 of this section.

(ii) Such payments shall be allocated based on each eligible facility's relative need as determined by the commissioner of health.

(iii) Such payments shall not be subject to retroactive adjustment or reconciliation and may be added to rates of payment or made as lump sum payments.

(iv) Each hospital receiving such payments shall, as a condition for eligibility for such payments, adopt a resolution of the board of directors of each such hospital setting forth its current financial condition and a plan for reforming and improving such financial condition, including ongoing board oversight, provided, however, if such report is not issued and adopted by each such board of directors, or if such report fails to set forth adequate progress, as determined by the commissioner of health, the commissioner of health may deem such
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1 facility ineligible for further such
2 payments and may redistribute such further
3 payments to other eligible facilities in
4 accordance with the provisions of this
5 paragraph. The commissioner of health
6 shall be provided with copies of all such
7 resolutions and reports; and
8 (e) Inpatient rate adjustments made pursuant
9 to paragraphs (a) through (c) of this
10 section shall result in a net statewide
11 decrease in aggregate medicaid payments of
12 no less than $168,000,000 for the period
13 July 1, 2009 through March 31, 2010; and
14 (f) If the commissioner of health determines
15 that federal financial participation will
16 not be available with regard to the
17 provisions of paragraph (d)(ii) herein,
18 the commissioner of health may deem such
19 provision null and void and instead may
20 allocate payments proportionally, based on
21 each eligible facility's relative share of
22 medicaid inpatient discharges in the year
23 two years prior to the distribution year;
24 and
25 (g) Provided, however, if this chapter
26 appropriates sufficient additional funds
27 to support payments for general hospital
28 inpatient services using the methodology
29 in existence on February 28, 2009 as set
30 forth in section 2807-c of the public
31 health law, the provisions of this section
32 shall not apply and shall be considered
33 null and void as of February 28, 2009.
34 Notwithstanding any inconsistent provision
35 of law and subject to the availability of
36 federal financial participation, for the
37 period April 1, 2009 through March 31,
38 2010, rates of payment by governmental
39 agencies for general hospitals which are
40 certified by the office of alcoholism and
41 substance abuse services to provide
42 inpatient detoxification and withdrawal
43 services and, with regard to inpatient
44 services provided to patients who are
45 determined to be in diagnosis-related
46 groups numbered 743, 744, 745, 746, 747,
47 748, 749, 750, or 751, shall be made on a
48 per diem basis in accordance with the
49 following:
50 (a) For each of the regions within the state
51 as described in paragraph (e) of this
52 section the commissioner of health shall
53 determine the average per diem cost
54 incurred by general hospitals in that
55 region subject to the provisions of this
56 section with regard to inpatients
57 requiring medically managed detoxification
58 services, as defined by applicable
59 regulations promulgated by the office of
60 alcoholism and substance abuse services.
61 In determining such costs the commissioner
62 of health shall utilize 2006 costs and
statistics as reported by such hospitals to the department of health prior to 2008; and

(b) Per diem payments for inpatients requiring medically managed inpatient detoxification services shall reflect 100 percent of the per diem amounts computed pursuant to paragraph (a) of this section for the applicable region in which the facility is located and as trended forward to adjust for inflation, provided however, that such payments shall be reduced by 50 percent for any such services provided on or after the sixth day of services through the tenth day of services, and further provided that no payments shall be made for any services provided on or after the eleventh day; and

(c) Per diem payments for inpatients requiring medically supervised inpatient detoxification services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall reflect 100 of the per diem amounts computed pursuant to paragraph (a) of this section for the applicable region in which the facility is located for the period April 1, 2009 through December 31, 2009, and as trended forward to adjust for inflation, and shall reflect 75 percent of such per diem amounts for periods on and after January 1, 2010 through March 31, 2010, as trended forward to adjust for inflation, provided, however, that such payments shall be reduced by 50 percent for any services provided on or after the sixth day of services through the tenth day of services, and further provided that no payments shall be made for any services provided on and after the eleventh day; and

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

(i) New York city, consisting of the counties of Bronx, New York, Kings, Queens and Richmond;
(ii) Long Island, consisting of the counties of Nassau and Suffolk;
(iii) Northern metropolitan, consisting of the counties of Columbia, Delaware, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester;
(iv) Northeast, consisting of the counties of Albany, Clinton, Essex, Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren and Washington;
(v) Utica/Watertown, consisting of the counties of Franklin, Herkimer, Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison and Oneida;
(vi) Central, consisting of the counties of Broome, Cayuga, Chemung, Cortland, Onondaga, Schuyler, Seneca, Steuben, Tioga and Tompkins;
(vii) Rochester, consisting of Monroe, Ontario, Livingston, Wayne and Yates;
(viii) Western, consisting of the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming.

(f) Provided, however, if this chapter appropriates sufficient additional funds to support payments for hospital inpatient detoxification services using the methodology in existence on February 28, 2009 as set forth in section 2807-c(4)(1) of the public health law, the provisions of this section shall not apply and shall be considered null and void as of February 28, 2009.

Notwithstanding any inconsistent provision of paragraph (e) of subdivision 4 of section 2807-c of the public health law or any other contrary provision of law and subject to the availability of federal financial participation, per diem rates of payment by governmental agencies for a general hospital or a distinct unit of a general hospital for inpatient psychiatric services that would otherwise be subject to the provisions of paragraph (e) of subdivision 4 of section 2807-c of the public health law, and rates of payment for outpatient psychiatric services provided by such facilities pursuant to article 28 of the public health law and as specified in this section, shall, with regard to days of service and visits occurring on and after July 1, 2009 through March 31, 2010, be in accordance with the following:
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

(a) For the period July 1, 2009 through December 31, 2009, the operating component of such inpatient rates shall reflect the use of 2005 operating costs as reported by each facility to the department of health prior to December 1, 2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statute, provided, however, that such 2005 reported operating costs shall, for inpatient rate-setting purposes, be held to a ceiling of 110 percent of the average of such reported inpatient costs by such facilities in the region in which the facility is located, as determined pursuant to clause (E) of subparagraph (iii) of paragraph (1) of subdivision 4 of section 2807-c of the public health law; and

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

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

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

Notwithstanding any inconsistent provision of paragraph (e) of subdivision 4 of section 2807-c of the public health law or
any other contrary provision of law and
subject to the availability of federal
financial participation, the operating
cost component of per diem rates of
payment by governmental agencies for
inpatient services provided by a general
hospital or a distinct unit of a general
hospital for services, as described below,
that would otherwise be subject to the
provisions of paragraph (e) of subdivision
4 of section 2807-c of the public health
law, shall, with regard to days of service
occurring on and after July 1, 2009
through March 31, 2010, be in accord with
the following:
(a) For physical medical rehabilitation
services and for chemical dependency
rehabilitation services, such rates shall
reflect the use of 2005 operating costs
for each respective category of services
as reported by each facility to the
department of health prior to December 1,
2008 and as adjusted for inflation
pursuant to paragraph (c) of subdivision
10 of section 2807-c of the public health
law, as otherwise modified by any
applicable statute, provided, however,
that such 2005 reported operating costs
shall, for rate-setting purposes, be held
to a ceiling of 110 percent of the average
of such reported costs in the region in
which the facility is located, as
determined pursuant to clause (E) of
subparagraph (iii) of paragraph (1) of
subdivision 4 of section 2807-c of the
public health law; and
(b) For services provided by rural hospitals
designated as critical access hospitals in
accordance with title XVIII of the federal
social security act, such rates shall
reflect the use of 2005 operating costs as
reported by each facility to the
department of health prior to December 1,
2008 and as adjusted for inflation
pursuant to paragraph (c) of subdivision
10 of section 2807-c of the public health
law, as otherwise modified by any
applicable statutes, provided, however,
that such 2005 reported operating costs
shall, for rate-setting purposes, be held
to a ceiling of 110 percent of the average
of such reported costs for all such
designated hospitals statewide; and
(c) For inpatient services provided by
specialty long term acute care hospitals
and for inpatient services provided by
cancer hospitals as so designated as of
December 31, 2008, such rates shall
reflect the use of 2005 operating costs
for each respective category of facility
as reported by each facility to the
department of health prior to December 1,
2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statutes; and

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

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

(f) Such rates of payment pursuant to this section for a general hospital or distinct unit of a general hospital without adequate cost experience shall be based on the lower of the facility's or unit's inpatient budgeted operating costs per day, adjusted to actual, or the applicable regional ceiling, if any; and

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

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

334,657,000

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

279,107,000
Notwithstanding any contrary provision of law and subject to the availability of federal financial participation, for the period April 1, 2009 through March 31, 2010, the operating cost components of rates of payment paid by governmental agencies for inpatient services to each residential health care facility, but not including residential health care facilities that provide extensive nursing, medical, psychological and counseling support to children, shall, after application of any applicable adjustments to the trend factors affecting such rates, be subject to uniform reductions of 2 percent.

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

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

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

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

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

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

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

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

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

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

(c) The direct component of the operating component of such rates shall be subject to case mix adjustment through application of the minimum data set (MDS) classification employed by the federal government with regard to payments to skilled nursing facilities pursuant to title XVIII of the federal social security act (Medicare) to reflect patient service intensity, as may be adjusted by the commissioner of health. Such adjustments shall be made semi-annually in each calendar year, and both the adjustments and the related patient classifications in each facility shall be subject to audit review in accordance with regulations promulgated by the commissioner of health; and

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

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

(f) The commissioner of health may make additional transition adjustments to rates of payment for residential health care facilities to facilitate improvements in
residential health care facilities
operations and finances in accordance with
the following: and
(i) Residential health care facilities
e ligible for distributions pursuant to
this paragraph shall be those non-public
facilities which, as determined by the
commissioner of health, experience a
reduction in their medicaid inpatient
revenue as determined by the commissioner
of health, as a result of the application
of regional pricing.
(ii) Transition funds distributed pursuant
to this paragraph shall be allocated based
on each eligible facility's relative need
as determined by the commissioner of
health.
(iii) Up to $75,000,000 in transition
funding pursuant to this paragraph shall
be available.
(iv) Payments made pursuant to this
paragraph shall not be subject to
retroactive adjustment or reconciliation
and may be added to rates of payment or
made as lump sum payments.
(v) Each residential health care facility
receiving funds pursuant to this paragraph
shall, as a condition for eligibility for
such funds, adopt a resolution of the
board of directors or submit a report by
the owner acceptable to the commissioner
of health setting forth its current
financial condition and a plan for
reforming and improving such financial
condition, including ongoing board or
owner oversight; and
(g) Administrative rate appeals of such
rates shall be available by the department
of health only for (i) the correction of
computational errors or omissions of data
by the department of health in determining
the operating rate based upon the
information provided to the department of
health prior to the computation of the
rate, (ii) capital cost reimbursement, or
(iii) such reasons as the commissioner of
health determines are appropriate. The
department of health will not consider any
revisions made to a facility's annual cost
report for operating rate adjustment
purposes later than the due date
established by the commissioner of health;
and
(h) Any proprietary residential health care
facilities which otherwise would be
entitled to residual reimbursement as
provided under applicable regulation, may
have the capital cost component of its
rate recalculated by the department of
health to take into account any capital
improvements and/or renovations made to
the facility's existing infrastructure for
the purpose of converting beds to
alternative long term care uses or
protecting the health and safety of
patients, subject to the approval of the
commissioner of health and all applicable
certificate of need requirements; and
(i) If the commissioner of health determines
that federal financial participation will
not be available with regard to the
provisions of paragraph (f)(ii) of this
subdivision the commissioner of health may
deem such provision null and void and
instead may allocate such funds
proportionally, based on each eligible
facility's relative share of medicaid days
in the year two years prior to the
distribution year.
Provided, however, if this chapter
appropriates sufficient additional funds
to support payments for residential health
care facility rates using methodology in
existence on February 28, 2009 as set
forth in section 2808 of the public health
law, the provisions of this section shall
not apply and shall be considered null and
void as of February 28, 2009.
Notwithstanding any contrary provision of
law, for the period April 1, 2009 through
March 31, 2010, for rates of payment by
government agencies for inpatient services
provided by residential health care
facilities, in determining the operating
component of a facility's rate for care
provided for an AIDS patient in a
residential health care facility
designated as an AIDS facility or having a
discrete AIDS unit, the operating
component of such rates shall not reflect
an occupancy factor increase ............... 1,587,533,000
For services and expenses of the medical
assistance program including other long
term care services.
Notwithstanding any contrary provision of
law and subject to the availability of
federal financial participation, for the
period April 1, 2009 through March 31,
2010, the rates of payment paid by
governmental agencies for home health care
services to each certified home health
agency, each long term home health care
program, and each AIDS home care program
shall, after application of any applicable
adjustments to the trend factors affecting
such rates, be subject to a uniform
reduction of one percent, and for
certified home health agencies, an
additional uniform reduction of 3.5
percent, and, for long term home health
care program and the AIDS home care
program, an additional uniform reduction
of 1.5 percent, and further, the rates of
payment paid by governmental agencies for
personal care services, including personal
service districts whose rates of payment
for such services are established by such
social service districts pursuant to a
rate-setting exemption issued by the
commissioner to such social service
districts in accordance with applicable
regulations, shall, after application of
any applicable adjustments to the trend
factors affecting such rates, be subject
to a uniform reduction of one percent and
an additional uniform reduction of 1.5
percent.
Notwithstanding any contrary provision of
law or regulation, for purposes of
establishing rates of payment by
governmental agencies for long term home
health care programs for the period April
1, 2009 through March 31, 2010, the
reimbursable base year administrative and
general costs of a provider of services
with annual expenses in excess of
$20,000,000, as determined using the
reported base year cost data used to
establish the statewide average
administrative and general cost ceiling
for such period, shall not exceed the
lower of such statewide average or 20
percent of each such agency's total
reimbursable base year costs.
Notwithstanding any contrary provision of
law or regulation, for purposes of
establishing rates of payment by
governmental agencies for certified home
health agencies for the period April 1,
2009 through March 31, 2010, the
reimbursable base year administrative and
general costs of a provider of services
with annual expenses in excess of
$20,000,000, as determined using the
reported base year cost data used to
establish the statewide average
administrative and general cost ceiling
for such period, shall not exceed the
lower of such statewide average or 20
percent of each such agency's total
reimbursable base year costs.
Notwithstanding any contrary provision of
law, for the period April 1, 2009 through
March 31, 2010, for purposes of
establishing rates of payment for
certified home health agency services and
long term home health care program
services, no amount shall be included in
the rate for any community-based agency or
program that is in excess of 100 percent
of the weighted average cost of all
community-based agencies or programs in
each such agency's or program's group, or
that, in the case of hospital-based
agencies or programs, is in excess of 100
percent of the weighted average cost of
community based agencies or programs in
the area in which such hospital-based
agencies or programs are located.
Notwithstanding any contrary provision of
law and subject to the availability of
federal financial participation, for the
period January 1, 2010 through March 31,
2010, rates of payment by government
agencies for services provided by
certified home health agencies shall be
based on episodic payments. In
establishing such payments, a statewide
base price shall be established for each
60 day episode of care and adjusted by a
provider regional wage index factor and an
individual patient case mix index. Such
episodic payments may be further adjusted
for low utilization cases and to reflect a
percentage of the cost for high-
utilization cases that exceed outlier
thresholds of such payments. Base year
episodic payments shall be further
adjusted to the applicable rate year in
accordance with paragraph c of subdivision
10 of section 2807-c of article 28 of the
public health law. Such payments shall be
based on medicaid paid claims, as
determined by the commissioner of health,
for service provided by all certified home
health agencies in the 2007 base year. In
determining case mix, each patient shall
be classified using a system based on
measures including, but not limited to,
clinical and functional measures, as
reported on the federal outcome and
assessment information set (OASIS). As
determined by the commissioner of health,
agencies will be required to collect and
submit any data required to implement this
section. Provided, however, if this
chapter appropriates sufficient additional
funds to support payments for certified
home health care agencies using
methodology in existence on February 28,
2009 as set forth in section 3614 of the
public health law, the provisions of this
section shall not apply and shall be
considered null and void as of February
28, 2009.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period October 1, 2009
through March 31, 2010, an agreement
between the department of health and an
entity offering a comprehensive health
services plan, including an entity that
has received a certificate of authority
pursuant to sections 4403, 4403-a or 4408-
a of the public health law, or a health
maintenance organization authorized under
article 43 of the insurance law, may allow
for medical assistance payments on a
capitated basis for home care or other
long term care services, other than
nursing facility services, without such
dentity being a managed long term care
plan, operating demonstration, or approved
managed long term care demonstration under
section 4403-f of the public health law.
Provided, however, if this chapter
appropriates sufficient additional funds
to support payments for care and services
furnished by an entity offering
comprehensive health services plan in
existence on February 28, 2009 as set
forth in section 365-a (k) of the social
services law, the provisions of this
section shall not apply and shall be
considered null and void as of February
28, 2009.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period April 1, 2009
through March 31, 2010, the department of
health is authorized to establish long
term care assessment centers to serve
regions of the state as may be established
by the department, including the city of
New York, for the purpose of transferring
from the social services district to the
regional long term care assessment centers
responsibility for activities related to
the assessment of a person's need for, and
the authorization of, long term care
services and programs identified in this
section. The department is authorized to
contract with one or more entities to
operate regional long term care assessment
centers. The regional long term care
assessment center shall have
responsibility for assessment of long term
care needs of an applicant for, or
recipient of, medical assistance and for
authorization of services and
participation in programs including:
personal care services, including personal
emergency response services, under
paragraph (e) of subdivision 2 of section
365-a of the social services law,
consumer-directed personal assistance
services under section 365-f of the social
services law and the cash and counseling
demonstration program under section 367-v
of the social services law; the assisted
living program under section 461-1 of the
social services law; and participation in
the long term home health care program
under section 367-c of the social services
law and section 3612 of the public health
law, including the AIDS home care program
under the provisions of section 367-e of
the social services law and section 3620
of the public health law. The regional
long term care assessment center shall have responsibility for reviewing assessments to verify that an individual requires a nursing home level of care and, after confirming that an enrollment is voluntary, for authorizing participation in a managed long term care plan or an approved managed long term care demonstration under paragraph (o) of subdivision 2 of section 365-a of the social services law. The regional long term care assessment center shall have responsibility for reviewing documentation from a person's physician and a certified home health agency and for making the determination as to the continuing need for home health services beyond 60 days provided by a certified home health agency under paragraph (d) of subdivision 2 of section 365-a of the social services law. This section shall apply to those consumers who apply for the services specified in this section on and after the later of January 1, 2010 or the date specified in the contract between the department and the entity selected to be a regional long term care assessment center. 1,857,424,000 For services and expenses of the medical assistance program including managed care services ....................... 2,032,455,000 For services and expenses of the medical assistance program including pharmacy services.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, medical assistance payment to a specialized HIV pharmacy, as defined in paragraph (f) of subdivision 9 of section 367-a of the social services law, for drugs which may not be dispensed without a prescription shall be made at the following amounts: if the drug dispensed is a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the centers
for medicare and medicaid services, the
lower of the estimated acquisition cost of
such drug to pharmacies, or the dispensing
pharmacy's usual and customary price
charged to the general public; for sole
and multiple source brand name drugs,
estimated acquisition cost means the
average wholesale price of a prescription
drug based upon the package size dispensed
from, as reported by the prescription drug
pricing service used by the department of
health, less 17.25 percent thereof, and
updated monthly by the department; for
multiple source generic drugs, estimated
acquisition cost means the lower of the
average wholesale price of a prescription
drug based on the package size dispensed
from, as reported by the prescription drug
pricing service used by the department,
less 25 percent thereof, or the maximum
acquisition cost, if any, established
pursuant to paragraph (e) of subdivision 9
of section 367-a of the social services
law.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period May 1, 2009
through March 31, 2010, the commissioner
of health may, upon recommendation by the
pharmacy and therapeutics committee,
consider for inclusion in the preferred
drug program established pursuant to
section 272 of the public health law the
therapeutic class of anti-depressants;
provided, however, if this chapter
appropriates sufficient additional funds
to exclude anti-depressants from the
preferred drug program then the provisions
of this paragraph shall not apply and
shall be considered null and void as of
February 28, 2009.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period April 1, 2009
through March 31, 2010, the commissioner
of health is authorized to negotiate
directly with pharmaceutical manufacturers
for rebates under the medical assistance
program and to enter into a contract or
contracts with qualified entities for such
purpose, which contract or contracts may be
entered into without a competitive bid or
request for proposal process,
notwithstanding any inconsistent provision
of sections 112 and 163 of the state
finance law, or section 142 of the
economic development law, or any other
law; provided, however, if this chapter
appropriates sufficient additional funds
to preclude such direct negotiation and
such contracting, then the provisions of
this paragraph shall not apply and shall be considered null and void as of February 28, 2009.

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

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

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period June 1, 2009 through March 31, 2010, patients who do not meet the criteria for approval established in the clinical drug review program, as set forth in subdivision 6 of section 274 of the public health law, will be given reasonable opportunity to reasonably present justification for prior authorization; provided, however, that after provision of such reasonable opportunity, the program may determine that the use of the drug is not medically necessary and prior authorization may be denied; and further provided that if this chapter provides sufficient additional funding to cover the costs of drugs that the prescriber, in his or her reasonable professional judgment, determines the use
of is warranted, then the provisions of
this section shall be deemed null and void
as of February 28, 2009.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period September 1, 2009
through March 31, 2010, the commissioner
is authorized to deny reimbursement under
the medical assistance program for a
generic equivalent drug, including a
generic equivalent that is on the
preferred drug list or the clinical drug
review program, when the net cost of the
brand name prescription drug, after
consideration of all rebates, is less than
the cost of the generic equivalent;
provided further that the co-payment
charged for each such brand name
prescription drug shall be $1 and the
dispensing fee for each such brand name
prescription drug shall be $4.50.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period April 1, 2009
through March 31, 2010, for the purposes
of providing reimbursement under the
medical assistance program, and subject to
obtaining all necessary approvals under
federal law and regulation to receive
federal financial participation in the
costs of services described herein, the
commissioner of health is authorized to
pay financial incentives to prescribing
practitioners and to pharmacies for the
purpose of encouraging the use of
electronic prescriptions for drugs for
which payments are made under this
subdivision; provided that such payments
shall be in the following amounts: for
prescribing practitioners, eighty cents
per dispensed electronic prescription; for
dispensing pharmacies, twenty cents per
dispensed electronic prescription;
provided, however, that electronic
prescribing software shall not use any
means or permit any other person to use
any means, including, but not limited to,
advertising, instant messaging, and pop-up
ads, to influence or attempt to influence,
through economic incentives or otherwise,
the prescribing decision of a prescribing
practitioner at the point of care and that
such means shall not be triggered or in
specific response to the input, selection,
or act of a prescribing practitioner or
his or her agent in prescribing a certain
pharmaceutical or directing a patient to a
specific pharmacy. Provided however that if
this chapter provides sufficient
additional funding to eliminate financial
incentives to prescribing practitioners
and to pharmacies for the purpose of
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encouraging the use of electronic
prescriptions for drugs for which payments
are made under this subdivision, then the
provisions of this section shall be deemed
null and void as of February 28, 2009 .... 251,223,000
For services and expenses of the medical
assistance program including
transportation services.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period September 1, 2009
through March 31, 2010, the commissioner
of health is authorized to assume
responsibility from a local social
services official for the provision and
reimbursement of medicaid transportation
costs under this section 365-h of the
social services law. If the commissioner
elects to assume such responsibility, the
commissioner shall notify the local social
services official in writing as to the
election, the date upon which the election
shall be effective and such information as
to transition of responsibilities as the
commissioner deems prudent. The
commissioner is authorized to contract
with a transportation manager or managers
that have experience in coordinating
transportation services in New York state
to manage the provision of such services.
Such a contract or contracts may include,
without limitation, responsibility for:
review, approval and processing of
transportation orders; management of the
appropriate level of transportation based
on documented patient medical need; and
development of new technologies and
approaches leading to efficient
transportation services. Notwithstanding
any inconsistent provision of sections 112
and 163 of the state finance law, or
section 142 of the economic development
law, or any other law, the commissioner is
authorized to enter into such contract
without a competitive bid or request for
proposal process. Provided, however, if
this chapter appropriates sufficient
additional funds to permit local social
services officials to maintain
responsibility for management of medicaid
transportation services without assumption
of such responsibility by the commissioner
of health, then the provisions of this
paragraph shall not apply and shall be
considered null and void as of February
28, 2009 ......................... 105,794,000
For services and expenses of the medical
assistance program including dental
services ......................... 69,648,000
For services and expenses of the medical
assistance program including non-institu-
tional and other spending .............. 489,966,000
Notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred to the general fund - state purposes account for services and expenses related to pharmacy best practices initiatives including prior authorizations and prior approvals .................. 6,800,000

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

Notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget, a portion of this appropriation may be suballocated to other state agencies .................. 2,500,000

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

Notwithstanding any inconsistent provision of law, subject to the approval of the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred to the general fund - state purposes account for services and expenses related to required criminal background
checks for non-licensed long-term care employees including employees of nursing homes, certified home health agencies, long term home health care providers, AIDS home care providers, and licensed home care service agencies .......................... 11,705,000
Notwithstanding any inconsistent provision of law, subject to a plan developed by the commissioner of health and approved by the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, will be available for demonstrations that develop and evaluate interventions targeted at medicaid beneficiaries who are otherwise exempt or excluded from mandatory Medicaid managed care and who have multiple comorbidities.
Notwithstanding section 112 and section 163 of the state finance law, for chronic illness demonstration projects authorized by section 364-1 of the social services law, the commissioner of health may allocate up to $2,500,000 of the amount appropriated for contracts without a request for proposal process or any other competitive process .......................... 6,000,000
Notwithstanding any inconsistent provision of law, rule or regulation, subject to the approval of the director of budget, moneys appropriated herein, together with any available federal matching funds, will be available for home health telehealth and IT demonstration programs ............... 5,000,000
Notwithstanding any other provision of law, the money herein appropriated, together with any available federal matching funds, is available for transfer or suballocation to the state university of New York and its subsidiaries, or to contract without competition for services with the state university of New York research foundation, to provide support for the administration of the medical assistance program including activities such as dental prior approval, retrospective and prospective drug utilization review, development of evidence based utilization thresholds, data analysis, clinical consultation and peer review, clinical support for the pharmacy and therapeutic committee, and other activities related to utilization management for the medicaid program ....... 6,000,000
For services and expenses of the medical assistance program including medical services provided at state facilities operated by the office of mental health, the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services ........................................ 3,200,000,000
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Program account subtotal .............. 10,553,656,000
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Special Revenue Funds - Federal / Aid to Localities
Federal Health and Human Services Fund - 265
Medicaid Direct Account

For services and expenses for the medical assistance program, including administra-
tive expenses for local social services districts, pursuant to title XIX of the federal social security act or its succes-
sor program.
The moneys hereby appropriated are to be 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 payment of
state aid to municipalities and to provid-
ers of family care where payment systems
through the fiscal intermediaries are not
operational, shall be available to the
department net of disallowances, refunds,
reimbursements, and credits.
Notwithstanding any other provision of law,
the money hereby appropriated may be
increased or decreased by interchange,
with any appropriation of the department
of health and the office of medicaid
inspector general and may be increased or
decreased by transfer or suballocation
between these appropriated amounts and
appropriations of the office of mental
health, office of mental retardation and
developmental disabilities, the office of
alcoholism and substance abuse services,
the department of family assistance office
of temporary and disability assistance,
office of children and family services,
and state office for the aging with the
approval of the director of the budget,
who shall file such approval with the
department of audit and control and copies
thereof with the chairman of the senate
finance committee and the chairman of the
assembly ways and means committee.
Notwithstanding any inconsistent provision
of law, in lieu of payments authorized by
the social services law, or payments of
federal funds otherwise due to the local
social services districts for programs
provided under the federal social security
act or the federal food stamp act, funds
herein appropriated, in amounts certified
by the state commissioner of temporary and
disability assistance or the state commis-
sioner of health as due from local social
services districts each month as their
share of payments made pursuant to section
367-b of the social services law may be
set aside by the state comptroller in an
interest-bearing account in order to ensure the orderly and prompt payment of providers under section 367-b of the social services law pursuant to an estimate provided by the commissioner of health of each local social services district's share of payments made pursuant to section 367-b of the social services law.

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

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

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

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

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

(a) For periods on and after July 1, 2009 through March 31, 2010, the operating cost component of such rates of payment shall reflect the use of 2005 operating costs as reported by each facility to the department of health prior to December 1, 2008 and as otherwise computed in accordance with the provisions of this section and shall be in accordance with the following:

(i) The computation of a case mix neutral statewide base price applicable to each rate period, but excluding adjustments for graduate medical education costs, high
cost outlier costs and cost related to
patient transfers, and as may be
periodically adjusted to reflect changes
in provider coding patterns and case-mix;
and
(ii) Only those 2005 base year costs which
relate to the cost of services provided to
medicaid inpatients, as determined by the
applicable ratio of costs to charges
methodology, shall be utilized for rate-
setting and case-mix purposes;
(iii) Such rates shall reflect the appli-
cation of hospital specific wage equaliza-
tion factors and power equalization
factors reflecting differences in wage
rates and utility costs;
(iv) Such rates shall reflect the
utilization of the all patient refined
(APR) case mix methodology, utilizing
diagnostic related groups with assigned
weights that incorporate differing levels
of severity of patient condition and the
associated risk of mortality, and as may
be periodically updated by the commis-
ioner of health;
(v) Such regulations may incorporate quality
related measures pertaining to potentially
preventable complications and re-
admissions;
(vi) Such regulations shall address
adjustments based on the costs of high
cost outlier patients;
(vii) Such rates shall continue to reflect
trend factor adjustments as otherwise
provided in paragraph (c) of subdivision
10 of section 2807-c of the public health
law;
(viii) Such rates shall not include any
adjustments pursuant to subdivision 9 of
section 2807-c of the public health law;
(ix) Rates for non-public, not-for-profit
general hospitals which have not, as of
the effective date of this section,
published an ancillary charges schedule as
provided in paragraph (j) of subdivision 1
of section 2303 of the public health law
shall have their inlier payments increased
by an amount equal to the statewide
average of cost outlier payments as
determined by such regulations;
(x) Administrative rate appeals shall be
permitted only with regard to: (A) the
rectification of computational errors or
omissions of data, including with regard
to the hospital specific computations
pertaining to graduate medical education,
wage equalization factor adjustments and
power equalization factor adjustments, and
(B) capital cost reimbursement.
(xi) Rates for teaching general hospitals
shall include reimbursement for direct and
indirect graduate medical education and
the commissioner of health shall specify
the reports and information required to
assess the cost, quality and health system
needs for medical education provided; and
(b) The provisions of this section shall not
apply to those general hospitals or
distinct units of general hospitals whose
inpatient reimbursement does not, as of
June 30, 2009, reflect case-based payments
per diagnosis related group; and
(c) Notwithstanding section 112 or 163 of
the state finance law or any other law,
rule or regulation to the contrary, the
commissioner of health may contract with a
vendor for consideration to develop the
specifications for the diagnosis-related
groups methodology as provided for in this
section if the commissioner of health
certifies to the state comptroller that
such contract is in the best interest of
the health of the people of the state.
Notwithstanding that such specifications
shall be available pursuant to article 6
of the public officers law, such contract
may provide that the specifications for
such adjusted or additional diagnosis-
related groups provided by the vendor
shall be subject to copyright protection
pursuant to federal copyright law; and
(d) Notwithstanding any inconsistent provi-
sion of this section or any other contrary
provision of law, the commissioner of
health may, for rate periods on and after
July 1, 2009 through March 31, 2010, and
subject to the availability of federal
financial participation, make additional
adjustments of up to $75,000,000 in
aggregate to the inpatient rates of
payment of eligible general hospitals, to
facilitate improvements in hospital
operations and finances, in accordance
with the following:
(i) Such payments shall be available to non-
public hospitals which, as determined by
the commissioner of health, experience a
reduction in their medicaid inpatient
revenue as determined by the commissioner
of health, as a result of the application
of the provisions of paragraphs 1 and 2 of
this section.
(ii) Such payments shall be allocated based
on each eligible facility's relative need
as determined by the commissioner of
health.
(iii) Such payments shall not be subject to
retroactive adjustment or reconciliation
and may be added to rates of payment or
made as lump sum payments.
(iv) Each hospital receiving such payments
shall, as a condition for eligibility for
such payments, adopt a resolution of the
board of directors of each such hospital
setting forth its current financial
condition and a plan for reforming and
improving such financial condition,
including ongoing board oversight,
provided, however, if such report is not
issued and adopted by each such board of
directors, or if such report fails to set
forth adequate progress, as determined by
the commissioner of health, the
commissioner of health may deem such
facility ineligible for further such
payments and may redistribute such further
payments to other eligible facilities in
accordance with the provisions of this
paragraph. The commissioner of health
shall be provided with copies of all such
resolutions and reports; and
(e) Inpatient rate adjustments made pursuant
to paragraphs (a) through (c) of this
section shall result in a net statewide
decrease in aggregate medicaid payments of
no less than $168,000,000 for the period
July 1, 2009 through March 31, 2010; and
(f) If the commissioner of health determines
that federal financial participation will
not be available with regard to the
provisions of paragraph (d)(ii) herein,
the commissioner of health may deem such
provision null and void and instead may
allocate payments proportionally, based on
each eligible facility's relative share of
medicaid inpatient discharges in the year
two years prior to the distribution year;
and
(g) Provided, however, if this chapter
appropriates sufficient additional funds
to support payments for general hospital
inpatient services using the methodology
in existence on February 28, 2009 as set
forth in section 2807-c of the public
health law, the provisions of this section
shall not apply and shall be considered
null and void as of February 28, 2009.
Notwithstanding any inconsistent provision
of law and subject to the availability of
federal financial participation, for the
period April 1, 2009 through March 31,
2010, rates of payment by governmental
agencies for general hospitals which are
certified by the office of alcoholism and
substance abuse services to provide
inpatient detoxification and withdrawal
services and, with regard to inpatient
services provided to patients who are
determined to be in diagnosis-related
groups numbered 743, 744, 745, 746, 747,
748, 749, 750, or 751, shall be made on a
per diem basis in accordance with the
following:
(a) For each of the regions within the state
as described in paragraph (e) of this
section the commissioner of health shall
determine the average per diem cost incurred by general hospitals in that region subject to the provisions of this section with regard to inpatients requiring medically managed detoxification services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services. In determining such costs the commissioner of health shall utilize 2006 costs and statistics as reported by such hospitals to the department of health prior to 2008; and

(b) Per diem payments for inpatients requiring medically managed inpatient detoxification services shall reflect 100 percent of the per diem amounts computed pursuant to paragraph (a) of this section for the applicable region in which the facility is located and as trended forward to adjust for inflation, provided however, that such payments shall be reduced by 50 percent for any such services provided on or after the sixth day of services through the tenth day of services, and further provided that no payments shall be made for any services provided on or after the eleventh day; and

(c) Per diem payments for inpatients requiring medically supervised inpatient detoxification services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall reflect 100 percent of the per diem amounts computed pursuant to paragraph (a) of this section for the applicable region in which the facility is located for the period April 1, 2009 through December 31, 2009, and as trended forward to adjust for inflation, and shall reflect 75 percent of such per diem amounts for periods on and after January 1, 2010 through March 31, 2010, as trended forward to adjust for inflation, provided, however, that such payments shall be reduced by 50 percent for any services provided on or after the sixth day of services through the tenth day of services, and further provided that no payments shall be made for any services provided on and after the eleventh day; and

(d) Per diem payments for inpatients placed in observation beds, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall be at the same level as would be paid pursuant to paragraph (a) of this section, provided, however, that such payments shall not apply for more than two days of care, after which payments for such inpatients shall reflect their
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1 designation as requiring either medically
2 managed detoxification services or
3 medically supervised withdrawal services,
4 and further provided that days of care
5 provided in such observation beds shall,
6 for reimbursement purposes, be fully
7 reflected in the computation of the
8 initial five days of care as set forth in
9 paragraphs (a) and (b) of this section;
10 and
11 (e) For the purposes of this paragraph, the
12 regions of the state shall be as follows:
13 (i) New York city, consisting of the
14 counties of Bronx, New York, Kings, Queens
15 and Richmond;
16 (ii) Long Island, consisting of the counties
17 of Nassau and Suffolk;
18 (iii) Northern metropolitan, consisting of
19 the counties of Columbia, Delaware,
20 Dutchess, Orange, Putnam, Rockland,
21 Sullivan, Ulster and Westchester;
22 (iv) Northeast, consisting of the counties
23 of Albany, Clinton, Essex, Fulton, Greene,
24 Hamilton, Montgomery, Rensselaer,
25 Saratoga, Schenectady, Schoharie, Warren
26 and Washington;
27 (v) Utica/Watertown, consisting of the
28 counties of Franklin, Herkimer, Lewis,
29 Oswego, Otsego, St. Lawrence, Jefferson,
30 Chenango, Madison and Oneida
31 (vi) Central, consisting of the counties of
32 Broome, Cayuga, Chemung, Cortland,
33 Onondaga, Schuyler, Seneca, Steuben, Tioga
34 and Tompkins,
35 (vii) Rochester, consisting of Monroe,
36 Ontario, Livingston, Wayne and Yates;
37 (viii) Western, consisting of the counties
38 of Allegany, Cattaraugus, Chautauqua,
39 Erie, Genesee, Niagara, Orleans and
40 Wyoming.
41 (f) Provided, however, if this chapter
42 appropriates sufficient additional funds
43 to support payments for hospital inpatient
44 detoxification services using the
45 methodology in existence on February 28,
46 2009 as set forth in section 2807-c(4)(1)
47 of the public health law, the provisions
48 of this section shall not apply and shall
49 be considered null and void as of February
50 28, 2009.
51 Notwithstanding any inconsistent provision
52 of paragraph (e) of subdivision 4 of
53 section 2807-c of the public health law or
54 any other contrary provision of law and
55 subject to the availability of federal
56 financial participation, per diem rates of
57 payment by governmental agencies for a
58 general hospital or a distinct unit of a
59 general hospital for inpatient psychiatric
60 services that would otherwise be subject
61 to the provisions of paragraph (e) of
62 subdivision 4 of section 2807-c of the
public health law, and rates of payment for outpatient psychiatric services provided by such facilities pursuant to article 28 of the public health law and as specified in this section, shall, with regard to days of service and visits occurring on and after July 1, 2009 through March 31, 2010, be in accordance with the following:

(a) For the period July 1, 2009 through December 31, 2009, the operating component of such inpatient rates shall reflect the use of 2005 operating costs as reported by each facility to the department of health prior to December 1, 2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statute, provided, however, that such 2005 reported operating costs shall, for inpatient rate-setting purposes, be held to a ceiling of 110 percent of the average of such reported inpatient costs by such facilities in the region in which the facility is located, as determined pursuant to clause (E) of subparagraph (iii) of paragraph (1) of subdivision 4 of section 2807-c of the public health law; and

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

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

(d) Provided, however, if this chapter appropriates sufficient additional funds to support payments for inpatient psychiatric services provided by a general hospital or a distinct unit of a general hospital and for outpatient psychiatric services provided by such facilities pursuant to article 28 of the public
health law using the methodology in
existence on February 28, 2009 as set
forth in section 2807-c of the public
health law, the provisions of this section
shall not apply and shall be considered
null and void as of February 28, 2009.
Notwithstanding any inconsistent provision
of paragraph (e) of subdivision 4 of
section 2807-c of the public health law or
any other contrary provision of law and
subject to the availability of federal
financial participation, the operating
cost component of per diem rates of
payment by governmental agencies for
inpatient services provided by a general
hospital or a distinct unit of a general
hospital for services, as described below,
that would otherwise be subject to the
provisions of paragraph (e) of subdivision
4 of section 2807-c of the public health
law, shall, with regard to days of service
occurring on and after July 1, 2009
through March 31, 2010, be in accord with
the following:
(a) For physical medical rehabilitation
services and for chemical dependency
rehabilitation services, such rates shall
reflect the use of 2005 operating costs
for each respective category of services
as reported by each facility to the
department of health prior to December 1,
2008 and as adjusted for inflation
pursuant to paragraph (c) of subdivision
10 of section 2807-c of the public health
law, as otherwise modified by any
applicable statute, provided, however,
that such 2005 reported operating costs
shall, for rate-setting purposes, be held
to a ceiling of 110 percent of the average
of such reported costs in the region in
which the facility is located, as
determined pursuant to clause (E) of
subparagraph (iii) of paragraph (l) of
subdivision 4 of section 2807-c of the
public health law; and
(b) For services provided by rural hospitals
designated as critical access hospitals in
accordance with title XVIII of the federal
social security act, such rates shall
reflect the use of 2005 operating costs as
reported by each facility to the
department of health prior to December 1,
2008 and as adjusted for inflation
pursuant to paragraph (c) of subdivision
10 of section 2807-c of the public health
law, as otherwise modified by any
applicable statutes, provided, however,
that such 2005 reported operating costs
shall, for rate-setting purposes, be held
to a ceiling of 110 percent of the average
of such reported costs for all such
designated hospitals statewide; and
(c) For inpatient services provided by specialty long term acute care hospitals and for inpatient services provided by cancer hospitals as so designated as of December 31, 2008, such rates shall reflect the use of 2005 operating costs for each respective category of facility as reported by each facility to the department of health prior to December 1, 2008 and as adjusted for inflation pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, as otherwise modified by any applicable statutes; and

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

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

(f) Such rates of payment pursuant to this section for a general hospital or distinct unit of a general hospital without adequate cost experience shall be based on the lower of the facility's or unit's inpatient budgeted operating costs per day, adjusted to actual, or the applicable regional ceiling, if any; and

(g) Provided, however, if this chapter appropriates sufficient additional funds to support payments for inpatient services provided by a general hospital or a distinct unit of a general hospital, as described in this paragraph, using the methodology in existence on February 28, 2009 as set forth in section 2807-c of the public health law, the provisions of this section shall not apply and shall be considered null and void as of February 28, 2009 ................................. 4,608,348,000
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1. For services and expenses of the medical assistance program including hospital outpatient and emergency room services ... 702,854,000
2. For services and expenses of the medical assistance program including clinic services ................................. 793,114,000
3. For services and expenses of the medical assistance program including nursing home services.

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

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

(a) For the purpose of this paragraph, the regions of the state shall be as follows:
   (i) New York City, consisting of the counties of Bronx, New York, Kings, Queens, and Richmond;
   (ii) Long Island, consisting of the counties of Nassau and Suffolk;
   (iii) Central, consisting of the counties of Broome, Cayuga, Chemung, Cortland, Onondaga, Schuyler, Steuben, Tioga and Tompkins;
   (iv) Rochester, consisting of Monroe, Ontario, Livingston, Seneca, Wayne and Yates;
   (v) Western, consisting of the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming;
   (vi) Northern Metropolitan, consisting of the counties of Columbia, Delaware,
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Dutchess, Orange, Putnam, Rockland,
Sullivan, Ulster and Westchester;
(vii) Northeast, consisting of the counties
of Albany, Clinton, Essex, Fulton, Greene,
Montgomery, Rensselaer, Saratoga,
Schenectady, Schoharie, Warren, and
Washington; (iii) Utica/Watertown,
consisting of the counties of Franklin,
Hamilton, Herkimer, Lewis, Oswego, Otsego,
St. Lawrence, Jefferson, Chenango, Madison
and Oneida;
(b) The operating component of such rates
shall fully reflect the cost of local
property taxes and payments made in lieu
of local property taxes and payments in
lieu of local property taxes, as reported
in each facility’s cost report submitted
for the year two years prior to the rate
year; and
(c) The direct component of the operating
component of such rates shall be subject
to case mix adjustment through application
of the minimum data set (MDS)
classification employed by the federal
government with regard to payments to
skilled nursing facilities pursuant to
title XVIII of the federal social security
act (Medicare) to reflect patient service
intensity, as may be adjusted by the
commissioner of health. Such adjustments
shall be made semi-annually in each
calendar year, and both the adjustments
and the related patient classifications in
each facility shall be subject to audit
review in accordance with regulations
promulgated by the commissioner of health;
and
(d) Such rates shall, except for the
establishment of any regional prices, be
calculated utilizing only the number of
patients properly assessed and reported in
each patient classification group and
eligible for medicaid; and
(e) Such rates for the following categories
of facilities, as established pursuant to
applicable regulations, shall receive the
rates in effect for such facilities on
December 31, 2006, as adjusted for
inflation in accordance with paragraph (c)
of subdivision 10 of section 2808-c of the
public health law: (i) AIDS facilities or
discrete AIDS units within facilities,
(ii) discrete units for residents
receiving care in a long term inpatient
rehabilitation program for traumatic brain
injured persons, (iii) discrete units
providing specialized programs for
residents requiring behavioral
interventions, (iv) discrete units for
long term ventilator dependent residents,
and (v) facilities or discrete units
within facilities that provide extensive
The commissioner of health may make additional transition adjustments to rates of payment for residential health care facilities to facilitate improvements in residential health care facilities operations and finances in accordance with the following: and

Residential health care facilities eligible for distributions pursuant to this paragraph shall be those non-public facilities which, as determined by the commissioner of health, experience a reduction in their medicaid inpatient revenue as determined by the commissioner of health, as a result of the application of regional pricing.

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

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

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

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

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

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

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

Provided, however, if this chapter appropriates sufficient additional funds to support payments for residential health care facility rates using methodology in existence on February 28, 2009 as set forth in section 2808 of the public health law, the provisions of this section shall not apply and shall be considered null and void as of February 28, 2009.

Notwithstanding any contrary provision of law, for the period April 1, 2009 through March 31, 2010, for rates of payment by government agencies for inpatient services provided by residential health care facilities, in determining the operating component of a facility’s rate for care provided for an AIDS patient in a residential health care facility designated as an AIDS facility or having a discrete AIDS unit, the operating component of such rates shall not reflect an occupancy factor increase .............. 3,953,193,000 For services and expenses of the medical assistance program including other long term care services.

Notwithstanding any contrary provision of law and subject to the availability of federal financial participation, for the period April 1, 2009 through March 31, 2010, the rates of payment paid by governmental agencies for home health care services to each certified home health agency, each long term home health care program, and each AIDS home care program shall, after application of any applicable adjustments to the trend factors affecting such rates, be subject to a uniform reduction of one percent, and for
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1 certified home health agencies, an
2 additional uniform reduction of 3.5
3 percent, and, for long term home health
4 care program and the AIDS home care
5 program, an additional uniform reduction
6 of 1.5 percent, and further, the rates of
7 payment paid by governmental agencies for
8 personal care services, including personal
9 care services provided in those social
10 service districts whose rates of payment
11 for such services are established by such
12 social service districts pursuant to a
13 rate-setting exemption issued by the
14 commissioner to such social service
15 districts in accordance with applicable
16 regulations, shall, after application of
17 any applicable adjustments to the trend
18 factors affecting such rates, be subject
19 to a uniform reduction of one percent and
20 an additional uniform reduction of 1.5
21 percent.
22 Notwithstanding any contrary provision of
23 law or regulation, for purposes of
24 establishing rates of payment by
25 governmental agencies for long term home
26 health care programs for the period April
27 1, 2009 through March 31, 2010, the
28 reimbursable base year administrative and
29 general costs of a provider of services
30 with annual expenses in excess of
31 $20,000,000, as determined using the
32 reported base year cost data used to
33 establish the statewide average
34 administrative and general cost ceiling
35 for such period, shall not exceed the
36 lower of such statewide average or 20
37 percent of each such agency's total
38 reimbursable base year costs.
39 Notwithstanding any contrary provision of
40 law or regulation, for purposes of
41 establishing rates of payment by
42 governmental agencies for certified home
43 health agencies for the period April 1,
44 2009 through March 31, 2010, the
45 reimbursable base year administrative and
46 general costs of a provider of services
47 with annual expenses in excess of
48 $20,000,000, as determined using the
49 reported base year cost data used to
50 establish the statewide average
51 administrative and general cost ceiling
52 for such period, shall not exceed the
53 lower of such statewide average or 20
54 percent of each such agency's total
55 reimbursable base year costs.
56 Notwithstanding any contrary provision of
57 law, for the period April 1, 2009 through
58 March 31, 2010, for purposes of
59 establishing rates of payment for
60 certified home health agency services and
61 long term home health care program
62 services, no amount shall be included in
the rate for any community-based agency or program that is in excess of 100 percent of the weighted average cost of all community-based agencies or programs in each such agency's or program's group, or that, in the case of hospital-based agencies or programs, is in excess of 100 percent of the weighted average cost of community based agencies or programs in the area in which such hospital-based agencies or programs are located. Notwithstanding any contrary provision of law and subject to the availability of federal financial participation, for the period January 1, 2010 through March 31, 2010, rates of payment by government agencies for services provided by certified home health agencies shall be based on episodic payments. In establishing such payments, a statewide base price shall be established for each 60 day episode of care and adjusted by a provider regional wage index factor and an individual patient case mix index. Such episodic payments may be further adjusted for low utilization cases and to reflect a percentage of the cost for high-utilization cases that exceed outlier thresholds of such payments. Base year episodic payments shall be further adjusted to the applicable rate year in accordance with paragraph c of subdivision ten of section 2807-c of article 28 of the public health law. Such payments shall be based on medicaid paid claims, as determined by the commissioner of health, for service provided by all certified home health agencies in the 2007 base year. In determining case mix, each patient shall be classified using a system based on measures including, but not limited to, clinical and functional measures, as reported on the federal outcome and assessment information set (OASIS). As determined by the commissioner of health, agencies will be required to collect and submit any data required to implement this section. Provided, however, if this chapter appropriates sufficient additional funds to support payments for certified home health care agencies using methodology in existence on February 28, 2009 as set forth in section 3614 of the public health law, the provisions of this section shall not apply and shall be considered null and void as of February 28, 2009. Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period October 1, 2009 through March 31, 2010, an agreement between the department of health and an
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entity offering a comprehensive health services plan, including an entity that has received a certificate of authority pursuant to sections 4403, 4403-a or 4408-a of the public health law, or a health maintenance organization authorized under article 43 of the insurance law, may allow for medical assistance payments on a capitated basis for home care or other long term care services, other than nursing facility services, without such entity being a managed long term care plan, operating demonstration, or approved managed long term care demonstration under section 4403-f of the public health law. Provided, however, if this chapter appropriates sufficient additional funds to support payments for care and services furnished by an entity offering comprehensive health services plan in existence on February 28, 2009 as set forth in section 365-a (k) of the social services law, the provisions of this section shall not apply and shall be considered null and void as of February 28, 2009.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, the department of health is authorized to establish long term care assessment centers to serve regions of the state as may be established by the department, including the city of New York, for the purpose of transferring from the social services district to the regional long term care assessment centers responsibility for activities related to the assessment of a person’s need for, and the authorization of, long term care services and programs identified in this section. The department is authorized to contract with one or more entities to operate regional long term care assessment centers. The regional long term care assessment center shall have responsibility for assessment of long term care needs of an applicant for, or recipient of, medical assistance and for authorization of services and participation in programs including: personal care services, including personal emergency response services, under paragraph (e) of subdivision 2 of section 365-a of the social services law, consumer-directed personal assistance services under section 365-f of the social services law and the cash and counseling demonstration program under section 367-v of the social services law; the assisted living program under section 461-1 of the social services law; and participation in
the long term home health care program
under section 367-c of the social services
law and section 3616 of the public health
law, including the AIDS home care program
under the provisions of section 367-e of
the social services law and section 3620
of the public health law. The regional
long term care assessment center shall
have responsibility for reviewing
assessments to verify that an individual
requires a nursing home level of care and,
after confirming that an enrollment is
voluntary, for authorizing participation
in a managed long term care plan or an
approved managed long term care
demonstration under paragraph (o) of
subdivision 2 of section 365-a of the
social services law. The regional long
term care assessment center shall have
responsibility for reviewing documentation
from a person's physician and a certified
home health agency and for making the
determination as to the continuing need
for home health services beyond 60 days
provided by a certified home health agency
under paragraph (d) of subdivision 2 of
section 365-a of the social services law.
This section shall apply to those
consumers who apply for the services
specified in this section on and after the
later of January 1, 2010 or the date
specified in the contract between the
department and the entity selected to be a
regional long term care assessment center. 3,028,228,000
For services and expenses of the medical
assistance program including managed care
services ................................. 3,758,534,000
For services and expenses of the medical
assistance program including pharmacy
services.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period April 1, 2009
through March 31, 2010, medical assistance
payment for certain drugs which may not be
dispensed without a prescription shall be
made at the following amounts: for sole
and multiple source brand name drugs,
estimated acquisition cost means the
average wholesale price of a prescription
drug based upon the package size dispensed
from, as reported by the prescription drug
pricing service used by the department of
health, less 17.25 percent thereof, and
updated monthly by the department.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period April 1, 2009
through March 31, 2010, medical assistance
payment to a specialized HIV pharmacy, as
defined in paragraph (f) of subdivision 9
of section 367-a of the social services
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1 law, for drugs which may not be dispensed
2 without a prescription shall be made at
3 the following amounts: if the drug
4 dispensed is a multiple source
5 prescription drug or a brand-name
6 prescription drug for which no specific
7 upper limit has been set by the centers
8 for medicare and medicaid services, the
9 lower of the estimated acquisition cost of
10 such drug to pharmacies, or the dispensing
11 pharmacy's usual and customary price
12 charged to the general public; for sole
13 and multiple source brand name drugs,
14 estimated acquisition cost means the
15 average wholesale price of a prescription
16 drug based upon the package size dispensed
17 from, as reported by the prescription drug
18 pricing service used by the department of
19 health, less 17.25 percent thereof, and
20 updated monthly by the department; for
21 multiple source generic drugs, estimated
22 acquisition cost means the lower of the
23 average wholesale price of a prescription
24 drug based on the package size dispensed
25 from, as reported by the prescription drug
26 pricing service used by the department,
27 less 25 percent thereof, or the maximum
28 acquisition cost, if any, established
29 pursuant to paragraph (e) of subdivision 9
30 of section 367-a of the social services
31 law.
32 Notwithstanding any inconsistent provision
33 of law, rule or regulation to the
34 contrary, for the period May 1, 2009
35 through March 31, 2010, the commissioner
36 of health may, upon recommendation by the
37 pharmacy and therapeutics committee,
38 consider for inclusion in the preferred
39 drug program established pursuant to
40 section 272 of the public health law the
41 therapeutic class of anti-depressants;
42 provided, however, if this chapter
43 appropriates sufficient additional funds
44 to exclude anti-depressants from the
45 preferred drug program then the provisions
46 of this paragraph shall not apply and
47 shall be considered null and void as of
48 February 28, 2009.
49 Notwithstanding any inconsistent provision
50 of law, rule or regulation to the
51 contrary, for the period April 1, 2009
52 through March 31, 2010, the commissioner
53 of health is authorized to negotiate
54 directly with pharmaceutical manufacturers
55 for rebates under the medical assistance
56 program and to enter into a contract or
57 contracts with qualified entities for such
58 purpose, which contract or contacts may be
59 entered into without a competitive bid or
60 request for proposal process,
61 notwithstanding any inconsistent provision
62 of sections 112 and 163 of the state
finance law, or section 142 of the
economic development law, or any other
law; provided, however, if this chapter
appropriates sufficient additional funds
to preclude such direct negotiation and
such contracting, then the provisions of
this paragraph shall not apply and shall
be considered null and void as of February
28, 2009.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period April 1, 2009
through March 31, 2010, the department of
health may establish or expand pharmacy
prior authorization requirements for the
medical assistance program without the
need to obtain new statutory authority;
provided, however, if this chapter
appropriates sufficient additional funds
to require the department and the panel to
obtain new statutory authority for such
prior authorization establishment or
expansion, then the provisions of this
paragraph shall not apply and shall be
considered null and void as of February
28, 2009.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period September 1, 2009
through March 31, 2010, for purposes of
medical assistance coverage, "step
therapy" shall mean the practice of
beginning drug therapy for a medical
condition with the most medically
appropriate and cost effective therapy and
progressing to other drugs as medically
necessary; provided that the commissioner,
through the prospective drug utilization
review program, as established in section
369-aa of the social services law, is
authorized to require step therapy when
there is more than one drug appropriate to
treat a medical condition; and provided
further that the drug utilization review
board, as established in section 369-cc of
the social services law, shall recommend
guidelines, which consider clinical
effectiveness, safety, and cost
effectiveness, for specific diagnoses and
therapy regimens within which
practitioners may prescribe drugs without
the requirement for prior authorization of
those drugs; provided, however, if this
chapter provides sufficient additional
funding to cover the costs of drugs which
are dispensed without regard to the step
therapy method described herein, then the
provisions of the section shall be deemed
null and void as of February 28, 2009.
Notwithstanding any inconsistent provision
of law, rule or regulation to the
contrary, for the period September 1, 2009
through March 31, 2010, for purposes of medical assistance coverage, the commissioner is authorized to limit the amount, frequency and duration of drug therapy through prior authorization as part of the drug utilization review program established under title 11-C of article 5 of the social services law; provided, however, that clinical prescribing guidelines relating to the quantity, frequency and duration of drug therapy will be developed by the drug utilization review board for the commissioner's use in determining when to require prior authorization of drugs in the drug utilization review program, and provided further that exceptions to any prior authorization imposed as a result of these guidelines shall include, but need not be limited to, provision for emergency circumstances where a medical condition requires alleviation of severe pain or which threatens to cause disability or to take a life if not promptly treated; provided further, however, if this chapter provides sufficient additional funding to cover the costs of drugs prescribed without the limitations as to amount, frequency and duration described herein, then the provisions of this section shall be null and void as of February 28, 2009. Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period September 1, 2009 through March 31, 2010, for persons eligible for medical assistance, who are also beneficiaries under part D of title XVIII of the federal social security act, the following categories of drugs shall not be exempt from the definition of "covered part D drugs" and shall be subject to the medical assistance exclusion of coverage for "covered part D drugs": atypical anti-psychotics, anti-depressants, anti-retrovirals used in the treatment of HIV/AIDS, and anti-rejection drugs used for the treatment of organ and tissue transplants. Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period June 1, 2009 through March 31, 2010, patients who do not meet the criteria for approval established in the clinical drug review program, as set forth in subdivision 6 of section 274 of the public health law, will be given reasonable opportunity to reasonably present justification for prior authorization; provided, however, that after provision of such reasonable opportunity, the program may determine that the use of the drug is not medically
necessary and prior authorization may be denied; and further provided that if this chapter provides sufficient additional funding to cover the costs of drugs that the prescriber, in his or her reasonable professional judgment, determines the use of is warranted, then the provisions of this section shall be deemed null and void as of February 28, 2009.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2009 through March 31, 2010, for the purposes of providing reimbursement under the medical assistance program, and subject to obtaining all necessary approvals under federal law and regulation to receive federal financial participation in the costs of services described herein, the commissioner of health is authorized to pay financial incentives to prescribing practitioners and to pharmacies for the purpose of encouraging the use of electronic prescriptions for drugs for which payments are made under this subdivision; provided that such payments shall be in the following amounts: for prescribing practitioners, eighty cents per dispensed electronic prescription; for dispensing pharmacies, twenty cents per dispensed electronic prescription; provided, however, that electronic prescribing software shall not use any means or permit any other person to use any means, including, but not limited to, advertising, instant messaging, and pop-up ads, to influence or attempt to influence, through economic incentives or otherwise, the prescribing decision of a prescribing practitioner at the point of care and that such means shall not be triggered or in specific response to the input, selection, or act of a prescribing practitioner or his or her agent in prescribing a certain
pharmaceutical or directing a patient to a certain pharmacy. Provided however that if
this chapter provides sufficient additional funding to eliminate financial incentives to prescribing practitioners and to pharmacies for the purpose of encouraging the use of electronic prescriptions for drugs for which payments are made under this subdivision, then the provisions of this section shall be deemed null and void as of February 28, 2009 .... 2,042,299,000
For services and expenses of the medical assistance program including transportation services.
Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period September 1, 2009 through March 31, 2010, the commissioner of health is authorized to assume responsibility from a local social services official for the provision and reimbursement of medicaid transportation costs under this section 365-h of the social services law. If the commissioner elects to assume such responsibility, the commissioner shall notify the local social services official in writing as to the election, the date upon which the election shall be effective and such information as to transition of responsibilities as the commissioner deems prudent. The commissioner is authorized to contract with a transportation manager or managers that have experience in coordinating transportation services in New York state to manage the provision of such services. Such a contract or contracts may include, without limitation, responsibility for: review, approval and processing of transportation orders; management of the appropriate level of transportation based on documented patient medical need; and development of new technologies and approaches leading to efficient transportation services. Notwithstanding any inconsistent provision of sections 112 and 163 of the state finance law, or section 142 of the economic development law, or any other law, the commissioner is authorized to enter into such contract without a competitive bid or request for proposal process. Provided, however, if this chapter appropriates sufficient additional funds to permit local social services officials to maintain responsibility for management of medicaid transportation services without assumption of such responsibility by the commissioner of health, then the provisions of this paragraph shall not apply and shall be considered null and void as of February 28, 2009 ................................. 248,564,000
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For services and expenses of the medical assistance program including dental services .................. 146,736,000
For services and expenses of the medical assistance program including noninstitutional and other spending .............. 4,016,678,000
For services and expenses of the medical assistance program including a series of targeted chronic illness demonstration projects.

Notwithstanding section 112 and section 163 of the state finance law, for chronic illness demonstration projects authorized by section 364-1 of the social services law, the commissioner of health may allocate up to $2,500,000 of the amount appropriated for contracts without a request for proposal process or any other competitive process .................. 6,000,000
For services and expenses of the medical telehealth and IT demonstration programs.. 5,000,000
Notwithstanding any other provision of law, the money herein appropriated, together with any available federal matching funds, is available for transfer or suballocation to the state university of New York and its subsidiaries, or to contract without competition for services with the state university of New York research foundation, to provide support for the administration of the medical assistance program including activities such as dental prior approval, retrospective and prospective drug utilization review, development of evidence based utilization thresholds, data analysis, clinical consultation and peer review, clinical support for the pharmacy and therapeutic committee, and other activities related to utilization management for the medicaid program ...... 6,000,000
For services and expenses of the medical assistance program including medical services provided at state facilities operated by the office of mental health, the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services .................. 3,200,000,000

Program account subtotal .............. 26,515,548,000

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

For the purpose of making payments, the money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued, to providers of medical care pursuant to section 367-b of the
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1 social services law, and for payment of
2 state aid to municipalities and the feder-
3 al government where payment systems
4 through fiscal intermediaries are not
5 operational, to reimburse such providers
6 for costs attributable to the provision of
7 care to patients eligible for medical
8 assistance.
9 For services and expenses related to the
10 medical assistance program ............... 114,100,000
11 For services and expenses of the medical
12 assistance program related to disabled
13 persons ...................................... 23,500,000
14 For services and expenses of the medical
15 assistance program related to physician
16 services ...................................... 85,200,000
17 For services and expenses of the medical
18 assistance program related, but not
19 limited to, pharmacy, inpatient, and
20 nursing home services ..................... 2,076,500,000
21 For services and expenses of the medical
22 assistance program related to the city of
23 New York .................................... 124,700,000
24 For services and expenses of the medical
25 assistance program related to providing
26 distributions for supplemental medical
27 insurance for medicare part B premiums,
28 physician services, outpatient services,
29 medical equipment, supplies and other
30 health services .............................. 68,000,000
31 For services and expenses of the medical
32 assistance program related to the family
33 health plus program ....................... 573,000,000
34 For services and expenses of the medical
35 assistance program related to the priority
36 restoration program ........................ 6,000,000
37 For services and expenses of the medical
38 assistance program related to providing
39 financial assistance to residential health
40 care facilities ............................... 15,000,000
41 For services and expenses of the medical
42 assistance program related to non-public
43 general hospital rate increases for
44 recruitment and retention of health care
45 workers ...................................... 7,600,000
46 For services and expenses of the medical
47 assistance program related to free-stand-
48 ing diagnostic and treatment center rate
49 increases for recruitment and retention of
50 health care workers ........................ 1,700,000
51 For services and expenses of the medical
52 assistance program related to supporting
53 workforce recruitment and retention of
54 personal care services or any worker with
55 direct patient care responsibility for
56 local social service districts which
57 include a city with a population of over
58 one million persons ....................... 136,000,000
59 For services and expenses of the medical
60 assistance program related to supporting
61 workforce recruitment and retention of
62 personal care services for local social
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 service districts that do not include a city with a population of over one million persons .......................... 11,200,000
4 For services and expenses of the medical assistance program related to supporting rate increases for certified home health agencies, long term home health care programs, AIDS home care programs, hospice programs, managed long term care plans and approved managed long term care operating demonstrations for recruitment and retention of health care workers ........... 50,000,000
13 For services and expenses of the medical assistance program related to rate adjust-
ments made to public hospitals in accord-
ance with paragraph (i) of subdivision 1 of section 2807-c of the public health law pursuant to a chapter of the laws of 2007. 6,000,000
19 For additional services and expenses of the medical assistance program. The moneys hereby appropriated shall be available for non-public general hospitals located in a city with a population of more than one million persons to ensure meaningful access to the hospital’s services and reasonable accommodation for all Medicaid patients that need language assistance ... 4,000,000
28 For additional services and expenses of the medical assistance program. The moneys hereby appropriated shall be available for general hospitals located in the counties of Nassau and Suffolk for distributions pursuant to paragraph (k) of subdivision 1 of section 2807-c of the public health law, as added by a chapter of the laws of 2007 .......................... 625,000
37 For services and expenses of the medical assistance program related to supplemental rate adjustments to rural hospitals in accordance with subdivision 32 of section 2807-c of the public health law ........... 875,000
42 Program account subtotal .................. 3,304,000,000
44
45 Special Revenue Funds - Other / Aid to Localities
47 HCRA Resources Fund - 061
48 Indigent Care Account

50 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 munici-
palities 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 gener-
ality hospitals related to bad debt and char-
ity care pursuant to article 28 of the public health law respectively, when
<table>
<thead>
<tr>
<th>Program account subtotal</th>
<th>982,100,000</th>
</tr>
</thead>
<tbody>
<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>Medical Assistance Account</td>
<td></td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>883,500,000</td>
</tr>
<tr>
<td>OFFICE OF HEALTH INSURANCE PROGRAMS</td>
<td>1,255,375,700</td>
</tr>
<tr>
<td>General Fund / State Operations</td>
<td></td>
</tr>
<tr>
<td>State Purposes Account - 003</td>
<td></td>
</tr>
</tbody>
</table>

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the medicaid inspector general, office of mental health, office of mental retardation and developmental disabilities and office of alcoholism and substance abuse services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with
135

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

the chairman of the senate finance commit-
tee and the chairman of the assembly ways
and means committee.

PERSONAL SERVICE

Personal service--regular .................. 28,968,700
Temporary service .......................... 1,000
Holiday/overtime compensation .............. 350,000

Amount available for personal service .... 29,319,700

NONPERSONAL SERVICE

Supplies and materials ..................... 536,000
Travel ........................................ 823,000
Contractual services ....................... 29,902,000
Equipment ................................... 831,000

Amount available for nonpersonal service.. 32,092,000

MAINTENANCE UNDISTRIBUTED

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

Program account subtotal .................. 93,411,700

General Fund / Aid to Localities
Local Assistance Account - 001

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

Program account subtotal .................. 1,391,200

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

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

Notwithstanding any inconsistent provision
of law and subject to the approval of the
director of the budget, moneys hereby
appropriated may be increased or decreased
by transfer or suballocation between these
appropriated amounts and appropriations of
other state agencies and appropriations of
the department of health. Notwithstanding
any inconsistent provision of law and
subject to approval of the director of the
budget, moneys hereby appropriated may be
transferred or suballocated to other state
government entities for services and
expenses related to administration of the
medical assistance program ............... 846,697,000
-----------------
Program fund subtotal ............... 846,697,000
-----------------

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

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

PERSONAL SERVICE

Personal service--regular ............... 228,900
-----------------

NONPERSONAL SERVICE

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

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

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

PERSONAL SERVICE

Personal service--regular ............... 925,900
Temporary services .................... 20,000
## DEPARTMENT OF HEALTH

### STATE OPERATIONS AND AID TO LOCALITIES 2009-10

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holiday/overtime compensation</td>
<td>10,000</td>
</tr>
<tr>
<td>Amount available for personal service</td>
<td>955,900</td>
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### NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>35,000</td>
</tr>
<tr>
<td>Travel</td>
<td>34,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>5,581,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>34,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>369,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>338,000</td>
</tr>
<tr>
<td>Amount available for nonpersonal service</td>
<td>6,391,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>7,346,900</td>
</tr>
</tbody>
</table>

### Special Revenue Funds - Other / State Operations

- Miscellaneous Special Revenue Fund - 339
- Disease Management Account

For services and expenses related to disease management.

### NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual services</td>
<td>5,000,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>5,000,000</td>
</tr>
</tbody>
</table>

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

- Miscellaneous Special Revenue Fund - 339
- Federal State Health Reform Partnership Account

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

| Program account subtotal                              | 300,000,000|

---
<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Medicaid Research Projects Account</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>For services and expenses related to improving services to medical assistance recipients and other medical assistance research activities.</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>NONPERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Contractual services</td>
<td>600,000</td>
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<tr>
<td>8</td>
<td>Program account subtotal</td>
<td>600,000</td>
</tr>
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<td>9</td>
<td></td>
<td></td>
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<tr>
<td>10</td>
<td>OFFICE OF HEALTH SYSTEMS MANAGEMENT</td>
<td>111,223,100</td>
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<td>11</td>
<td>General Fund / State Operations</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>State Purposes Account - 003</td>
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</tr>
<tr>
<td>13</td>
<td>PERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Personal service--regular</td>
<td>22,419,600</td>
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<tr>
<td>15</td>
<td>Temporary service</td>
<td>53,000</td>
</tr>
<tr>
<td>16</td>
<td>Holiday/overtime compensation</td>
<td>546,000</td>
</tr>
<tr>
<td>17</td>
<td>Amount available for personal service</td>
<td>23,018,600</td>
</tr>
<tr>
<td>18</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>NONPERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Supplies and materials</td>
<td>186,000</td>
</tr>
<tr>
<td>21</td>
<td>Travel</td>
<td>237,000</td>
</tr>
<tr>
<td>22</td>
<td>Contractual services</td>
<td>6,499,000</td>
</tr>
<tr>
<td>23</td>
<td>Equipment</td>
<td>201,000</td>
</tr>
<tr>
<td>24</td>
<td>Amount available for nonpersonal service</td>
<td>7,123,000</td>
</tr>
<tr>
<td>25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>MAINTENANCE UNDISTRIBUTED</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>For suballocation to the office of mental health for services and expenses for surveys of psychiatric residential treatment facilities.</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Personal service--regular</td>
<td>131,000</td>
</tr>
<tr>
<td>29</td>
<td>Supplies and materials</td>
<td>18,000</td>
</tr>
<tr>
<td>30</td>
<td>Travel</td>
<td>50,000</td>
</tr>
<tr>
<td>31</td>
<td>Equipment</td>
<td>74,000</td>
</tr>
<tr>
<td>32</td>
<td>Amount available for maintenance undistributed</td>
<td>273,000</td>
</tr>
<tr>
<td>33</td>
<td>Program account subtotal</td>
<td>30,414,600</td>
</tr>
</tbody>
</table>
139

DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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

3 For contractual services related to medical
4 necessity and quality of care reviews
5 related to medicaid patients and to moni-
6 tor health care services provided to
7 persons with AIDS. A portion of this
8 appropriation may be transferred to state
9 operations appropriations .......... 10,800,600
10 For services and expenses for patient health
11 information and quality improvement initi-
12 atives. A portion of this appropriation
13 may be transferred to state operations
14 appropriations .................. 368,000
16 For services and expenses for cardiac
17 services access and cardiac data
18 quality/outcomes initiatives ........ 1,381,800
19 For services and expenses related to the
20 operation of the incident reporting system
21 (NYPORTS). A portion of this appropriation
22 may be transferred to state operations
23 appropriations .................... 625,100
24 For services and expenses for consulting
25 services related to health information
26 technology. A portion of this
27 appropriation may be transferred to state
28 operations appropriations .......... 176,000
29 For services and expenses to support the
30 center for liver transplant and the alli-
31 ance for donation .................. 372,000
32 For services and expenses of the brain trau-
33 ma foundation ........................ 490,000
34 For services and expenses for a statewide
35 campaign to promote awareness of the New
36 York state donor registry to increase
37 organ and tissue donation. A portion of
38 this appropriation may be transferred to
39 state operations appropriations ........ 245,000
40 Program account subtotal .......... 14,458,500
41 .................................
42 Special Revenue Funds - Federal / Aid to Localities
43 Federal Operating Grants Fund - 290
44 United States Department of Justice Account
45
46 For expenses incurred in the administration
47 of the prescription drug monitoring
48 program relating to the prescribing and
49 dispensing of controlled substances ...... 400,000
52 Program account subtotal .......... 400,000
54 .................................
55 Special Revenue Funds - Other / State Operations
57 HCRAN Resources Fund - 061
58 Emergency Medical Services Account
59
60 For services and expenses related to emer-
61 gency medical services (EMS) adminis-
62 tration including but not limited to,
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

<table>
<thead>
<tr>
<th>Expenses related to training courses and instructor development, expenses of the state EMS council, expenses of the EMS regional councils and program agencies, and expenses of the general public health work - EMS reimbursement.</th>
</tr>
</thead>
</table>

**PERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service - regular</td>
<td>2,575,300</td>
</tr>
<tr>
<td>Temporary service</td>
<td>5,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>75,000</td>
</tr>
<tr>
<td>Amount available for personal service</td>
<td>2,655,300</td>
</tr>
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</table>

**NONPERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
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</tr>
<tr>
<td>Travel</td>
<td>180,000</td>
</tr>
<tr>
<td>Contractual services</td>
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</tr>
<tr>
<td>Equipment</td>
<td>300,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>1,057,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>804,000</td>
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<tr>
<td>Amount available for nonpersonal service</td>
<td>18,164,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>20,819,300</td>
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</tbody>
</table>

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

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

**PERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Personal service - regular</td>
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<tr>
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</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>7,000</td>
</tr>
<tr>
<td>Amount available for personal service</td>
<td>544,000</td>
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</table>

**NONPERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>2,000</td>
</tr>
<tr>
<td>Travel</td>
<td>8,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>24,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>20,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>222,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>169,000</td>
</tr>
<tr>
<td>Amount available for nonpersonal service</td>
<td>445,000</td>
</tr>
<tr>
<td>Description</td>
<td>Amount</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Program account subtotal</td>
<td>989,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other / State Operations</td>
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</tr>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Certificate of Need Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses, including indirect costs, related to the certificate of need program.</td>
<td></td>
</tr>
<tr>
<td>PERSONAL SERVICE</td>
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</tr>
<tr>
<td>Personal service--regular</td>
<td>2,859,300</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>10,000</td>
</tr>
<tr>
<td>Amount available for personal service</td>
<td>2,869,300</td>
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<tr>
<td>NONPERSONAL SERVICE</td>
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</tr>
<tr>
<td>Supplies and materials</td>
<td>26,000</td>
</tr>
<tr>
<td>Travel</td>
<td>38,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>1,970,000</td>
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<td>Equipment</td>
<td>42,600</td>
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<td>Fringe benefits</td>
<td>1,197,700</td>
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<td>Indirect costs</td>
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<td>Amount available for nonpersonal service</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>
<tr>
<td>Funeral Directing Account</td>
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</tr>
<tr>
<td>For services and expenses of a statewide program, including indirect costs, related to the funeral direction administration program.</td>
<td></td>
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<tr>
<td>PERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>222,300</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>10,000</td>
</tr>
<tr>
<td>Amount available for personal service</td>
<td>232,300</td>
</tr>
<tr>
<td>NONPERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>14,000</td>
</tr>
<tr>
<td>Travel</td>
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<td>Contractual services</td>
<td>45,000</td>
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<td>Equipment</td>
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<td>Fringe benefits</td>
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<td>Indirect costs</td>
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<td>Amount available for nonpersonal service</td>
<td>276,000</td>
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<td>Program account subtotal</td>
<td>508,300</td>
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<td>-------------------------</td>
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DEPARTMENT OF HEALTH  
STATE OPERATIONS AND AID TO LOCALITIES  2009-10

<table>
<thead>
<tr>
<th>Contractual services</th>
<th>1,000,000</th>
</tr>
</thead>
</table>

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Special Revenue Funds - Other / State Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
</tr>
</tbody>
</table>

58 --------------
59
60 General Fund / State Operations
61 State Purposes Account - 003
62

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Personal service--regular</th>
<th>15,388,900</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary service</td>
<td>340,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>49,000</td>
</tr>
</tbody>
</table>

32 --------------
33 Amount available for personal service | 15,777,900 |

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Supplies and materials</th>
<th>154,000</th>
</tr>
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<tbody>
<tr>
<td>Travel</td>
<td>276,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>8,392,800</td>
</tr>
<tr>
<td>Equipment</td>
<td>250,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>6,516,900</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>3,255,000</td>
</tr>
</tbody>
</table>

44 --------------
45 Amount available for nonpersonal service | 10,844,700 |

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>For services and expenses of the medical society contract authorized pursuant to chapter 582 of the laws of 1984</th>
<th>990,000</th>
</tr>
</thead>
</table>

52 --------------
53 Program account subtotal | 35,612,600 |

MAINTENANCE UNDISTRIBUTED

<table>
<thead>
<tr>
<th>General Fund / State Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Purposes Account - 003</td>
</tr>
</tbody>
</table>
### PERSONAL SERVICE

- Personal service--regular: 29,574,000
- Temporary service: 82,000
- Holiday/overtime compensation: 854,000

Amount available for personal service: 30,510,000

### NONPERSONAL SERVICE

- Supplies and materials: 350,000
- Travel: 1,065,000
- Contractual services: 19,574,000
- Equipment: 415,000

Amount available for nonpersonal service: 21,404,000

### MAINTENANCE UNDISTRIBUTED

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

Amount available for maintenance undistributed: 2,000,000

Program account subtotal: 53,914,000

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

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

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

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

For services and expenses of the long-term care nursing initiative demonstration:
projects established pursuant to section 2893 of the public health law. All or a portion of this appropriation may be transferred to state operations and/or suballocated to the NYS higher education services corporation. 2,500,000 For services and expenses of the quality incentive payment program 2,605,000 For services and expenses of the quality incentive payment program, provided however, that such funds can be used for prior year 2006-07 commitments 2,750,000 For an operating assistance subprogram for enriched housing. To the extent that funds are appropriated for such purposes, the department is authorized to pay an operating subsidy for SSI recipients who are residents in certified not-for-profit or public enriched housing programs. Such subsidy shall not exceed $115 per month per each SSI recipient and will be paid directly to the certified operator. If appropriations are not sufficient to meet such maximum monthly payments, such subsidy shall be reduced proportionately 502,900 For services and expenses, including grants, of the long term care community coalition for an advocacy program on behalf of seniors with long term care needs 69,000

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

Program account subtotal 29,763,300

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

For services and expenses related to adult home initiatives including but not limited to, social and recreational services; smoking cessation; falls prevention; maintaining or improving physical mobility, cognitive functioning or overall health; and advocacy and legal support. Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby
appropriated may be transferred to the
office of mental health, the office for
the aging, and the commission on quality
of care and advocacy for persons with
disabilities. Moneys herein appropriated
may be used for the purpose of awarding
grants to operators of adult homes,
enriched housing programs and residences
through the enhancing abilities and life
experience (EnAbLE) program to improve the
quality of life and independence for resi-
dents. Use of program funds may include,
but shall not be limited to, independent
living skills training, vocational or
educational programs; peer specialists;
employment specialist; or services and
supports to allow residents to maintain
independence in their activities of daily
living. Such grants shall be made pursuant
to criteria established by the department
of health. A preference in funding shall
be granted to applicants for use of
program funds which would serve residents
receiving supplemental security income
and/or safety net. No grants shall be made
unless the department of health receives
satisfactory documentation that the resi-
dent council of any facility for which
funds are requested has endorsed the
proposed use of funds as set forth in the
grant application ......................... 2,447,800
For additional services and expenses for the
enhancing abilities and life experience
(EnAbLE) program to improve the quality of
life of residents. Use of program funds
may include, but shall not be limited to,
providing air conditioning in resident
rooms, providing generators to facilities,
improving the quality of food services and
other quality of life activities. In
distributing such funds, the department
shall give priority to those applicants
whose residents demonstrate the highest
level of need, including but not limited
to, those with psychiatric disabilities
and the elderly, and consideration to
applicants in the greatest financial need
of such assistance ....................... 1,833,900
----------------
Program account subtotal ............ 4,311,700
----------------
Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Adult Home Quality Enhancement Account

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

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual services</td>
<td>500,000</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>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Assisted Living Residence Quality Oversight Account</td>
<td></td>
</tr>
</tbody>
</table>

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

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>1,093,200</td>
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<tr>
<td>Holiday/overtime compensation</td>
<td>35,000</td>
</tr>
<tr>
<td>Amount available for personal service</td>
<td>1,128,200</td>
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</table>

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>9,000</td>
</tr>
<tr>
<td>Travel</td>
<td>40,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>134,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>16,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>445,000</td>
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<tr>
<td>Indirect costs</td>
<td>346,000</td>
</tr>
<tr>
<td>Amount available for nonpersonal service</td>
<td>990,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>2,118,200</td>
</tr>
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</table>

Special Revenue Funds - Other / State Operations

Continuing Care Retirement Community Account

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

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>33,500</td>
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NONPERSONAL SERVICE

<table>
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<tr>
<th>Description</th>
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</thead>
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<tr>
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<td>3,000</td>
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<tr>
<td>Travel</td>
<td>5,000</td>
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<tr>
<td>Contractual services</td>
<td>160,000</td>
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<tr>
<td>Fringe benefits</td>
<td>14,000</td>
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<tr>
<td>Description</td>
<td>Amount</td>
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<tr>
<td>-----------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>34,000</td>
</tr>
<tr>
<td>Amount available for nonpersonal service.</td>
<td>216,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>249,500</td>
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<tr>
<td><strong>Special Revenue Funds - Other / State Operations</strong></td>
<td></td>
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<tr>
<td><strong>Miscellaneous Special Revenue Fund - 339</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Durable Medical Equipment Account</strong></td>
<td></td>
</tr>
<tr>
<td>For services and expenses, including indirect costs, related to the durable medical equipment program</td>
<td></td>
</tr>
<tr>
<td><strong>PERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>348,500</td>
</tr>
<tr>
<td><strong>NONPERSONAL SERVICE</strong></td>
<td></td>
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<tr>
<td>Supplies and materials</td>
<td>23,000</td>
</tr>
<tr>
<td>Travel</td>
<td>24,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>14,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>143,000</td>
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<tr>
<td>Indirect costs</td>
<td>109,000</td>
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<tr>
<td>Amount available for nonpersonal service.</td>
<td>313,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>661,500</td>
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<tr>
<td><strong>Special Revenue Funds - Other / State Operations</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Miscellaneous Special Revenue Fund - 339</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Nurses Aide Registry Account</strong></td>
<td></td>
</tr>
<tr>
<td>For services and expenses of administrative costs related to the nurses aide registry program</td>
<td></td>
</tr>
<tr>
<td><strong>PERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>174,400</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>1,000</td>
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<tr>
<td>Amount available for personal service</td>
<td>175,400</td>
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<tr>
<td><strong>NONPERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>10,000</td>
</tr>
<tr>
<td>Travel</td>
<td>5,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>3,605,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>8,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>72,000</td>
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<tr>
<td>Indirect costs</td>
<td>55,000</td>
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<tr>
<td>Amount available for nonpersonal service.</td>
<td>3,755,000</td>
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<tr>
<td>Program account subtotal</td>
<td>3,930,400</td>
</tr>
<tr>
<td>Description</td>
<td>Amount</td>
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<tr>
<td>-----------------------------------------------------------------------------</td>
<td>------------</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>Quality of Care Improvement Account</td>
<td></td>
</tr>
<tr>
<td>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></td>
</tr>
<tr>
<td><strong>PERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>147,600</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>20,000</td>
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<tr>
<td><strong>Amount available for personal service</strong></td>
<td>167,600</td>
</tr>
<tr>
<td><strong>NONPERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>33,000</td>
</tr>
<tr>
<td>Travel</td>
<td>50,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>1,528,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>117,000</td>
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<tr>
<td>Fringe benefits</td>
<td>70,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>52,000</td>
</tr>
<tr>
<td><strong>Amount available for nonpersonal service</strong></td>
<td>1,850,000</td>
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<tr>
<td><strong>Program account subtotal</strong></td>
<td>2,017,600</td>
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<tr>
<td><strong>WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM</strong></td>
<td>150,199,500</td>
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<tr>
<td>General Fund / State Operations</td>
<td></td>
</tr>
<tr>
<td>State Purposes Account - 003</td>
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</tr>
<tr>
<td><strong>PERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>29,130,000</td>
</tr>
<tr>
<td>Temporary service</td>
<td>70,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>800,500</td>
</tr>
<tr>
<td><strong>Amount available for personal service</strong></td>
<td>30,000,500</td>
</tr>
<tr>
<td><strong>NONPERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>3,352,000</td>
</tr>
<tr>
<td>Travel</td>
<td>76,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>7,285,000</td>
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<tr>
<td>Equipment</td>
<td>5,305,000</td>
</tr>
<tr>
<td><strong>Amount available for nonpersonal service</strong></td>
<td>16,018,000</td>
</tr>
<tr>
<td><strong>Program account subtotal</strong></td>
<td>46,018,500</td>
</tr>
</tbody>
</table>
STATE OPERATIONS AND AID TO LOCALITIES  2009-10

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

4 For services and expenses of a genetic
disease screening program ..................  645,000
5 For services and expenses of a sickle cell
screening program ...........................  226,000

9 Program account subtotal .................  871,000

11

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

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

18 Program fund subtotal ................... 1,556,000

20

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

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

28 Program account subtotal ................ 11,376,000

30

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

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

39 Program account subtotal ................  3,682,000

41

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

46 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.

50

NONPERSONAL SERVICE

52 Contractual services ......................  2,600,000

55 Program account subtotal ................  2,600,000

58 Special Revenue Funds - Other / State Operations
59 Combined Gifts, Grants and Bequests Fund - 020
60 Multiple Sclerosis Research Account
61
62
For research into the causes and treatment
of pediatric multiple sclerosis pursuant
to section 95-d of the state finance law.

**NONPERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual services</td>
<td>20,000</td>
</tr>
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<td>Program account subtotal</td>
<td>20,000</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>Clinical Laboratory Reference System Assessment Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses of the clinical laboratory reference and accreditation program.</td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>Amount</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Equipment</td>
<td>103,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>837,300</td>
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<tr>
<td>Indirect costs</td>
<td>1,167,700</td>
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<td>Amount available for nonpersonal service.</td>
<td>2,783,000</td>
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<td>Program account subtotal</td>
<td>4,777,000</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>Spinal Cord Injury Research Fund Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to spinal cord injury research</td>
<td></td>
</tr>
<tr>
<td>pursuant to chapter 338 of the laws of 1998, in accordance with the</td>
<td></td>
</tr>
<tr>
<td>following.</td>
<td></td>
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<tr>
<td>PERSONAL SERVICE</td>
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</tr>
<tr>
<td>Personal service--regular</td>
<td>224,000</td>
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<tr>
<td>NONPERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>50,000</td>
</tr>
<tr>
<td>Travel</td>
<td>45,000</td>
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<tr>
<td>Contractual services</td>
<td>7,978,000</td>
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<tr>
<td>Equipment</td>
<td>15,000</td>
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<td>Fringe benefits</td>
<td>88,000</td>
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<tr>
<td>Indirect costs</td>
<td>129,000</td>
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<td>Amount available for nonpersonal service.</td>
<td>8,305,000</td>
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<td>Program account subtotal</td>
<td>8,529,000</td>
</tr>
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<td>Special Revenue Fund - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Empire State Stem Cell Research Account</td>
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</tr>
<tr>
<td>For services and expenses, including grants, related to stem cell</td>
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<tr>
<td>research pursuant to chapter 58 of the laws of 2007:</td>
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<td>NONPERSONAL SERVICE</td>
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<tr>
<td>Contractual services</td>
<td>50,000,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>50,000,000</td>
</tr>
<tr>
<td>Total new appropriations for state operations and aid to localities</td>
<td>49,333,313,800</td>
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==
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS  2009-10

ADMINISTRATION AND EXECUTIVE DIRECTION PROGRAM

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 1, of the laws of 2008:
Contractual services ... 19,352,000 .................... (re. $6,000,000)
For services and expenses related to the improvement of data
protection and interoperability.
Contractual services ... 1,000,000 .................... (re. $982,000)
For services and expenses related to the improvement of electronic
content and the production and presentation of electronically stored
information (e-Discovery).
Contractual services ... 1,000,000 .................... (re. $1,000,000)

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

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

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

By chapter 54, section 1, of the laws of 2008:
For various food and nutritional services .................. 976,000 .................................. (re. $293,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2006 to September 30, 2007 ....... 391,000 .................................. (re. $78,000)
For the grant period October 1, 2007 to September 30, 2008 ....... 476,000 .................................. (re. $95,200)

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

By chapter 54, section 1, of the laws of 2008:
For various food and nutritional services .................. 1,952,000 .................................. (re. $586,000)

By chapter 54, section 1, of the laws of 2007:
For various food and nutritional services.
For the grant period October 1, 2006 to September 30, 2007 ........ 935,000 .................................. (re. $187,000)
For the grant period October 1, 2007 to September 30, 2008 ........ 1,139,000 .................................. (re. $228,000)

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

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

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services.
For the grant period October 1, 2006 to September 30, 2007 ............
2,893,000 .................................................. (re. $2,893,000)
For the grant period October 1, 2007 to September 30, 2008 ............
2,893,000 .................................................. (re. $2,893,000)

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

AIDS INSTITUTE PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
For additional grants to existing community service programs to meet the increased demands of HIV education, prevention, outreach, legal and supportive services to high risk groups and to address increased operating costs of these programs. Such grants shall be equitably distributed ... 540,500 .................................................. (re. $288,000)
For services and expenses related to the operation of the communities of color initiative, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ............
3,810,000 .................................................. (re. $2,500,000)
For additional grants to existing community based organizations and to article 28 of the public health law diagnostic and treatment centers that must operate in a neighborhood or geographic area with high concentrations of at risk populations and provide services and programs that are culturally sensitive to the special social and cultural needs of the at risk populations. Such grants shall be used to meet increased demands for HIV education, prevention, outreach, and legal programs. Such grants shall be equitably distributed ..... 540,500 .................................................. (re. $288,000)
For additional services and expenses of the New York AIDS Coalition .. 23,500 .......................................................... (re. $12,500)
For services and expenses of the Legal Aid Society of New York City .. 125,960 .......................................................... (re. $67,000)
For services and expenses of the Legal Services for New York City ..... 125,960 .......................................................... (re. $67,000)

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

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
For grants to existing community service programs, as deemed appropriate by the department of health, including but not limited to community based organizations and other organizations providing specialized AIDS-related services targeted to minority and other high-risk populations. To ensure organizational viability, agency
DEPARTMENT OF HEALTH
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

administration may be supported subject to review and approval of
the commissioner of health. Up to $125,000 may be transferred to the
general fund - state purposes account for the administration of this
program. Notwithstanding any provision of law to the contrary, the
commissioner of health shall be authorized to continue contracts
with community service programs, multi-service agencies and
community development initiatives for all such contracts which were
executed on or before March 31, 2008, without any additional
requirements that such contracts be subject to competitive bidding
or a request for proposals process, provided, however, that the
amount of this appropriation available for expenditure and
disbursement on and after September 1, 2008 shall be reduced by six
percent of the amount that was undisbursed as of August 15, 2008 ...
20,131,000 ...........................................(re. $3,500,000)
For suballocation to the office of temporary and disability assistance
for operational support to projects which have received capital
grant awards through the homeless housing assistance program,
provided, however, that the amount of this appropriation available
for expenditure and disbursement on and after September 1, 2008
shall be reduced by six percent of the amount that was undisbursed
as of August 15, 2008 ... 975,000 ...................... (re. $500,000)

CENTER FOR COMMUNITY HEALTH PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

By chapter 54, section 1, of the laws of 2008, as amended by chapter
496, section 5, of the laws of 2008:
For services and expenses of an obesity prevention program in support
of healthy eating collaboratives. A portion of this appropriation
may be transferred to state operations appropriations for
administration of this program ... 145,000 ............ (re. $145,000)
For services and expenses, including operating expenses related to
providing nutritional services and nutrition education for hunger
prevention and nutrition assistance. A portion of this appropriation
may be transferred to state operations appropriations for
administration of this program, provided, however, that the amount
of this appropriation available for expenditure and disbursement on
and after September 1, 2008 shall be reduced by six percent of the
amount that was undisbursed as of August 15, 2008 ..............
27,850,000 ...........................................(re. $2,500,000)
For services and expenses related to providing nutritional services
and to provide nutritional education to pregnant women, infants, and
children, including suballocations to the department of agriculture
and markets for the farmer's market nutrition program and migrant
worker services and the office of temporary and disability
assistance for prenatal care assistance program activities. A
portion of this appropriation may be transferred to state operations
appropriations for administration of this program, provided,
however, that the amount of this appropriation available for
expenditure and disbursement on and after September 1, 2008 shall be
reduced by six percent of the amount that was undisbursed as of
August 15, 2008 ... 21,600,000 ...................... (re. $10,000,000)
For services and expenses of the health and social services sexuality-
related programs, provided, however, that the amount of this
appropriation available for expenditure and disbursement on and
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ...................... (re. $600,000)

For services and expenses of the public health management leaders of tomorrow program, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ...................... (re. $276,000)

For services and expenses of a shaken baby syndrome public educational campaign, pursuant to chapter 110 of the laws of 2006. A portion of this appropriation may be transferred to state operations appropriations for administration of this program by the department of health ... 180,000 ........................................... (re. $180,000)

For services and expenses of Ellenville Regional Hospital ................... (re. $100,000)

For services and expenses of Catskill Regional Medical Center .............. (re. $150,000)

For services and expenses of the Health Information Technology program pursuant to chapter 58 of the laws of 2004 .............................................. (re. $1,500,000)

For services and expenses of the Primary Care Physician Training Program ... 188,000 ........................................... (re. $100,000)

For services and expenses of Northeast Health GPS tracking device for Home Care services ... 141,000 ........................................... (re. $75,000)

For services and expenses of comprehensive care centers for eating disorders ... 282,000 ........................................... (re. $150,000)

For services and expenses of Northeast Health Electronic Medical Records ... 376,000 ........................................... (re. $200,000)

For services and expenses of Saratoga Hospital Foundation .................. (re. $250,000)

For services and expenses of Rome Hospital .................................... (re. $115,000)

For services and expenses of the Schenectady Health Care Practitioner Volunteer Program ... 329,000 ........................................... (re. $175,000)

For services and expenses of the Northern Regional Federally Qualified Community Health Centers ... 940,000 ........................................... (re. $500,000)

For services and expenses of the Lymphatic Research Foundation ............. (re. $50,000)

For additional services and expenses of the American Red Cross ............. (re. $500,000)

For services and expenses of Potsdam-Canton Hospital ......................... (re. $125,000)

For services and expenses of the Latino Commission on AIDS .................. (re. $75,000)

For services and expenses of North Shore/Long Island Jewish Health System-Returning Veteran’s Program ... 188,000 .................. (re. $100,000)

For services and expenses for Health Information Technology for Nursing Homes program ... 188,000 ........................................... (re. $100,000)

For services and expenses of the New York Organ Donor Network ............ (re. $12,500)

For services and expenses of the Research Foundation of SUNY/HIV Center for Women and Children @ SUNY Downstate ....................... (re. $62,500)

For services and expenses of the Brain Trauma Foundation .................... (re. $100,000)

For services and expenses of Village Care of New York, Inc. .................. (re. $375,000)

For services and expenses of the Long Island Health Network ................ (re. $50,000)

For services and expenses of the Arthritis Foundation ......................... (re. $50,000)

470,000 ........................................... (re. $250,000)
For services and expenses of a Medical Homes Demonstration Program ... 211,500 .................................................. (re. $112,500)
For services and expenses of Community Blood Services for Orange County Bloodmobile ... 94,000 ......................... (re. $50,000)
For services and expenses of New York State Ovarian Cancer Hotline ... 150,400 .................................................. (re. $80,000)
For services and expenses of Taconic IPA, Inc for an electronic prescribing and electronic medical records program in the Hudson Valley ... 470,000 .................................................. (re. $250,000)
For services and expenses of Putnam Hospital Center ............................. (re. $250,000)
For services and expenses of Elizabethtown Hospital .............................. (re. $150,000)
For services and expenses of Alice Hyde Medical Center ....................... (re. $150,000)
For services and expenses of North Country Health Care Providers, LLC ... 282,000 .................................................. (re. $150,000)
For services and expenses of Good Samaritan Hospital ......................... (re. $250,000)
For services and expenses Nyack Hospital Foundation ........................ (re. $75,000)
For services and expenses of the Rhoneix Pilot Program at Wadsworth Laboratory ... 188,000 .................................................. (re. $100,000)
For services and expenses of the New York Wellness Program ............... (re. $250,000)
For services and expenses of the Academic Health Centers Consortium .. (re. $250,000)
For services and expenses AIDs Testing and Prevention Initiatives ... 540,500 .................................................. (re. $287,500)
For services and expenses of Westchester Regional Emergency Services ... 103,400 .................................................. (re. $55,000)
For services and expenses of the Catskill Area Hospice ....................... (re. $62,500)
For services and expenses Cortland Regional Medical Center .............. (re. $62,500)
For services and expenses of Arnot Odgen Medical Center .................... (re. $125,000)
For services and expenses of Universal Primary Care Center ................. (re. $300,000)
For services and expenses of the Alzheimer's Association .................. (re. $125,000)
For services and expenses of Rota Care ... 47,000 .......................... (re. $25,000)
For services and expenses of the Coalition for Community Well Being ... 47,000 .................................................. (re. $25,000)
For services and expenses of North Shore LIJ Huntington Hospital ....... (re. $125,000)
For services and expenses of Glens Falls Hospital ............................. (re. $110,000)
For services and expenses of St. Luke's Cornwall Hospital ................ (re. $250,000)
For services and expenses of The Children's Annex/Autism Support Center ... 235,000 .................................................. (re. $125,000)
For additional state grants for a program of family planning services pursuant to article 2 of the public health law .................. 634,500 .................................................. (re. $337,500)
For additional services and expenses of existing Alzheimer's disease assistance centers as established pursuant to chapter 586 of the laws of 1987 ... 94,000 ........................................ (re. $50,000)
For additional state grants to improve access to infertility services, treatments, and procedures ... 940,000 ........................................ (re. $500,000)
For additional services and expenses associated with new and existing school based health centers ... 634,500 ........................................ (re. $337,500)
For additional services and expenses for the Alzheimer's Community Assistance Program as established pursuant to chapter 657 of the laws of 1997 ... 282,000 (re. $150,000)
For services and expenses of a Chernobyl thyroid cancer screening pilot project ... 507,600 (re. $270,000)
For services and expenses related to perinatal care networks ........
117,500 (re. $62,500)
For services and expenses of a health care based literacy program ....
94,000 (re. $50,000)
For services and expenses of the Huntington's Disease Society of America related to Huntington's Disease centers of excellence ....
47,000 (re. $25,000)
For services and expenses related to the New York State breast cancer network ... 47,000 (re. $25,000)
For additional state grants to the American Red Cross ............
466,898 (re. $248,350)
For services and expenses related to amyotrophic lateral sclerosis ... 94,000 (re. $50,000)
For services and expenses related to the statewide health and social services sexuality-related programs, notwithstanding any inconsistent provision of law to the contrary, funds shall be available for the statewide health and social services sexuality-related programs to establish health and social services and provide technical assistance pursuant to the following sub-schedule ....
1,925,402 (re. $1,024,150)

sub-schedule

Ali Forney .................. 14,020
Asian Pacific Islander Coalition of HIV/AIDS (Manhattan/Queens) ...... 56,081
Audre Lorde Project ........ 70,101
Bronx Lesbian and Gay Health Resource Consortium (BLGHRC) ....... 70,101
Brooklyn AIDS Task Force - Shades of Lavender Project .... 31,739
Callen-Lorde Community Health Center ......................... 56,081
CANDLE (Community Awareness Network for a Drug-Free life and Environment) ........ 44,188
Capital District Gay and Lesbian Community Council .. 31,739
Center Lane, Westchester Jewish Community Services .. 43,426
Empire State Pride Agenda .... 94,356
Ferre Institute ................ 25,236
Gay Alliance of the Genesee Valley ....................... 70,101
Gay & Lesbian Switchboard .... 14,020
Gay and Lesbian Youth Services of Western New York .... 70,101
Gay Men of African Descent ... 31,739
Gay Men's Health Crisis ...... 56,081
Greenwich Village Youth Council - New Neutral Zone .... 38,094
Heights Hill Mental Health Service - LGBT Affirmative Program ........ 31,739
Hetrick Martin Institute .... 70,101
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>In Our Own Voices</td>
<td>67,297</td>
</tr>
<tr>
<td>2</td>
<td>Latino Commission on AIDS -</td>
<td>31,739</td>
</tr>
<tr>
<td>3</td>
<td>Mano A Mano</td>
<td>31,739</td>
</tr>
<tr>
<td>4</td>
<td>Lesbian, Gay, Bisexual and Transgender Community Center</td>
<td>140,202</td>
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<td>5</td>
<td>LGBT Wellness Program at Community Action Center</td>
<td>28,040</td>
</tr>
<tr>
<td>6</td>
<td>LOFT</td>
<td>33,323</td>
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<tr>
<td>7</td>
<td>Long Island Gay and Lesbian Youth</td>
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<td>8</td>
<td>Men of Color Health Awareness Project</td>
<td>31,739</td>
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<tr>
<td>9</td>
<td>Metropolitan Community Church of New York</td>
<td>31,739</td>
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<tr>
<td>10</td>
<td>New York City Gay and Lesbian Anti-Violence Project</td>
<td>95,232</td>
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<tr>
<td>11</td>
<td>People of Color in Crisis Planned Parenthood Health</td>
<td>31,739</td>
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<tr>
<td>12</td>
<td>Services of Northeastern New York</td>
<td>28,040</td>
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<td>13</td>
<td>Planned Parenthood of Niagara County</td>
<td>14,020</td>
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<td>14</td>
<td>Positive Health Project Pride Center of Western New York</td>
<td>35,051</td>
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<tr>
<td>15</td>
<td>York (Buffalo)</td>
<td>26,476</td>
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<td>16</td>
<td>Pride for Youth/Long Island Crisis Center</td>
<td>71,101</td>
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<td>17</td>
<td>Queens LGBT Pride Community Center</td>
<td>31,739</td>
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<td>18</td>
<td>Queens Pride House</td>
<td>31,739</td>
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<td>19</td>
<td>Rainbow Access Initiative Albany</td>
<td>21,031</td>
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<td>20</td>
<td>Rainbow Seniors of Western New York</td>
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<td>21</td>
<td>Safety Zone</td>
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<tr>
<td>22</td>
<td>SAGE Upstate</td>
<td>26,476</td>
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<td>23</td>
<td>Senior Action in a Gay Environment (SAGE) - Rainbow Aging Awareness Program</td>
<td>121,976</td>
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<td>24</td>
<td>For services and expenses of the health and social services sexuality-related programs domestic violence network pursuant to the following sub-schedule</td>
<td>352,500</td>
</tr>
<tr>
<td>25</td>
<td>In Our Own Voices</td>
<td>23,500</td>
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<td>26</td>
<td>Men of Color Health Awareness Project</td>
<td>23,500</td>
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<tr>
<td>27</td>
<td>Alternatives for Battered Women</td>
<td>23,500</td>
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<td>28</td>
<td>Gay Alliance Of the Genesee Valley</td>
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<td>29</td>
<td>Empire Justice Center</td>
<td>23,500</td>
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<td>30</td>
<td>The New York City Gay &amp; Lesbi- an Anti-Violence Project</td>
<td>47,000</td>
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<td>31</td>
<td>Safe Horizon</td>
<td>23,500</td>
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<tr>
<td>32</td>
<td>Syracuse Area Domestic Violence &amp; Sexual Violence</td>
<td>23,500</td>
</tr>
<tr>
<td>33</td>
<td>Coalition, Vera House</td>
<td>23,500</td>
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<tr>
<td>34</td>
<td>Rockland Family Shelter</td>
<td>23,500</td>
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DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS  2009-10

<table>
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<th>Item</th>
<th>Description</th>
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<tr>
<td>1</td>
<td>Advocacy Center</td>
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<td>2</td>
<td>Victim Assistance Services</td>
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<td>3</td>
<td>NYS Coalition Against Domestic Violence</td>
<td>23,500</td>
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<td>4</td>
<td>Lgbt Dv Committee Of Western NY</td>
<td>23,500</td>
</tr>
<tr>
<td>5</td>
<td>The Safe Homes Project</td>
<td>23,500</td>
</tr>
<tr>
<td>6</td>
<td>For services and expenses of the New York University College of Dentistry - Mobile Dental Clinics</td>
<td>235,000 (re. $125,000)</td>
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<tr>
<td>7</td>
<td>For services and expenses of the Coalition for the Institutionized Aged and Disabled</td>
<td>94,000 (re. $50,000)</td>
</tr>
<tr>
<td>8</td>
<td>For services and expenses of the School Based Health Coalition</td>
<td>47,000 (re. $25,000)</td>
</tr>
<tr>
<td>9</td>
<td>For services and expenses of the Primary Care Development Corporation</td>
<td>493,500 (re. $262,500)</td>
</tr>
<tr>
<td>10</td>
<td>For services and expenses of the Center for Health Care Access</td>
<td>126,900 (re. $67,500)</td>
</tr>
</tbody>
</table>

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

- For services and expenses related to providing nutritional services and to provide nutritional education to pregnant women, infants, and children, including suballocations to the department of agriculture and markets for the farmer's market nutrition program and migrant worker services and the office of temporary and disability assistance for prenatal care assistance program activities ....................................................... (re. $2,000,000)
- For state grants to improve access to infertility services, treatments, and procedures. Funds shall be allocated from this appropriation pursuant to a plan prepared by the commissioner of health and approved by the director of the budget .................................................. (re. $4,000,000)
- For services and expenses of a study of racial disparities .................................................. (re. $300,000)
- For services and expenses of Health Information Technology, pursuant to chapter 58 of the laws of 2004 .................................................. (re. $3,000,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008:

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

By chapter 54, section 1, of the laws of 2006:

- For services and expenses of racial disparity study .................................................. (re. $300,000)
- For services and expenses of health information technology .................................................. (re. $2,770,000)
- For services and expenses of the safe patient handling demonstration program .................................................. (re. $500,000)

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

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

- For various food and nutritional services .................................................. (re. $1,839,000)
1 By chapter 54, section 1, of the laws of 2007:
2 For the grant period October 1, 2006 to September 30, 2007 ...........
3 3,251,000 .................................................. (re. $325,000)
4 For the grant period October 1, 2007 to September 30, 2008 ...........
5 4,207,000 .................................................. (re. $421,000)

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

9 By chapter 54, section 1, of the laws of 2008:
10 For various federal food and nutritional services. The moneys hereby
11 appropriated shall be available for payment of financial assistance
12 heretofore accrued ... 202,300,000 ............... (re. $12,138,000)

13 By chapter 54, section 1, of the laws of 2007:
14 For various federal food and nutritional services. The moneys hereby
15 appropriated shall be available for payment of financial assistance
16 heretofore accrued.
17 For the grant period October 1, 2006 to September 30, 2007 ...........
18 82,300,000 .................................................. (re. $3,292,000)
19 For the grant period October 1, 2007 to September 30, 2008 ...........
20 100,200,000 .................................................. (re. $4,008,000)

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

24 By chapter 54, section 1, of the laws of 2008:
25 For various food and nutritional services ................................
26 56,970,000 .................................................. (re. $11,934,000)

27 By chapter 54, section 1, of the laws of 2007:
28 For various food and nutritional services.
29 For the grant period October 1, 2006 to September 30, 2007 ...........
30 21,013,000 .................................................. (re. $2,101,000)
31 For the grant period October 1, 2007 to September 30, 2008 ...........
32 26,288,000 .................................................. (re. $2,629,000)

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

36 By chapter 54, section 1, of the laws of 2008:
37 For various federal food and nutritional services. The moneys hereby
38 appropriated shall be available for payment of financial assistance
39 heretofore accrued ... 392,200,000 ............... (re. $31,376,000)

40 By chapter 54, section 1, of the laws of 2007:
41 For various federal food and nutritional services. The moneys hereby
42 appropriated shall be available for payment of financial assistance
43 heretofore accrued.
44 For the grant period October 1, 2006 to September 30, 2007 ...........
45 172,500,000 .................................................. (re. $8,625,000)
46 For the grant period October 1, 2007 to September 30, 2008 ...........
47 207,600,000 .................................................. (re. $10,380,000)

48 Special Revenue Funds - Federal / State Operations
49 Federal Health and Human Services Fund - 265
By chapter 54, section 1, of the laws of 2008:
For various health prevention, diagnostic, detection and treatment services ... 29,819,000
(re. $16,959,000)

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services.
For grants beginning prior to April 1, 2007
16,959,000
(re. $16,959,000)
For grants beginning on or after April 1, 2007
8,080,000
(re. $8,080,000)

By chapter 54, section 1, of the laws of 2006:
For various health prevention, diagnostic, detection and treatment services:
For grants beginning on or after April 1, 2006
7,671,000
(re. $7,671,000)

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

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

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services.
For grants beginning prior to April 1, 2007
75,000
(re. $75,000)
For grants beginning on or after April 1, 2007
35,381,000
(re. $35,381,000)

By chapter 54, section 1, of the laws of 2006:
For various health prevention, diagnostic, detection and treatment services:
For grants beginning on or after April 1, 2006
35,381,000
(re. $35,381,000)

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

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2006 to September 30, 2007
451,000
(re. $451,000)
For the grant period October 1, 2007 to September 30, 2008
451,000
(re. $451,000)

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

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2007 to September 30, 2008
4,982,000
(re. $4,982,000)

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265
Federal Block Grant Account
1 By chapter 54, section 1, of the laws of 2008:
2 For various health prevention, diagnostic, detection and treatment
3 services ... 22,299,000 ......................... (re. $22,299,000)
4
5 Special Revenue Funds - Federal / Aid to Localities
6 Federal Health and Human Services Fund - 265
7 Federal Block Grant Account
8
9 By chapter 54, section 1, of the laws of 2008:
10 For various health prevention, diagnostic, detection and treatment
11 services.
12 The commissioner of health is hereby authorized to waive any provi-
13 sions of the public health law and regulations, to issue appropriate
14 operating certificates, and to enter into contracts with article 28
15 facilities, to provide funds, to establish, support and conduct
16 projects to provide improved and expanded school health services for
17 preschool and school-age children. No more than 10 per centum of the
18 amount appropriated for such purpose shall be expended for services
19 and expenses in connection with the administration and evaluation of
20 such grants. Grants awarded under this appropriation shall be dis-
21 tributed and administered in accordance with regulations established
22 by the commissioner of health ... 57,475,000 ...... (re. $57,475,000)
23
24 Special Revenue Funds - Federal / State Operations
25 Federal Department of Education Fund - 267
26 Individuals with Disabilities-Part C Account
27
28 By chapter 54, section 1, of the laws of 2008:
29 For activities related to a handicapped infants and toddlers program.. 
30 20,620,000 ........................................ (re. $20,286,000)
31
32 By chapter 54, section 1, of the laws of 2007:
33 For activities related to a handicapped infants and toddlers program.
34 For the grant period beginning on or after July 1, 2006 .............
35 8,150,000 ........................................ (re. $8,150,000)
36 For the grant period beginning on or after July 1, 2007 .............
37 9,780,000 ........................................ (re. $1,264,000)
38
39 By chapter 54, section 1, of the laws of 2006:
40 For activities related to a handicapped infants and toddlers program:
41 For the grant period beginning on or after July 1, 2005 .............
42 8,150,000 ........................................ (re. $8,150,000)
43 For the grant period beginning on or after July 1, 2006 .............
44 9,780,000 ........................................ (re. $9,780,000)
45
46 By chapter 54, section 1, of the laws of 2005:
47 For activities related to a handicapped infants and toddlers program:
48 For the grant period October 1, 2005 to September 30, 2006 ........
49 9,780,000 ........................................ (re. $9,780,000)
50
51 Special Revenue Funds - Federal / Aid to Localities
52 Federal Department of Education Fund - 267
53 Individuals with Disabilities-Part C Account
54
55 By chapter 54, section 1, of the laws of 2008:
56 For activities related to a handicapped infants and toddlers program.. 
57 51,578,000 ........................................ (re. $51,578,000)
58
59 By chapter 54, section 1, of the laws of 2007:
60 For activities related to a handicapped infants and toddlers program.
61 For the grant period beginning on or after July 1, 2007 .............
62 29,900,000 ........................................ (re. $27,938,000)
By chapter 54, section 1, of the laws of 2006:
For activities related to a handicapped infants and toddlers program:
For the grant period beginning on or after July 1, 2006 ............
29,220,000 ........................................................................ (re. $17,032,000)

By chapter 54, section 1, of the laws of 2005:
For activities related to a handicapped infants and toddlers program:
For the grant period October 1, 2005 to September 30, 2006 ............
29,220,000 ........................................................................ (re. $21,399,000)

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

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services:
For the grant period October 1, 2006 to September 30, 2007 ............
9,018,000 ........................................................................ (re. $9,018,000)
For the grant period October 1, 2007 to September 30, 2008 ............
10,370,000 ........................................................................ (re. $10,370,000)

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

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services.
The commissioner of health is hereby authorized to waive any
provisions of the public health law and regulations, to issue appro-
priate operating certificates, and to enter into contracts with
article 28 facilities, to provide funds, to establish, support and
conduct projects to provide improved and expanded school health
services for preschool and school-age children. No more than 10 per
centum of the amount appropriated for such purpose shall be expended
for services and expenses in connection with the administration and
evaluation of such grants. Grants awarded under this appropriation
shall be distributed and administered in accordance with regulations
established by the commissioner of health.
For the grant period October 1, 2006 to September 30, 2007 ............
23,245,000 ........................................................................ (re. $23,245,000)
For the grant period October 1, 2007 to September 30, 2008 ............
26,732,000 ........................................................................ (re. $26,732,000)

By chapter 54, section 1, of the laws of 2006:
For various health prevention, diagnostic, detection and treatment services.
The commissioner of health is hereby authorized to waive any
provisions of the public health law and regulations, to issue appro-
priate operating certificates, and to enter into contracts with
article 28 facilities, to provide funds, to establish, support and
conduct projects to provide improved and expanded school health
services for preschool and school-age children. No more than 10 per
centum of the amount appropriated for such purpose shall be expended
for services and expenses in connection with the administration and
evaluation of such grants. Grants awarded under this appropriation shall be distributed and administered in accordance with regulations established by the commissioner of health. For the grant period October 1, 2006 to September 30, 2007 ...........
26,732,000 ........................................ (re. $26,732,000)

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

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

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

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

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

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
For services and expenses related to providing nutritional services to pregnant women, infants, and children. Notwithstanding any other provision of law to the contrary, up to 5 percent of the amount appropriated may be transferred to the general fund - state purposes account for the administration of this program by the department of health, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ... 9,119,000 ... (re. $2,100,000)

CENTER FOR ENVIRONMENTAL HEALTH PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
For various health prevention, diagnostic, detection and treatment services ... 1,673,000 ......................... (re. $1,356,000)

By chapter 54, section 1, of the laws of 2007:
For various health prevention, diagnostic, detection and treatment services.
For grants beginning prior to April 1, 2007 ......................
503,000 ............................................... (re. $503,000)
For grants beginning on or after April 1, 2007 ..................
1,218,000 ............................................. (re. $1,218,000)

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

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

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

2 For services and expenses of various health prevention, diagnostic,
3 detection and treatment services ... $6,808,000 .... (re. $6,808,000)

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

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

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

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

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

13 For various health prevention, diagnostic, detection and treatment
14 services.

15 For the grant period October 1, 2006 to September 30, 2007 ...........
16 2,754,000 .......................................................... (re. $2,754,000)
17 For the grant period October 1, 2007 to September 30, 2008 ...........
18 3,166,000 .......................................................... (re. $3,166,000)

19 By chapter 54, section 1, of the laws of 2006:

20 For services and expenses of various health prevention, diagnostic,
21 detection and treatment services:
22 For the grant period October 1, 2006 to September 30, 2007 ...........
23 3,166,000 .......................................................... (re. $3,166,000)
24 Special Revenue Funds - Federal / Aid to Localities
25 Federal Block Grant Fund - 269

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

27 For services and expenses of various health prevention, diagnostic,
28 detection and treatment services.

29 For the grant period October 1, 2006 to September 30, 2007 ...........
30 1,491,000 .......................................................... (re. $1,491,000)
31 For the grant period October 1, 2007 to September 30, 2008 ...........
32 1,715,000 .......................................................... (re. $1,715,000)

33 By chapter 54, section 1, of the laws of 2006:

34 For services and expenses of various health prevention, diagnostic,
35 detection and treatment services:
36 For the grant period October 1, 2006 to September 30, 2007 ...........
37 1,715,000 .......................................................... (re. $1,715,000)
38 Special Revenue Funds - Federal / State Operations
39 Federal Operating Grants Fund - 290
40 Federal Environmental Protection Agency Grants Account

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

42 For various environmental projects including suballocation for the
43 department of environmental conservation ................................ (re. $9,624,000)

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

45 For various environmental projects including suballocation for the
46 department of environmental conservation.
47 For the grant period October 1, 2006 to September 30, 2007 ...........
48 3,703,000 .......................................................... (re. $3,703,000)
49 For the grant period October 1, 2007 to September 30, 2008 ...........
50 4,334,000 .......................................................... (re. $4,334,000)
By chapter 54, section 1, of the laws of 2006:

For various environmental projects including suballocation for the department of environmental conservation:

For the grant period October 1, 2005 to September 30, 2006 .......... 3,703,000 .......................... (re. $3,703,000)

For the grant period October 1, 2006 to September 30, 2007 .......... 4,334,000 .......................... (re. $4,334,000)

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

For various environmental projects including suballocation for the department of environmental conservation:

For the grant period October 1, 2004 to September 30, 2005 .......... 3,873,000 .......................... (re. $3,873,000)

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

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

For various environmental projects including suballocation for the department of environmental conservation:

For the grant period October 1, 2004 to September 30, 2005 .......... 8,494,000 .......................... (re. $8,494,000)

CHILD HEALTH INSURANCE PROGRAM

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

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

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

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

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

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

Such reimbursement shall be made without any local share of costs.

Such reimbursement shall not be subject to any aggregate statewide reimbursement limit which may otherwise limit reimbursement for the administrative costs of the local social services districts, provided, however, such reimbursement shall be subject to the limitation on certain payments for certain expenditures set forth in subsection (c) of section 2105 of the federal social security act...

64,130,000 .......................... (re. $64,130,000)

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

The appropriation made by by chapter 54, section 1, of the laws of 2008 is hereby amended and reappropriated to read:

The money hereby appropriated is available for payment of aid heretofore accrued or hereafter accrued.
For services and expenses related to the children's health insurance program, pursuant to title XXI of the federal social security act. Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the medical assistance program, medicaid direct account, for expansions of or changes to the medical 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 suballocated to the office of temporary and disability assistance for payment of local administrative costs related to the expansion of, or changes to, the medical assistance program related to children under the age of 19 pursuant to P.L. 105-33 or chapter 2 of the laws of 1998.

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

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

[Notwithstanding any inconsistent provision of law, rule or regulation, for purposes of premium payments required pursuant to subdivision 9 of section 2510 of the public health law, the following effective dates and amounts shall apply as follows:

(a) for the period September 1, 2008 through March 31, 2009:

(i) no payments are required for eligible children whose family gross household income is less than 160 percent of the non-farm federal poverty level and no payments are required for eligible children who are American Indians or Alaskan Natives, as defined by the U.S. Department of Health and Human Services; and

(ii) $15 per month for each eligible child whose family gross household income is between 160 percent and 222 percent of the non-farm federal poverty level, but no more than $45 per month per family; and

(iii) $25 per month for each eligible child whose family gross household income is between 223 percent and 250 percent of the non-farm federal poverty level, but no more than $75 per month per family.

Provided, however, if this chapter appropriates sufficient additional funds to continue premium payments required by subdivision 9 of section 2510 of the public health law then this language shall not take effect] ... 475,800,000 .................... (re. $449,000,000)

HEALTH CARE FINANCING PROGRAM

General Fund / State Operations
State Purposes Account - 003

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

Contractual services ... 2,318,000 .................... (re. $500,000)
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS  2009-10

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

By chapter 50, section 1, of the laws of 1986:
For purposes of making payments pursuant to subdivision 3 of section 2810 of the public health law ... 2,000,000 ....... (re. $2,000,000)

HEALTH CARE REFORM ACT PROGRAM

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

By chapter 54, section 1, of the laws of 2007, as amended by chapter 496, section 5, of the laws of 2008:
For state grants for the long term care delivery demonstration projects, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ... 1,000,000 ........... (re. $100,000)

By chapter 54, section 1, of the laws of 2006, as amended by chapter 496, section 5, of the laws of 2008:
For services and expenses related to studying pay for performance initiatives, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 10,000,000 ........................... (re. $4,300,000)

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

By chapter 54, section 1, of the laws of 2005, as amended by chapter 54, section 1, of the laws of 2006:
For services, expenses, grants and transfers necessary to continue existing or planned contracts or other financing arrangements for the purposes of implementing the health care reform act program in accordance with section 2807-j, 2807-k, 2807-l, 2807-m, 2807-s, and 2807-v of the public health law and utilizing allocations authorized prior to July 1, 2005. The moneys hereby appropriated shall be available for payments heretofore accrued or hereafter to accrue. Notwithstanding any inconsistent provision of law, the moneys hereby appropriated may be increased or decreased by interchange or transfer with any appropriation of the department of health or by transfer or suballocation to any appropriation of the department of insurance, the office of mental health or the state office for the aging subject to the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee 600,000,000 ........................... (re. $100,000,000)

INSTITUTIONAL MANAGEMENT PROGRAM

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Helen Hayes Hospital Account
By chapter 54, section 1, of the laws of 2005:
For services and expenses of the Helen Hayes hospital account.
Notwithstanding any other law, rule or regulation to the contrary,
funds shall be available for distribution pursuant to a plan
approved by the director of the budget ..............................
8,000,000 .......................................................... (re. $7,100,000)

The appropriation made by chapter 54, section 1, of the laws of 2004, is
hereby amended and reappropriated to read:
For services and expenses of the Helen Hayes hospital account.
Notwithstanding any other law, rule or regulation to the contrary,
funds shall be available for distribution pursuant to a plan
[approved] approved by the director of the budget ..............................
9,558,000 .......................................................... (re. $2,500,000)

OFFICE OF MEDICAID MANAGEMENT PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

sub-schedule

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

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

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

sub-schedule

Medicare Rights Center ............. 900,000
Statewide Senior Action Network .... 400,000
By chapter 54, section 1, of the laws of 1998, as amended by chapter 54, section 1, of the laws of 2006:
The amount appropriated herein may be used in all or in part for grants to those entities seeking certification to operate comprehensive HIV special needs plans to aid in the development of the systems, organizational structures and networks necessary to operate a managed care program and for entities contracted to participate in support of SNP development and for contractual services related to medical necessity and quality of care reviews for Medicaid recipients with HIV or who have AIDS enrolled in special needs plans. Subject to the approval of the director of budget, all or part of this appropriation may be transferred to the office of managed care, general fund - state purposes account 30,000,000 (re. $16,650,000)

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

By chapter 54, section 1, of the laws of 2008:
For reimbursement of local administrative expenses of medical assistance programs provided pursuant to title XIX of the federal social security act or its successor program.
The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, shall be available to the department net of disallowances, refunds, reimbursements, and credits. The amounts appropriated herein may be available for costs associated with a common benefit identification card, and subject to the approval of the director of the budget, these funds may be transferred to the credit of the state operations account Medicaid management information systems program.
Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the office of mental health, the office of mental retardation and development disabilities, the office of alcoholism and substance abuse services, the department of family assistance office of temporary and disability assistance and office of children and family services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.
Notwithstanding any inconsistent provision of law, in lieu of payments authorized by the social services law, or payments of federal funds otherwise due to the local social services districts for programs provided under the federal social security act or the federal food stamp act, funds herein appropriated, in amounts certified by the
state commissioner of temporary and disability assistance or the
state commissioner of health as due from local social services
districts each month as their share of payments made pursuant to
section 367-b of the social services law may be set aside by the
state comptroller in an interest-bearing account in order to ensure
the orderly and prompt payment of providers under section 367-b of
the social services law pursuant to an estimate provided by the
commissioner of health of each local social services district's
share of payments made pursuant to section 367-b of the social
services law ... 481,800,000 ......................... (re. $330,000,000)
For reimbursement of administrative expenses of the medical assistance
program provided by the office of mental health, office of mental
retardation and developmental disabilities, and office of alcoholism
and substance abuse services provided pursuant to title XIX of the
federal social security act. The money hereby appropriated is
available for payment of aid heretofore accrued and hereafter to
accrue. Notwithstanding any other provision of law, the money hereby
appropriated may be increased or decreased by interchange with any
other appropriation of the department of health with the approval of
the director of budget ... 100,000,000 .......... (re. $75,000,000)

By chapter 54, section 1, of the laws of 2007:
For reimbursement of local administrative expenses of medical 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 appropria-
ted may be increased or decreased by interchange, with any appro-
priation of the department of health, and may be increased or
decreased by transfer or suballocation between these appropriated
amounts and appropriations of the department of family assistance
office of temporary and disability assistance and office of children
and family services with the approval of the director of the budget,
who shall file such approval with the department of audit and
control and copies thereof with the chairman of the senate finance
committee and the chairman of the assembly ways and means committee.
Notwithstanding any inconsistent provision of law, in lieu of payments
authorized by the social services law, or payments of federal funds
otherwise due to the local social services districts for programs
provided under the federal social security act or the federal food
stamp act, funds herein appropriated, in amounts certified by the
state commissioner of temporary and disability assistance or the
state commissioner of health as due from local social services
districts each month as their share of payments made pursuant to
section 367-b of the social services law may be set aside by the
state comptroller in an interest-bearing account in order to ensure
the orderly and prompt payment of providers under section 367-b of
the social services law pursuant to an estimate provided by the
commissioner of health of each local social services district's
share of payments made pursuant to section 367-b of the social
services law.

For the grant period October 1, 2007 to September 30, 2008 ...........
240,900,000 ................................. (re. $31,000,000)
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

By chapter 54, section 1, of the laws of 2006:

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

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

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

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

For the grant period October 1, 2006 to September 30, 2007 ...........

240,900,000 ........................................ (re. $81,000,000)

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

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

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

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

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

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

240,900,000 ............................................. (re. $95,000,000)

MEDICAL ASSISTANCE PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

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

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

16,000,000 ............................................. (re. $16,000,000)

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

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

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

For services and expenses of the medical assistance program related to residential health care facility rate increases for recruitment and retention of health care workers ...

15,000,000 ... (re. $7,500,000)

For additional services and expenses of the medical assistance program related to free-standing diagnostic and treatment center rate increases for recruitment and retention of health care workers ...

400,000 ............................................. (re. $400,000)
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DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
2 For services and expenses for the medical assistance program including additional funding for emergency transportation services .......... 2,820,000 .................................................. (re. $1,500,000)
3 For services and expenses for the medical assistance program including additional funding for rural home care services .......... 7,520,000 .................................................. (re. $4,000,000)
4 For additional services and expenses of the medical assistance program related to support payments to community health centers for information technology and transition funding ..................... 4,617,280 .................................................. (re. $2,456,000)

The appropriation made by chapter 54, section 1, of the laws of 2007, is hereby amended and reappropriated to read:
Notwithstanding any inconsistent provision of law, subject to the approval of a plan by the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred to the general fund - state purposes account or suballocated to the state office for the aging for services and expenses related to making improvements in the long-term care system including long-term care restructuring, the nursing [hom] home transition and diversion waiver, and point-of-entry initiatives for the purpose of expanding and promoting a more coordinated level of care for the delivery of quality services in the community ... 14,800,000 ..................... (re. $12,200,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008:
Notwithstanding any inconsistent provision of law, subject to a plan developed by the commissioner of health and approved by the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, will be available for demonstrations that develop and evaluate interventions targeted at medicaid beneficiaries who are otherwise exempt or excluded from mandatory medicaid managed care and who have multiple comorbidities. Notwithstanding section 112 and section 163 of the state finance law, for chronic illness demonstration projects authorized by section 364-1 of the social services law, the commissioner of health may allocate up to $2,500,000 of the amount appropriated for contracts without a request for proposal or any other competitive process ... 4,000,000 ..................... (re. $4,000,000)

By chapter 54, section 1, of the laws of 2006, as added by chapter 108, section 4, of the laws of 2006:
Notwithstanding any inconsistent provision of law, subject to the approval of a plan by the director of the budget, up to the amount appropriated herein, together with any available federal matching funds, may be transferred to the general fund - state purposes account for services and expenses related to making improvements in the long-term care system for the purpose of expanding and promoting a more coordinated level of care for the delivery of quality services in the community ... 10,000,000 ..................... (re. $2,400,000)

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses of the medical assistance program including hospital inpatient services ......................... 4,816,106,000 ..................... (re. $2,316,106,000)
For services and expenses of the medical assistance program including hospital outpatient and emergency room services .................. (re. $371,764,000)

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

For services and expenses of the medical assistance program including nursing home services ... 3,637,247,000 ...... (re. $2,287,247,000)

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

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

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

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

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

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

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

For services and expenses of the medical assistance program including medical services provided at state facilities operated by the office of mental health, the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services ... 2,700,000,000 ............... (re. $1,100,000,000)

For services and expenses of the medical assistance program related to residential health care facility rate increases for recruitment and retention of health care workers ... 15,000,000 ... (re. $7,500,000)

For additional services and expenses of the medical assistance program related to free-standing diagnostic and treatment center rate increases for recruitment and retention of health care workers ..... 400,000 ......................... (re. $400,000)

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:

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

The moneys hereby appropriated are to be available for payment of aid heretofore accrued or hereafter to accrue to municipalities, and to providers of medical services pursuant to section 367-b of the social services law, and for payment of state aid to municipalities and to providers of family care where payment systems through the fiscal intermediaries are not operational, shall be available to the department net of disallowances, refunds, reimbursements, and credits.
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Notwithstanding any other provision of law, the money hereby
appropriated may be increased or decreased by interchange, with any
appropriation of the department of health and the office of medicaid
inspector general and may be increased or decreased by transfer or
suballocation between these appropriated amounts and appropriations
of the office of mental health, office of mental retardation and
developmental disabilities, the office of alcoholism and substance
abuse services, the department of family assistance office of
temporary and disability assistance, office of children and family
services, and state office for the aging with the approval of the
director of the budget, who shall file such approval with the
department of audit and control and copies thereof with the chairman
of the senate finance committee and the chairman of the assembly
ways and means committee.

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

Notwithstanding any inconsistent provision of law, rule or regulation
to the contrary, for the period April 1, 2008 through March 31,
2009, payment under the family health plus program established under
title 11-D of the social services law for drugs which may not be
dispensed without a prescription as required by section 6810 of the
education law shall be made pursuant to the provisions of
subdivision 9 of section 367-a of the social services law; provided,
however, that payment for such drugs provided by medical
practitioners shall be included in the capitation payment for
services or supplies provided to persons eligible for health care
services under the family health plus program, and payment for such
drugs that are provided by an employer partnership for family health
plus plan authorized by section 369-ff of the social services law,
shall be included in the capitation payment for services or supplies
provided to persons eligible for health care services under such
plan; and provided further that, for such period, the provisions of
paragraph (d) of subdivision 7 of section 367-a of the social
services law shall apply to reimbursement of covered drugs dispensed
to persons eligible for services as a result of their eligibility
having been established under subdivision 2 of section 369-ee of the
social services law.

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

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

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2008 through March 31, 2009, medical assistance payment for drugs which may not be dispensed without a prescription shall be made at the following amounts: if the drug dispensed is a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the federal centers for medicare and medicaid services, the lower of the estimated acquisition cost of such drug to pharmacies, or the dispensing pharmacy's usual and customary price charged to the general public; for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less 17 percent thereof, and updated monthly by the department; if the drug dispensed is a multiple source prescription drug for which an upper limit has been set by the federal centers for medicare and medicaid services, the lower
of: (A) an amount equal to the specific upper limit set by such federal agency for the multiple source prescription drug; (B) the estimated acquisition cost of such drug to pharmacies which, for this purpose, shall mean the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 25 percent thereof; (C) the maximum acquisition cost, if any, established pursuant to paragraph (e) of subdivision 9 of section 367-a of the social services law; or (D) the dispensing pharmacy's usual and customary price charged to the general public. Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2008 through March 31, 2009, medical assistance payment to a specialized HIV pharmacy, as defined in paragraph (f) of subdivision 9 of section 367-a of the social services law, for drugs which may not be dispensed without a prescription shall be made at the following amounts: if the drug dispensed is a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the centers for Medicare and Medicaid services, the lower of the estimated acquisition cost of such drug to pharmacies, or the dispensing pharmacy's usual and customary price charged to the general public; for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department of health, less 17 percent thereof, and updated monthly by the department; for multiple source generic drugs, estimated acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 25 percent thereof, or the maximum acquisition cost, if any, established pursuant to paragraph (e) of subdivision 9 of section 367-a of the social services law.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period October 1, 2008 through March 31, 2009, the following services shall not be exempt from the system of utilization controls authorized by section 365-g of the social services law for the medical assistance program: mental health continuing treatment, day treatment, partial hospitalization, and intensive psychiatric rehabilitative treatment services provided pursuant to paragraph (c) of subdivision 2 of section 365-a of the social services law; alcoholism services and substance abuse services provided in clinics certified under article 28 of the public health law or article 31 of the mental hygiene law; services performed by an article 28 hospital or diagnostic and treatment center on an ambulatory basis upon the order of a qualified practitioner to test, diagnose or treat the recipient; and psychiatric services and anesthesia services provided by a physician; provided, however, if this chapter appropriates sufficient additional funds to support the exemptions from the system of utilization controls authorized by section 365-g of the social services law in existence prior to March 31, 2008 then the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2008.

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

(a) 100 percent of such rates shall be based on each general hospital’s group category average inpatient reimbursable operating cost per discharge (price) determined in accordance with subdivision 7 of section 2807-c of the public health law; and

(b) only those 2005 base year costs which relate to the cost of services provided to Medicaid inpatients, as determined by the applicable ratio of costs to charges methodology, shall be utilized for ratesetting process, provided, however, that the costs of providing services to inpatients enrolled in Medicaid managed care plans or in the family health plus program shall be excluded from such ratesetting computations; and

(c) for the purposes of adjusting such rates to account for inflation from the 2005 base period, the adjustment factor methodology set forth in paragraph (c) of subdivision 10 of section 2807-c of the public health law, as reduced by 25 percent, with regard to trend projections attributable to the period January 1, 2008 through December 31, 2008 shall be utilized, provided, however, that for inflation attributable to the period January 1, 2006 through December 31, 2007, the adjustment methodology utilized shall be the hospital inpatient medicare market basket methodology as described in applicable federal regulations and effective for periods from October 1, 2005 through September 30, 2007; and

(d) such rates shall be deemed as excluding reimbursement for fee payments for such physician services for such inpatient care may be submitted separately from such rates in accordance with otherwise applicable law; provided, however, if this chapter appropriates sufficient additional funds to support payments for general hospital inpatient services using the methodology in existence on June 30, 2008 as set forth in section 2807-c of the public health law the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2008.

Notwithstanding any contrary provision of law, and contingent upon the availability of federal financial participation, for the period April 1, 2008 through March 31, 2009, the operating cost component of rates of payment by governmental agencies to general hospitals which are certified by the office of alcoholism and substance abuse services to provide inpatient detoxification and withdrawal services and, with regard to inpatient services provided to patients discharges during such period who are determined to be in diagnosis-related groups numbered 743, 744, 745, 746, 747, 748, 749, 750, or 751, as determined in accordance with applicable regulations, shall be made on a per diem basis in accordance with the following:

(a) for each of the regions within the state as described in subdivision (e) of this section the commissioner of health shall determine the average per diem cost incurred by general hospitals in that region subject to the provisions of this section with regard to inpatients requiring medically managed detoxification services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services. In determining such costs the commissioner of health shall utilize 2006 costs and statistics as reported by such hospitals to the department prior to 2008; and

(b) per diem payments for inpatients requiring medically managed inpatient detoxification services shall reflect 100 percent of the per diem amounts computed pursuant to subdivision (a) of this section for the applicable region in which the facility is located.
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and as trended forward to adjust for inflation, provided however, that such payments shall be reduced by 50 percent for any such services provided on or after the sixth day of services through the tenth day of services, and further provided that no payments shall be made for any services provided on or after the eleventh day; and

(c) per diem payments for inpatients requiring medically supervised inpatient withdrawal services, as defined by applicable regulations promulgated by the office of alcoholism and substance abuse services, shall reflect 100 percent of the per diem amounts computed pursuant to subdivision (a) of this section for the applicable region in which the facility is located and as trended forward to adjust for inflation, provided, however, that such payments shall be reduced by 50 percent for any services provided on or after the sixth day of services through the tenth day of services, and further provided that no payments shall be made for any services provided on and after the eleventh day; and

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

(e) for the purposes of this section, the regions of the state shall be as follows:

(A) New York City, consisting of the counties of Bronx, New York, Kings, Queens and Richmond;
(B) Long Island, consisting of the counties of Nassau and Suffolk;
(C) Northern metropolitan, consisting of the counties of Columbia, Delaware, Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester;
(D) Northeast, consisting of the counties of Albany, Clinton, Essex, Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren and Washington;
(E) Utica/Watertown, consisting of the counties of Franklin, Herkimer, Lewis, Oswego, Otsego, St. Lawrence, Jefferson, Chenango, Madison and Oneida;
(F) Central, consisting of the counties of Broome, Cayuga, Chemung, Cortland, Onondaga, Schuyler, Seneca, Steuben, Tioga and Tompkins;
(G) Rochester, consisting of Monroe, Ontario, Livingston, Wayne and Yates;
(H) Western, consisting of the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming; provided, however, if this chapter appropriates sufficient additional funds to support payments for general hospitals which are certified by the office of alcoholism and substance abuse services to provide inpatient detoxification services and withdrawal services using the methodology in existence on March 31, 2008 as set forth in section 2807-c of the public health law the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2008.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary and contingent on the availability of federal financial participation, for the period commencing July 1, 2008 through March 31, 2009, up to $60,000,000 of this appropriation, subject to the approval of the director of the budget, will be available for the purpose of increasing outpatient medical
assistance rates of payment for general hospital outpatient services, general hospital emergency services, and ambulatory surgery services provided by a hospital as defined by subdivision 1 of section 2801 of the public health law.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary and contingent on the availability of federal financial participation, for the period commencing July 1, 2008 through March 31, 2009, up to $24,000,000 of this appropriation, subject to the approval of the director of the budget, will be available for the purpose of increasing medical assistance reimbursement for physician services, diagnostic and treatment centers, and funding for primary care enhancements.

Notwithstanding any inconsistent provision of law, rule or regulation, in determining rates of payment made by state governmental agencies effective for services provided on and after April 1, 2008 through March 31, 2009, for inpatient and outpatient services provided by general hospitals and for inpatient services and adult day health care outpatient services provided by residential health care facilities pursuant to article 28 of the public health law, except for residential health care facilities that provide extensive nursing, medical, psychological and counseling support services to children, for home health care services provided pursuant to article 36 of the public health law by certified home health agencies and long term home health care programs, other than for services provided to home care patients diagnosed with AIDS as determined by applicable regulations, and personal care services provided pursuant to section 365-a (2)(e) of the social services law, the commissioner of health shall apply a trend factor projection equal to 65 percent of the otherwise applicable trend factor projection attributable to the period January 1, 2008 through December 31, 2008 in accordance with paragraph (c) of subdivision 10 of section 2807-c of the public health law; provided, however, the trend factor methodology set forth in this section shall not be applicable to rates of payment made by state governmental agencies for general hospital inpatient services for discharges occurring on and after July 1, 2008 through March 31, 2009, insofar as such rates of payment are based on reported 2005 base year costs and insofar as such trend projections pertain to inflation attributable to the period January 1, 2006 through December 31, 2007.

Notwithstanding any contrary provision of law, for the period April 1, 2008 through March 31, 2009, the operating cost component of rates of payment by governmental agencies for inpatient services provided by residential health care facilities shall reflect the operating cost component of rates effective for October 1, 2006 for each facility, as adjusted for inflation by application of 75 percent of the inflation factor attributed to the period January 1, 2008 through December 31, 2008 computed in accordance with paragraph (c) of subdivision 10 of section 2807-c of the public health law, provided, however, that such rates shall be further adjusted by a per diem add-on amount, as determined by the commissioner of health, reflecting the proportional amount of each facility's projected medicaid benefit to the total projected medicaid benefit for all facilities of the imputed use of the rate-setting methodology set forth in paragraph (b) of subdivision 2-b of section 2808 of the public health law, provided, however, that the rates for those facilities that do not qualify for such a per diem add-on adjustment shall be further adjusted to include the proportionate benefit, as determined by the commissioner of health, of the expiration of the opening paragraph and paragraph (a) of subdivision 16 of section 2808 of the public health law and of paragraph (a) of subdivision 14 of section 2808 of the public health law, and provided further, however, that the aggregate total of such per diem rate adjustments
shall not exceed $144,000,000, and provided further, however, that
revisions to 2006 rates occurring on and after January 1, 2007,
shall be incorporated into rates in effect for the period April 1,
2008 through March 31, 2009, and provided further, however, that the
capital cost component of such rates shall fully reflect the cost of
local property taxes and payments made in lieu of local property
taxes, as reported in each facility's applicable 2006 cost report,
and provided further, however, that for the period April 1, 2008
through March 31, 2009, voluntary facilities shall not be required
to deposit reimbursement received for depreciation expenses into a
segregated depreciation fund account, and provided further, however,
that to ensure that the quality of resident care is maintained and
improved no less than 65 percent of such diem add-on amount, as
received by each eligible facility, shall be allocated for the
purpose of recruitment and retention of non-supervisory workers or
any worker with direct resident care responsibility or for purposes
authorized under the nursing home quality improvement demonstration
program as established by section 2808-d of the public health law,
provided, however, that in no circumstance shall facilities be
required to spend more than 75 percent of such funds for these
purposes, and provided further, the commissioner of health is
authorized to audit each such facility for the purpose of ensuring
compliance with such allocation requirements and shall recoup any
amount determined to have been in contravention of the requirements
of this paragraph, provided, however, that, upon application of a
facility, the commissioner of health may, after determining that
other funds are not available, waive the application of this alloca-
tion requirement insofar as it is determined by the commissioner of
health that additional funds must be expended by such facility to
correct deficiencies that constitute a threat to resident safety;
provided, however, if this chapter appropriates sufficient additional
funds to support reimbursement of nursing home rebasing for the
period April 1, 2008 through March 31, 2009, using the methodology
set forth in subdivision 2-b of section 2808 of the public health
law as in effect on March 31, 2008, such methodology shall continue
in effect for the period April 1, 2008 through March 31, 2009 and
the provisions of this section shall not apply and shall be
considered null and void as of March 31, 2008.

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

Notwithstanding any inconsistent provision of law, rule or regulation,
for purposes of establishing rates of payment for certified home
health agency services for the period April 1, 2008 through March
31, 2009, other than for services provided to patients diagnosed
with AIDS, as determined pursuant to applicable regulations, no
amount shall be included in the rate for any community-based agency
that is in excess of 100 percent of the weighted average cost of all
community-based agencies in each such agency's group, or that, in
the case of hospital-based agencies, is in excess of 100 percent of
the weighted average cost of community-based agencies in the area in
which such hospital-based agencies are located and, further, the
computation of such rates and associated group average cost ceilings
shall utilize cost and statistical data in the cost reports
submitted by such agencies to the department of health for the 2005
calendar year; provided however, if this chapter appropriates
sufficient additional funds to support reimbursement of certified
home health agency for the period April 1, 2008 through March 31,
2009, using the methodology set forth in subdivision 2-a of section
3614 of the public health law as in effect on March 31, 2008, such
methodology shall continue in effect for the period April 1, 2008
through March 31, 2009 and the provisions of this section shall not
apply and shall be considered null and void as of March 31, 2008.
Notwithstanding any inconsistent provision of law or regulation, for
purposes of establishing rates of payment by governmental agencies
for certified home health agencies for the period April 1, 2008
through March 31, 2009, the reimbursable base year administrative
and general costs for those certified home health agencies with
annual expenses in excess of $10,000,000, as determined using the
reported base year cost data used to establish the statewide average
administrative and general cost ceiling for the applicable rate
year, shall not exceed the lower of such statewide average or 20
percent of each such agency's total reimbursable base year costs;
provided however, if this chapter appropriates sufficient additional
funds to support reimbursement of certified home health agency for
the period April 1, 2008 through March 31, 2009, using the
methodology set forth in subdivision 2-a of section 3614 of the
public health law as in effect on March 31, 2008, such methodology
shall continue in effect for the period April 1, 2008 through March
31, 2009 and the provisions of this section shall not apply and
shall be considered null and void as of March 31, 2008.
Notwithstanding any inconsistent provision of law, rule or regulation,
for purposes of establishing rates of payment by governmental
agencies for long term home health care programs for the period
April 1, 2008 through March 31, 2009, the reimbursable base year
administrative and general costs for those providers with annual
expenses in excess of $10,000,000, as determined using the reported
base year cost data used to establish the statewide average
administrative and general cost ceiling for the applicable rate year,
shall not exceed the lower of such statewide average or 20 percent
of each such provider's total reimbursable base year costs; provided
however, if this chapter appropriates sufficient additional funds to
support reimbursement of certified home health agency administrative
and general costs for the period April 1, 2008 through March 31,
2009, using the methodology set forth in subdivision 7-a of section
3614 of the public health law as in effect on March 31, 2008, such
methodology shall continue in effect for the period April 1, 2008
through March 31, 2009 and the provisions of this section shall not
apply and shall be considered null and void as of March 31, 2008.
Notwithstanding any inconsistent provision of law, rule or regulation
to the contrary, for the period October 1, 2008 through March 31,
2009, the commissioner of health is authorized to assume some or all
of the activities from a local social services official for the
provision and reimbursement of transportation costs set forth in
section 365-h of the social services law. If the commissioner elects
to assume such responsibility, the commissioner shall notify the
local social services official in writing as to the election, the
date upon which the election shall be effective and such information
as to transition of responsibilities as the commissioner deems
prudent. The commissioner is authorized to contract with a trans-
portation manager to implement such election; provided, however, if
this chapter appropriates sufficient additional funds to support
transportation costs set forth in section 365-h of the social
services law then the provisions of this paragraph shall not apply
and shall be deemed null and void as of March 31, 2008.
For services and expenses of the medical assistance program including
other long term care services .............................................
2,865,953,000 ............................................. (re. $1,659,853,000)
For services and expenses of the medical assistance program including
managed care services ... 3,472,795,000 ........... (re. $1,722,795,000)
For services and expenses of the medical assistance program including
noninstitutional and other spending .......................................
4,237,131,000 ............................................. (re. $2,857,131,000)
For services and expenses of the medical assistance program including
additional funding for emergency transportation services ...........
2,820,000 .......................................................... (re. $1,500,000)
For services and expenses of the medical assistance program including
additional funding for rural home care services ......................
7,520,000 .......................................................... (re. $4,000,000)
For additional services and expenses of the medical assistance program
related to support payments to community health centers for
information technology and transition funding ...................... (re. $2,456,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses for the medical assistance program, includ-
ing administrative expenses for local social services districts,
pursuant to title XIX of the federal social security act or its
successor program.
The moneys hereby appropriated are to be available for payment of aid
heretofore accrued or hereafter to accrue to municipalities, and to
providers of medical services pursuant to section 367-b of the
social services law, and for payment of state aid to municipalities
and to providers of family care where payment systems through the
fiscal intermediaries are not operational, shall be available to the
department net of disallowances, refunds, reimbursements, and 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 and the office of medicaid
inspector general and may be increased or decreased by transfer or
suballocation between these appropriated amounts and appropriations
of the office of mental health, office of mental retardation and
developmental disabilities, the office of alcoholism and substance
abuse services, the department of family assistance office of tempo-
rary and disability assistance, office of children and family
services, and state office for the aging with the approval of the
director of the budget, who shall file such approval with the
department of audit and control and copies thereof with the chairman
of the senate finance committee and the chairman of the assembly
ways and means committee.
Notwithstanding any inconsistent provision of law, in lieu of payments
authorized by the social services law, or payments of federal funds
otherwise due to the local social services districts for programs
provided under the federal social security act or the federal food
stamp act, funds herein appropriated, in amounts certified by the
state commissioner of temporary and disability assistance or the
state commissioner of health as due from local social services
districts each month as their share of payments made pursuant to
section 367-b of the social services law may be set aside by the
state comptroller in an interest-bearing account in order to ensure
the orderly and prompt payment of providers under section 367-b of
the social services law pursuant to an estimate provided by the
commissioner of health of each local social services district's
share of payments made pursuant to section 367-b of the social
services law.
Notwithstanding any inconsistent provision of law, rule or regulation,
and contingent on the availability of federal financial partic-
ipation, for the period commencing April 1, 2007 through March 31,
2008, in order to reimburse public and non-public general hospitals
for graduate medical education costs, the commissioner of health
shall adjust such hospitals' inpatient medical assistance rates of
payment established pursuant to section 2807-c of the public health
law, including discrete rates of payment calculated pursuant to
paragraph (a-3) of subdivision 1 of section 2807-c of the public
health law, in accordance with the methodology set forth in subpara-
graph (ii) of paragraph (d) of subdivision 25 of section 2807-c of
the public health law used to calculate rate adjustments for non-
public general hospitals for periods prior to April 1, 2007;
provided, however, the 75 percent limit set forth in clause (C) of
subparagraph (ii) of paragraph (d) of subdivision 25 of section
2807-c of the public health law shall not apply to rate decreases
calculated pursuant to this paragraph and no public general hospital
shall receive a rate increase calculated pursuant to this paragraph.
Provided however, if this chapter appropriates sufficient additional
funds to support reimbursement of graduate medical education for the
period April 1, 2007 through March 31, 2008, using the methodology
set forth in paragraph (d) of subdivision 25 of section 2807-c of
the public health law as in effect on March 31, 2007, such methodol-
ogy shall continue in effect for the period April 1, 2007 through
March 31, 2008 and the provisions of this paragraph shall not apply
and shall be considered null and void as of March 31, 2007.
Notwithstanding any inconsistent provision of law or regulation to the
contrary, residential health care facility rates of payment deter-
mined pursuant to article 28 of the public health law for services
provided on and after April 1, 2007 through March 31, 2008, except
for the establishment of any statewide or any peer group base, mean,
or ceiling prices per day, shall be calculated utilizing only the
number of residents properly assessed and reported in each patient
classification group and eligible for medical assistance pursuant to
title 11 of article 5 of the social services law. Provided, howev-
er, if this chapter appropriates sufficient additional funds to
support fully for the period of April 1, 2007, through March 31,
2008, using the methodology for computing the operating component of
such rates of payment as in effect on March 31, 2007, such methodol-
yogy for computing the operating component shall continue in effect
for the period April 1, 2007, through March 31, 2008, and the
provisions of this appropriation as set forth in this paragraph
shall not be utilized.
Notwithstanding paragraph (c) of subdivision 10 of section 2807-c of
the public health law, subdivision 2-b of section 2808 of the public
health law, and section 21 of chapter 1 of the laws of 1999 and any
other inconsistent provision of law or regulation to the contrary,
in determining rates of payment by state governmental agencies
effective for services provided on and after April 1, 2007 through
March 31, 2008 and thereafter for inpatient and outpatient services
provided by general hospitals and for inpatient services and outpa-
tient adult day health care services provided by residential health
care facilities pursuant to article 28 of the public health law, the
commissioner of health shall apply no trend factor projections
attributable to the period January 1, 2007 through December 31, 2007. The commissioner of health shall adjust rates of payment to reflect the exclusion of such specified trend factor projections or adjustments.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2007 through March 31, 2008, the commissioner of health shall provide 10 days public notice on the department of health's website prior to any meeting of the pharmacy and therapeutics committee to develop recommendations concerning the preferred drug program; the commissioner shall provide notice of any recommendations developed by such committee regarding the preferred drug program, at least 10 days before any final determination by the commissioner, by making such information available on the department’s website; within a reasonable time after a final determination regarding the preferred drug program, the commissioner shall provide public notice on the department's website of such determinations, including: the nature of the determination; an analysis of the impact of the commissioner's determination on state public health plan populations and providers; and the projected fiscal impact to the state public health plan programs of the commissioner's determination. Provided, however, if this chapter appropriates sufficient additional funds to support a preferred drug program as defined pursuant to the public notice requirements set forth in subdivisions 7, 8 and 9 of section 272 of the public health law as in effect on March 31, 2007, such public notice requirements for the preferred drug program shall continue in effect for the period April 1, 2007 through March 31, 2008 and the provisions of this paragraph shall not apply and shall be considered null and void as of March 31, 2007.

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period July 1, 2007 through March 31, 2008, medical assistance payment for drugs which may not be dispensed without a prescription shall be made at the following amounts: if the drug dispensed is a multiple source prescription drug or a brand-name prescription drug for which no specific upper limit has been set by the federal centers for medicare and medicaid services, the lower of the estimated acquisition cost of such drug to pharmacies, or the dispensing pharmacy’s usual and customary price charged to the general public; (i) for sole and multiple source brand name drugs, estimated acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 15 percent thereof, and updated monthly by the department; for a specialized HIV pharmacy, as defined in paragraph (f) of subdivision 9 of section 367-a of the social services law, acquisition cost means the average wholesale price of a prescription drug based upon the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 14 percent thereof, and updated monthly by the department; (ii) for multiple source generic drugs, estimated acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 30 percent thereof, or the maximum acquisition cost, if any, established pursuant to paragraph (e) of such subdivision; or, for a specialized HIV pharmacy, acquisition cost means the lower of the average wholesale price of a prescription drug based on the package size dispensed from, as reported by the prescription drug pricing service used by the department, less 22 percent thereof, or the maximum acquisition cost, if any, established pursuant to such paragraph (e).

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

Notwithstanding paragraph (c) of subdivision 3 of section 2807-c of the public health law and any inconsistent provision of law, rule or regulation to the contrary, for the period January 1, 2008 through March 31, 2008, adjustments to medical assistance rates of payment for rate periods on and after January 1, 2008, made pursuant to paragraph (c) of subdivision 3 of section 2807-c of the public health law shall, upon a determination by the commissioner of health and the director of the budget that such adjustments shall result in an aggregate increase in total medicaid payments to general hospitals for inpatient services, make such proportional adjustments to such rates of payments as are necessary to reduce such total aggregate payments to an aggregate total that reflects no such increase, provided, however, if this chapter appropriates sufficient additional funds to fully fund such increase, the provisions of this paragraph shall not apply and shall be considered null and void as of January 1, 2008.

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

For the grant period October 1, 2006 to September 30, 2007 ...........

2,057,382,000 ........................................ (re. $527,400,000)
For the grant period October 1, 2007 to September 30, 2008 ............
3,102,074,000 .................................. (re. $322,800,000)
For services and expenses of the medical assistance program including
hospital outpatient and emergency room services.
For the grant period October 1, 2006 to September 30, 2007 ............
259,801,000 .................................. (re. $79,900,000)
For the grant period October 1, 2007 to September 30, 2008 ............
389,702,000 .................................. (re. $91,700,000)
For services and expenses of the medical assistance program including
clinic services.
For the grant period October 1, 2007 to September 30, 2008 ............
344,352,000 .................................. (re. $134,000,000)
For the grant period October 1, 2007 to September 30, 2008 ............
516,529,000 .................................. (re. $126,000,000)
For services and expenses of the medical assistance program including
nursing home services.
For the grant period October 1, 2006 to September 30, 2007 ............
1,447,430,000 .................................. (re. $325,700,000)
For the grant period October 1, 2007 to September 30, 2008 ............
2,171,145,000 .................................. (re. $826,000,000)
For services and expenses of the medical assistance program including
other long term care services.
For the grant period October 1, 2006 to September 30, 2007 ............
1,041,109,000 .................................. (re. $600,400,000)
For the grant period October 1, 2007 to September 30, 2008 ............
1,561,664,000 .................................. (re. $447,100,000)
For services and expenses of the medical assistance program including
managed care services.
For the grant period October 1, 2006 to September 30, 2007 ............
1,354,444,000 .................................. (re. $312,200,000)
For the grant period October 1, 2007 to September 30, 2008 ............
2,031,666,000 .................................. (re. $235,500,000)
For services and expenses of the medical assistance program including
pharmacy services.
For the grant period October 1, 2006 to September 30, 2007 ............
754,766,000 .................................. (re. $41,000,000)
For the grant period October 1, 2007 to September 30, 2008 ............
1,125,248,000 .................................. (re. $28,000,000)
For services and expenses of the medical assistance program including
transportation services.
For the grant period October 1, 2006 to September 30, 2007 ............
79,361,000 .................................. (re. $78,361,000)
For the grant period October 1, 2007 to September 30, 2008 ............
117,541,000 .................................. (re. $64,000,000)
For services and expenses of the medical assistance program including
dental services.
For the grant period October 1, 2006 to September 30, 2007 ............
60,361,000 .................................. (re. $38,400,000)
For the grant period October 1, 2007 to September 30, 2008 ............
90,542,000 .................................. (re. $17,000,000)
For services and expenses of the medical assistance program including
noninstitutional and other spending.
For the grant period October 1, 2006 to September 30, 2007 ............
1,749,193,000 .................................. (re. $477,700,000)
For the grant period October 1, 2007 to September 30, 2008 ............
2,623,790,000 .................................. (re. $1,723,800,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
section 1, of the laws of 2008:
For services and expenses of the medical assistance program including
a series of targeted chronic illness demonstration projects.
Notwithstanding section 112 and section 163 of the state finance law, for chronic illness demonstration projects authorized by section 364-1 of the social services law, the commissioner of health may allocate up to $2,500,000 of the amount appropriated for contracts without a request for proposal or any other competitive process.

For the grant period October 1, 2006 to September 30, 2007

1,600,000 ................................................ (re. $1,600,000)

For the grant period October 1, 2007 to September 30, 2008

2,400,000 ................................................ (re. $2,400,000)

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

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

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

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

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

Notwithstanding any inconsistent provision of law, up to $500,000,000 of the moneys hereby appropriated may be used for services and expenses including grants related to the federal-state health reform partnership program and/or its successor program and may be transferred to the miscellaneous special revenue fund federal-state health reform partnership program account and/or other state agencies, provided, however, that the section 1115 waiver demonstration which is entitled the federal-state health reform partnership, is in effect in accordance with the terms and conditions approved by the secretary of the federal department of health and human services and
accepted by the state, and further provided that funds appropriated
for the federal-state health reform partnership program are
disbursed only in accordance with those terms and conditions.
Notwithstanding any inconsistent provision of law, rule or regulation
to the contrary, for the period January 1, 2007 through March 31,
2007, persons who are eligible for medical assistance and who are
also beneficiaries under part D of title XVIII of the federal social
security act, shall not be eligible for medical assistance coverage
of drugs which are denominated as "covered part D drugs" under
section 1860D-2(e) of such act; provided however that, for purposes
of this paragraph, "covered part D drugs" shall not mean atypical
anti-psychotics, anti-depressants, anti-retrovirals used in the
treatment of HIV/AIDS, or anti-rejection drugs used for the treat-
ment of organ and tissue transplants.
Notwithstanding any inconsistent provision of law, rule or regulation
to the contrary, up to $20,000,000 may be used for the purpose of
rebasimg residential health care facilities effective January 1,
2007 through March 31, 2007 in accordance with this paragraph, and
as provided pursuant to a chapter of the laws of 2006. Notwithstand-
ing any inconsistent provision of this section, or any other contra-
ary provision of law and subject to the availability of federal
financial participation, the operating cost component of rates of
payment by governmental agencies for inpatient services provided for
the period of January 1, 2007 through March 31, 2007, by residential
health care facilities shall be in accordance with a chapter of the
laws of 2006 which shall provide that for this period: (a) the oper-
at ing cost component of rates of payment shall reflect the operating
cost component of rates effective for October 1, 2006, as adjusted
for inflation in accordance with the chapter amendment pursuant to
the laws of 2006; (b) the rate shall be further adjusted by a per
diern add-on amount, as determined by the commissioner, reflecting
the proportional amount of each facility's projected Medicaid bene-
fit to the total projected Medicaid benefit for all facilities of
the imputed use of the rate-setting methodology set forth in this
subdivision, provided, however, that for those facilities that do
not receive a per diem adjustment shall have their rates further
adjusted to include the proportionate benefit, as determined by the
commissioner of health, of the expiration of the opening paragraph
and paragraph (a) of subdivision 16 and paragraph (a) of subdivision
14 of section 2808 of the public health law, provided, however, that
the aggregate total of such adjustments shall not exceed
$137,500,000 for this rate period; (c) rates for the period of Janu-
ary 1 through March 31, 2007 shall fully reflect the cost of local
property taxes and payments made in lieu of local property taxes, as
reported in each facility's cost report submitted for the year two
years prior to the rate year; (d) rates for the period of January 1
through March 31, 2007, as computed pursuant to this paragraph,
shall not be subject to case mix adjustment, provided, however, that
a facility may, in accordance with its existing full house schedule
of submission of patient review instruments, submit data in support
of a request for a rate adjustment to reflect an increased facility
case mix equal to or greater than .05, provided further, however,
that such a facility will be required to continue to make such full
house submissions in accordance with its existing submission sched-
ule and in accordance with a chapter of the laws of 2006; (e) For
the period January 1 through March 31, 2007, notwithstanding any
contrary provision of law or regulation, voluntary facilities shall
not be required to deposit reimbursement received for depreciation
expenses into a segregated depreciation fund account.
Notwithstanding any inconsistent provision of law, rule or regulation
to the contrary, for the period April 1, 2006 through March 31,
2007, persons who are eligible for medical assistance shall not be
eligible for medical assistance coverage of drugs for the treatment of sexual or erectile dysfunction, unless such drugs are used to treat a condition, other than sexual or erectile dysfunction, for which the drugs have been approved by the federal food and drug administration.

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

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

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, rates of payment by state governmental agencies effective for services provided on and after April 1, 2006 through March 31, 2007 and thereafter for inpatient and outpatient services provided by general hospitals and for inpatient services and outpatient adult day health care services provided by residential health care facilities pursuant to article 28 of the public health law, the commissioner of health shall apply a trend factor of 2.25 percent attributable to the period January 1, 2006 through December 31, 2006, provided, however, that on reconciliation of the trend factor for the period January 1, 2006 through December 31, 2006 pursuant to paragraph (c) of subdivision 10 of section 2807-c of the public health law, such trend factor shall be the final U.S. consumer price index (CPI) for all urban consumers, as published by the U.S. Department of Labor, Bureau of Labor Statistics less twenty-five hundredths of a percentage point. The commissioner of health shall adjust rates of payment to reflect the exclusion of such specified trend factor projections or adjustments.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, for the period April 1, 2006 through March 31, 2007, for purposes of establishing rates of payment by governmental agencies for residential health care facilities licensed pursuant to the public health law, the operating component of the rate for any residential health care facility that has not achieved 90 percent or greater occupancy for any year within 5 calendar years from the date of commencing operation, shall be re-calculated utilizing the facility's most recently available reported allowable costs divided by patient days imputed at 90 percent occupancy; provided further that such rates paid for this period shall not contain a payment factor
for interest on current indebtedness if the residential health care
facility cost report utilized to determine such payment factor also
shows a withdrawal of equity, a transfer of assets, or a positive
net income. The annual cost report filed by each residential health
care facility for the 2005 calendar year shall be examined and in
the event the operating costs reported by each such facility in such
cost report is less than 90 percent of the operating costs reported
in the cost report which is being utilized to set such facility’s
rates of payment for the period April 1, 2006 through March 31,
2007, then such rates of payment shall be recalculated utilizing the
operating cost data for 2005.
Notwithstanding any inconsistent provision of law, rule or regulation
to the contrary for the period April 1, 2006 through March 31, 2007,
for transfers made on or after February 8, 2006; "assets" means all
income and resources of an individual and of the individual’s
spouse, including income and resources in which the individual or
the individual’s spouse is entitled but which are not received
because of action by: the individual or the individual’s spouse; a
person with legal authority to act in place of or on behalf of the
individual or the individual’s spouse; a person acting at the direc-
tion or upon the request of the individual or the individual’s
spouse; or by a court or administrative body with legal authority to
act in place of or on behalf of the individual or the individual’s
spouse or at the direction or upon the request of the individual or
the individual’s spouse; "blind" has the same meaning given to such
term in section 1614(a)(2) of the federal social security act;
"disabled" has the same meaning given to such term in section
1614(a)(3) of the federal social security act; "income" has the same
meaning given to such term in section 1612 of the federal social
security act; "resources" has the same meaning given to such term in
section 1613 of the federal social security act, without regard to
the exclusion provided for in subsection (a)(1) of such section;
"look-back period" means the sixty-month period immediately preced-
ing the date that an institutionalized individual is both institu-
tionalized and has applied for medical assistance; "institutional-
ized individual" means any individual who is an inpatient in a
nursing facility, including an intermediate care facility for the
mentally retarded, or who is an in-patient in a medical facility and
is receiving a level of care provided in a nursing facility, or who
is receiving care, services or supplies pursuant to a waiver granted
pursuant to subsection (c) of section 1915 of the federal social
security act; "intermediate care facility for the mentally retarded"
means a facility certified under article sixteen of the mental
hygiene law and which has a valid agreement with the department for
providing intermediate care facility services and receiving payment
therefor under title XIX of the federal social security act; "nurs-
ing facility" means a nursing home as defined by section twenty-
eight hundred one of the public health law and an intermediate care
facility for the mentally retarded; "nursing facility services"
means nursing care and health related services provided in a nursing
facility; a level of care provided in a hospital which is equivalent
to the care which is provided in a nursing facility; and care,
services or supplies provided pursuant to a waiver granted pursuant
to subsection (c) of section 1915 of the federal social security
act.
Notwithstanding any inconsistent provision of law, rule or regulation
to the contrary for the period April 1, 2006 through March 31, 2007,
the uncompensated value of an asset is the fair market value of such
asset at the time of transfer less any outstanding loans, mortgages,
or other encumbrances on the asset, minus the amount of the compen-
sation received in exchange for the asset.
Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, in determining the medical assistance eligibility of an institutionalized individual for the period April 1, 2006 through March 31, 2007, any transfer of an asset by the individual or the individual's spouse for less than fair market value made within or after the look-back period shall render the individual ineligible for nursing facility services for the period of time specified in law. The purchase of an annuity shall be treated as the disposal of an asset for less than fair market value unless: the state is named as the beneficiary in the first position for at least the total amount of medical assistance paid on behalf of the annuitant, or the state is named in the second position after a community spouse or minor or disabled child and is named in the first position if such spouse or a representative of such child disposes of any such remainder for less than fair market value; and the annuity meets the requirements of section 1917(c)(1)(G) of the federal social security act. The purchase of a life estate interest in another person's home shall be treated as the disposal of an asset for less than fair market value unless the purchaser resided in such home for a period of at least one year after the date of purchase. The purchase of a promissory note, loan, or mortgage shall be treated as the disposal of an asset for less than fair market value unless such note, loan, or mortgage meets the requirements of section 1917(c)(1)(I) of the federal social security act.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary for the period April 1, 2006 through March 31, 2007, an individual shall not be ineligible for services solely by reason of any such transfer to the extent that the asset transferred was a home and title to the home was transferred to: (A) the spouse of the individual; or (B) a child of the individual who is under the age of twenty-one years or blind or disabled; or (C) a sibling of the individual who has an equity interest in such home and who resided in such home for a period of at least one year immediately before the date the individual became an institutionalized individual; or (D) a child of the individual who was residing in such home for a period of at least two years immediately before the date the individual became an institutionalized individual, and who provided care to the institutionalized individual which permitted the individual to reside at home rather than in an institution or facility; or the assets (A) were transferred to the individual's spouse, or to another for the sole benefit of the individual's spouse; or (B) were transferred from the individual's spouse to another for the sole benefit of the individual's spouse; or (C) were transferred to the individual's child who is blind or disabled, or to a trust established solely for the benefit of such child; or (D) were transferred to a trust established solely for the benefit of an individual under sixty-five years of age who is disabled; or a satisfactory showing is made that: (A) the individual or the individual's spouse intended to dispose of the assets at fair market value, or for other valuable consideration; or (B) the assets were transferred exclusively for a purpose other than to qualify for medical assistance; or (C) all assets transferred for less than fair market value have been returned to the individual; or denial of eligibility would cause an undue hardship, such that application of the transfer of assets provision would deprive the individual of medical care such that the individual's health or life would be endangered, or would deprive the individual of food, clothing, shelter, or other necessities of life.

The commissioner of health shall develop a hardship waiver process which shall include a timely process for determining whether an undue hardship waiver will be granted and a timely process under which an adverse determination can be appealed. The commissioner of health shall provide notice of the hardship waiver process in writ-
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ing to those individuals who are required to comply with the transfer of assets provision under this section. If such an individual is an institutionalized individual, the facility in which he or she is residing shall be permitted to file an undue hardship waiver application on behalf of such individual with the consent of the individual or the personal representative of the individual.

Notwithstanding any inconsistent provision of law, rule or regulation to the contrary for the period April 1, 2006 through March 31, 2007, any transfer made by an individual or the individual's spouse for less than fair market value shall cause the person to be ineligible for services for a period equal to the total, cumulative uncompensated value of all assets transferred during or after the look-back period, divided by the average monthly costs of nursing facility services provided to a private patient for a given period of time at the time of application, as determined pursuant to the regulations of the department. The average monthly costs of nursing facility services to a private patient for a given period of time at the time of application shall be presumed to be one hundred twenty percent of the average medical assistance rate of payment as of the first day of January of each year for nursing facilities within the region where the applicant resides, as established pursuant to paragraph (b) of subdivision sixteen of section twenty-eight hundred seven-c of the public health law. The period of ineligibility shall begin the first day of a month during or after which assets have been transferred for less than fair market value, or the first day the otherwise eligible individual is receiving services for which medical assistance coverage would be available based on an approved application for such care but for the transfer of assets for less than fair market value, whichever is later, and which does not occur in any other periods of ineligibility under this paragraph.

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

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

For the grant period October 1, 2006 to September 30, 2007 ............

12,985,613,000 .................................................. (re. $170,902,000)

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

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

12,119,290,000 .................................................. (re. $4,349,700,000)
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By chapter 54, section 1, of the laws of 2004:

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

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

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

For the grant period October 1, 2004 to September 30, 2005 ...........
10,435,451,000 ............................ (re. $3,107,900,000)

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

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

Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the department of health medical assistance administration program and/or medical assistance program, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of family assistance office of temporary and disability assistance and office of children and family services with the approval of the director of
the budget, who shall file such approval with the department of
audit and control and copies thereof with the chairman of the senate
finance committee and the chairman of the assembly ways and means
committee.
Notwithstanding any inconsistent provision of law, in lieu of payments
authorized by the social services law, or payments of federal funds
otherwise due to the local social services districts for programs
provided under the federal social security act or the federal food
stamp act, funds herein appropriated, in amounts certified by the
state commissioner or the state commissioner of health as due from
local social services districts each month as their share of
payments made pursuant to section 367-b of the social services law
may be set aside by the state comptroller in an interest-bearing
account with such interest accruing to the credit of the locality in
order to ensure the orderly and prompt payment of providers under
section 367-b of the social services law pursuant to an estimate
provided by the commissioner of health of each local social services
district's share of payments made pursuant to section 367-b of the
social services law.
For the grant period October 1, 2003 to September 30, 2004 ...........
10,845,488,000 ................................. (re. $3,600,900,000)

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses of the medical assistance program related to
the priority restoration program ... 24,000,000 .. (re. $24,000,000)
For services and expenses of the medical assistance program related to
non-public general hospital rate increases for recruitment and
retention of health care workers ... 41,300,000 .. (re. $41,300,000)
For services and expenses of the medical assistance program related to
non-public residential health care facility rate increases for
recruitment and retention of health care workers .................
21,600,000 ................................. (re. $21,600,000)
For services and expenses of the medical assistance program related to
supporting rate increases for certified home health agencies, long
term home health care programs, AIDS home care programs, hospice
programs, managed long term care plans and approved managed long
term care operating demonstrations for recruitment and retention of
health care workers ... 50,000,000 ............... (re. $50,000,000)
For additional services and expenses of the medical assistance
program. The moneys hereby appropriated shall be available for non-
public general hospitals located in a city with a population of more
than one million persons to ensure meaningful access to the hospi-
tal's services and reasonable accommodation for all Medicaid
patients that need language assistance .....................
19,000,000 ................................. (re. $19,000,000)
The appropriation made by chapter 54, section 1, of the laws of 2008, is
hereby amended and reappropriated to read:
For services and expenses of the medical assistance program related to
rate adjustments made to public hospitals in accordance with
paragraph (i) of subdivision 1 of section 2807-c of the public
health law pursuant to [a] chapter 58 of the laws of 2007 ...........
24,000,000 ................................. (re. $24,000,000)
For additional services and expenses of the medical assistance
program. The moneys hereby appropriated shall be available for
general hospitals located in the counties of Nassau and Suffolk for
distributions pursuant to paragraph (k) of subdivision 1 of section
2807-c of the public health law, as added by [a] chapter 58 of the
laws of 2007 ... 2,500,000 .......................... (re. $2,500,000)

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

By chapter 54, section 1, of the laws of 2005:
Notwithstanding any other provision of law, the money appropriated
herein shall be made available for grants related to the community
care conversion demonstration project ..........................
518,000,000 .......................... (re. $24,000,000)

OFFICE OF HEALTH INSURANCE PROGRAMS

General Fund / State Operations
State Purposes Account - 003

The appropriation made by chapter 54, section 1, of the laws of 2007, to
the office of medicaid management program is hereby transferred and
reappropriated to the office of health insurance programs:

For services and expenses related to an analysis of proposals for
achieving universal health coverage in New York. The commissioner of
health shall contract with an independent entity, in accordance with
applicable law, to conduct the analysis and report on its results.
All records of the entity and the department relating to the method-
ology, findings and recommendations of the analysis shall be subject
to article six of the public officers law. Proposals to be analyzed
shall include, but not be limited to: proposals for providing or
promoting universal health coverage through variations on existing
private and public health coverage mechanisms; proposals for provid-
ing universal health coverage through publicly-sponsored health
coverage financed entirely or predominantly through broad-based
public financing; and combinations of such mechanisms. When evaluat-
ing different proposals, the entity shall consider, among other
factors, how each proposal advances the goal of universal health
coverage; controls the cost of health coverage and health care;
affects the scope of benefits, the quality of care, and choice of
providers for consumers; overcomes the obstacles to universal health
coverage; fairly and equitably distributes the cost of health cover-
age and health care; deals with the level and distribution of costs
as a barrier to health coverage or health care; affects employers
and employment, particularly small business, the self-employed,
sole-proprietors, collective bargaining arrangements, people with
multiple, seasonal or sporadic employment and people who are under-
employed or unable to work; and promotes the economic viability of
hospitals, community health centers, health care professionals, and
other health care providers. The entity may, with the approval of
the commissioner, accept grants or other assistance from any govern-
ment agency or not-for-profit entity to support or assist it in
carrying out the analysis ... 200,000 ............... (re. $200,000)

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2008, as amended by chapter
496, section 5, of the laws of 2008:
For grants to a New York state based not-for-profit organization with
expertise in the New York state medicaid program for collaborative
studies, reviews and analysis, to be performed in conjunction with
the department of health, on medicaid policy, operational and other
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issues as defined by the department, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ...
1,480,000 ........................................... (re. $1,391,200)

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses for the medical assistance program and administration of the medical assistance program and survey and certification program, provided pursuant to title XIX of the federal social security act.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of other state agencies and appropriations of the department of health. Notwithstanding any inconsistent provision of law and subject to approval of the director of the budget, moneys hereby appropriated may be transferred or suballocated to other state agencies for reimbursement to local government entities for services and expenses related to administration of the medical assistance program .................
846,697,000 ........................................... (re. $839,000,000)

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

The appropriation made by chapter 54, section 1, of the laws of 2007, to the office of medicaid management program is hereby transferred and reappropriated to the office of health insurance programs:
For services and expenses for the medical assistance program and administration of the medical assistance program and survey and certification program, provided pursuant to title XIX of the federal social security act.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of other state agencies and appropriations of the department of health. Notwithstanding any inconsistent provision of law and subject to approval of the director of the budget, moneys hereby appropriated may be transferred or suballocated to other state agencies for reimbursement to local government entities for services and expenses related to administration of the medical assistance program.
For the grant period October 1, 2007 to September 30, 2008 ..........
1,859,816,000 ................................. (re. $1,600,000,000)

The appropriation made by chapter 54, section 1, of the laws of 2006, to the office of medicaid management program is hereby transferred and reappropriated to the office of health insurance programs:
For services and expenses for the medical assistance program and administration of the medical assistance program and survey and certification program, provided pursuant to title XIX of the federal social security act.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of other state agencies and appropriations of the department of health. Notwithstanding any inconsistent provision of law and subject to approval of the
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director of the budget, moneys hereby appropriated may be transferred or suballocated to other state agencies for reimbursement to local government entities for services and expenses related to administration of the medical assistance program.

For the grant period October 1, 2006 to September 30, 2007 ...........
1,867,679,500 ........................................... (re. $600,000,000)

The appropriation made by chapter 54, section 1, of the laws of 2005, to the office of medicaid management program is hereby transferred and reappropriated to the office of health insurance programs:
For services and expenses for the medical assistance program and administration of the medical assistance program and survey and certification program, provided pursuant to title XIX of the federal social security act.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of other state agencies and appropriations of the department of health. Notwithstanding any inconsistent provision of law and subject to approval of the director of the budget, moneys hereby appropriated may be transferred or suballocated to other state agencies for reimbursement to local government entities for services and expenses related to administration of the medical assistance program.

For the grant period October 1, 2005 to September 30, 2006 ...........
1,836,697,000 ........................................... (re. $400,000,000)

The appropriation made by chapter 54, section 1, of the laws of 2004, to the office of medicaid management program is hereby transferred and reappropriated to the office of health insurance programs:
For services and expenses for the medical assistance program and administration of the medical assistance program and survey and certification program, provided pursuant to title XIX of the federal social security act.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of other state agencies and appropriations of the department of health. Notwithstanding any inconsistent provision of law and subject to approval of the director of the budget, moneys hereby appropriated may be transferred or suballocated to other state agencies for reimbursement to local government entities for services and expenses related to administration of the medical assistance program.

For the grant period October 1, 2004 to September 30, 2005 ...........
1,863,395,000 ........................................... (re. $400,000,000)

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

By chapter 54, section 1, of the laws of 2008:
Notwithstanding any inconsistent provision of law, the money appropriated herein shall be available for services and expenses including grants related to the federal-state health reform partnership program and/or its successor program, provided, however, that the section 1115 waiver demonstration which is entitled the federal-state health reform partnership, is in effect in accordance with the terms and conditions approved by the secretary of the federal department of health and human services, and further provided that funds appropriated for the federal-state health reform partnership program are disbursed only in accordance with those
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1 terms and conditions. Subject to the approval of the director of the budget, moneys appropriated herein may be transferred or suballocated to the state office for the aging and other state agencies ... 300,000,000 ...................... (re. $300,000,000)

2 The appropriation made by chapter 54, section 1, of the laws of 2007, to the office of medicaid management program is hereby transferred and reappropriated to the office of health insurance programs;

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

4 300,000,000 ...................... (re. $300,000,000)

5 [Special Revenue Funds - Other / Aid to Localities
6 Miscellaneous Special Revenue Fund - 339
7 Federal-State Health Reform Partnership Program Account]

8 The appropriation made by chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2007, to the medical assistance program is hereby transferred and reappropriated to the office of health insurance programs;

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

10 500,000,000 ...................... (re. $411,000,000)

11 OFFICE OF HEALTH SYSTEMS MANAGEMENT

12 General Fund / State Operations
State Purposes Account - 003

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

14 For services and expenses of the health e-link.

15 Contractual services ... 750,000 ...................... (re. 750,000)

16 The appropriation made by chapter 54, section 1, of the laws of 2007, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:

17 For services and expenses of the health e-link.

18 Contractual services ... 750,000 ...................... (re. $329,800)
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General Fund / Aid to Localities

Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:

For grants for patient safety awards, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undistributed as of August 15, 2008...

1,176,000 .............................................. (re. $1,105,440)

The appropriation made by chapter 54, section 1, of the laws of 2007, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:

For grants for patient safety awards ... 1,200,000 .. (re. $1,200,000)

The appropriation made by chapter 54, section 1, of the laws of 2005, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:

For services and expenses of the health information technology program ...

3,000,000 .............................................. (re. $1,197,000)

Special Revenue Funds - Federal / Aid to Localities

Federal Operating Grants Fund - 290

United States Department of Justice Account

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

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

400,000 .............................................. (re. $400,000)

The appropriation made by chapter 54, section 1, of the laws of 2007, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:

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

For grants beginning on or after November 1, 2007...

400,000 .............................................. (re. $400,000)

The appropriation made by chapter 54, section 1, of the laws of 2006, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:

For expenses incurred in the administration of Harold Rogers prescription drug monitoring program relating to the prescribing and dispensing of controlled substances:

For the grant period June 1, 2006 to May 31, 2007...

400,000 .............................................. (re. $341,000)

The appropriation made by chapter 54, section 1, of the laws of 2005, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:

For expenses incurred in the administration of Harold Rogers prescription drug monitoring program relating to the prescribing and dispensing of controlled substances:

For the grant period June 1, 2005 to May 31, 2006...

350,000 .............................................. (re. $1,500)
The appropriation made by chapter 54, section 1, of the laws of 2004, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of health systems management:

For expenses incurred in the administration of Harold Rogers prescription drug monitoring program relating to the prescribing and dispensing of controlled substances:
For the grant period October 1, 2003 to September 30, 2004 ...........
300,000 .................................................. (re. $241,000)

OFFICE OF LONG TERM CARE

General Fund / State Operations
State Purposes Account - 003

By chapter 54, section 1, of the laws of 2008:
Contractual Services ... 14,674,000 ............ (re. $3,000,000)

General Fund / Aid to Localities
Local Assistance Account - 001

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:
For services and expenses of the quality incentive payment program, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ... 2,710,000 ................ (re. 2,547,400)
For additional services and expenses of the quality incentive payment program ... 2,750,000 ........................................... (re. $1,375,000)
The monies hereby appropriated shall be available for the cost of housing subsidies to certain participants in the nursing home transition and diversion waiver program as authorized by chapters 615 and 627 of the laws of 2004. A portion of such funds may be used for administration of the housing subsidies, either by state staff or a not-for-profit agency. A portion of this appropriation may be transferred to state operations appropriations. Up to 100 percent of this appropriation may be suballocated to the division of housing and community renewal, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ..........
2,450,000 ................................................ (re. $2,303,000)
For additional services and expenses for the enhancing abilities and life experience (EnABLE) program for the purpose of providing air conditioning in resident rooms. In distributing such funds, the department shall give priority to those applicants whose residents demonstrate the highest level of need, including but not limited to, those with psychiatric disabilities and the elderly, and consideration to applicants in the greatest financial need of such assistance ... 1,800,000 ......................... (re. $900,000)
The appropriation made by chapter 54, section 1, of the laws of 2007, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of long term care:
For services and expenses of the quality incentive payment program ...
2,750,000 .................................................. (re. $2,750,000)
The appropriation made by chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of long term care:

The monies hereby appropriated shall be available for the cost of housing subsidies to certain participants in the nursing home transition and diversion waiver program as authorized by chapters 615 and 627 of the laws of 2004. A portion of such funds may be used for administration of the housing subsidies, either by state staff or a not-for-profit agency. A portion of this appropriation may be transferred to state operations appropriations. Up to 100 percent of this appropriation may be suballocated to the division of housing and community renewal ... 2,500,000 ................. (re. $2,500,000)

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

By chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008:

For services and expenses related to adult home initiatives including but not limited to, social and recreational services; programs to support wellness including smoking cessation; falls prevention; maintaining or improving physical mobility, cognitive functioning or overall health; and advocacy and legal support.

Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the office of mental health, the office for the aging, and the commission on quality of care and advocacy for persons with disabilities. Moneys herein appropriated may be used for the purpose of awarding grants to operators of adult homes, enriched housing programs and residences through the enhancing abilities and life experience (EnAbLE) program to improve the quality of life and independence for residents. Use of program funds may include, but shall not be limited to, independent living skills training, vocational or educational programs; peer specialists; employment specialist; or services and supports to allow residents to maintain independence in their activities of daily living. Such grants shall be made pursuant to criteria established by the department of health. A preference in funding shall be granted to applicants for use of program funds which would serve residents receiving supplemental security income and/or safety net. No grants shall be made unless the department of health receives satisfactory documentation that the resident council of any facility for which funds are requested has endorsed the proposed use of funds as set forth in the grant application, provided, however, that the amount of this appropriation available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ................. 2,636,000 ......................... (re. $2,478,000)

For additional services and expenses for the enhancing abilities and life experience (EnAbLE) program to improve the quality of life of residents. Use of program funds may include, but shall not be limited to, providing air conditioning in resident rooms, providing generators to facilities, improving the quality of food services and other quality of life activities. In distributing such funds, the department shall give priority to those applicants whose residents demonstrate the highest level of need, including but not limited to, those with psychiatric disabilities and the elderly, and consideration to applicants in the greatest financial need of such assistance, provided, however, that the amount of this appropriation
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available for expenditure and disbursement on and after September 1, 2008 shall be reduced by six percent of the amount that was undisbursed as of August 15, 2008 ... 1,951,000 ... (re. $1,834,000)

The appropriation made by chapter 54, section 1, of the laws of 2007, to the health care standards and surveillance program is hereby transferred and reappropriated to the office of long term care:
For services and expenses related to adult home initiatives including but not limited to, social and recreational services; programs to support wellness including smoking cessation; falls prevention; maintaining or improving physical mobility, cognitive functioning or overall health; and advocacy and legal support.
Notwithstanding any inconsistent provision of law and subject to the approval of the director of the budget, moneys hereby appropriated may be transferred to the office of mental health, the office for the aging, and the commission on quality of care and advocacy for persons with disabilities. Moneys herein appropriated may be used for the purpose of awarding grants to operators of adult homes, enriched housing programs and residences through the enhancing abilities and life experience (EmABLE) program to improve the quality of life and independence for residents. Use of program funds may include, but shall not be limited to, independent living skills training, vocational or educational programs; peer specialists; employment specialist; or services and supports to allow residents to maintain independence in their activities of daily living. Such grants shall be made pursuant to criteria established by the department of health. A preference in funding shall be granted to applicants for use of program funds which would serve residents receiving supplemental security income and/or safety net. No grants shall be made unless the department of health receives satisfactory documentation that the resident council of any facility for which funds are requested has endorsed the proposed use of funds as set forth in the grant application ... 2,750,000 .................... (re. $2,690,000)
For additional services and expenses for the enhancing abilities and life experience (EmABLE) program for the purpose of providing air conditioning in resident rooms. In distributing such funds, the department shall give priority to those applicants whose residents demonstrate the highest level of need, including but not limited to, those with psychiatric disabilities and the elderly, and consideration to applicants in the greatest financial need of such assistance ... 2,000,000 .................... (re. $2,000,000)

WADSWORTH CENTER FOR LABORATORIES AND RESEARCH PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
For health prevention, diagnostic, detection and treatment services... 1,556,000 .................... (re. $1,297,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2006 to September 30, 2007 ........ 778,000 .................... (re. $778,000)
For the grant period October 1, 2007 to September 30, 2008 ........ 778,000 .................... (re. $778,000)

By chapter 54, section 1, of the laws of 2006:
For health prevention, diagnostic, detection and treatment services:
For the grant period October 1, 2005 to September 30, 2006 ........ 778,000 .................... (re. $778,000)
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

For the grant period October 1, 2006 to September 30, 2007 ............
778,000 ........................................ (re. $778,000)

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

By chapter 54, section 1, of the laws of 2008:
For health prevention, diagnostic, detection and treatment services...
11,376,000 ........................................ (re. $11,376,000)

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses of the various health prevention, diag­
nostic, detection and treatment services .............................
3,682,000 ........................................ (re. $3,682,000)

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

By chapter 54, section 1, of the laws of 2007:
For health prevention, diagnostic, detection and treatment services.
For the grant period October 1, 2006 to September 30, 2007 ...........
4,601,000 ........................................ (re. $4,601,000)
For the grant period October 1, 2007 to September 30, 2008 ...........
5,291,000 ........................................ (re. $5,291,000)

By chapter 54, section 1, of the laws of 2006:
For health prevention, diagnostic, detection and treatment services:
For the grant period October 1, 2006 to September 30, 2007 ...........
5,291,000 ........................................ (re. $5,291,000)

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

By chapter 54, section 1, of the laws of 2007:
For services and expenses of the various health prevention, diagnos­
tic, detection and treatment services.
For the grant period October 1, 2006 to September 30, 2007 ...........
1,489,000 ........................................ (re. $1,489,000)
For the grant period October 1, 2007 to September 30, 2008 ...........
1,712,000 ........................................ (re. $1,712,000)

By chapter 54, section 1, of the laws of 2006:
For services and expenses of the various health prevention, diag­
nostic, detection and treatment services:
For the grant period October 1, 2006 to September 30, 2007 ...........
1,712,000 ........................................ (re. $1,712,000)

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

By chapter 54, section 1, of the laws of 2005:
For breast cancer research and education pursuant to section 97-yy of
the state finance law as amended by chapter 550 of the laws of 2000
... 2,600,000 ........................................ (re. $2,250,000)
DEPARTMENT OF HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

Special Revenue Fund - Other / State Operations

By chapter 54, section 1, of the laws of 2008:
For services and expenses, including grants, related to stem cell
research pursuant to chapter 58 of the laws of 2007:
Contractual services ... 50,000,000 .................. (re. $49,750,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
section 1, of the laws of 2008:
For services and expenses, including grants, related to stem cell
research pursuant to chapter 58 of the laws of 2007:
Contractual services ... 100,000,000 .................. (re. $99,437,000)

Special Revenue Funds - Other / State Operations

Miscellaneous Special Revenue Fund - 339

Spinal Cord Injury Research Fund Account

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to spinal cord injury research
pursuant to chapter 338 of the laws of 1998, in accordance with the
following.
Contractual services ... 7,860,800 .................... (re. $7,860,800)

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to spinal cord injury research
pursuant to chapter 338 of the laws of 1998, in accordance with the
following.
Contractual services ... 8,004,794 .................... (re. $6,231,000)

By chapter 54, section 1, of the laws of 2006:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 ........... (re. $4,385,000)

By chapter 54, section 1, of the laws of 2005:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 ........... (re. $3,750,000)

By chapter 54, section 1, of the laws of 2004:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 ........... (re. $2,642,000)

By chapter 54, section 1, of the laws of 2003:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 ........... (re. $3,511,000)

By chapter 54, section 1, of the laws of 2002:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 ........... (re. $675,000)

By chapter 54, section 1, of the laws of 2001:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 ........... (re. $785,000)

By chapter 54, section 1, of the laws of 2000:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 8,500,000 ........... (re. $233,000)

Total reappropriations for state operations and aid to
localities ...........................................38,721,611,140

==========
By chapter 54, section 1, of the laws of 2000, as added by chapter 53, section 6, of the laws of 2000:

For services and expenses of cancer permanency planning - legal and family counseling services ... 500,000 ............... (re. $30,000)
For the comprehensive construction programs, purposes and projects as herein specified in accordance with the following:

Capital Projects Fund .......................................................... 232,600,000
Federal Capital Projects Fund .............................................. 9,980,000
---------------------
All Funds ............................... 242,580,000

HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORK-
ERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP) ............... 217,000,000
---------------------

Capital Projects Fund

Health Care System Improvement Purpose

For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery system including operational support intended to maintain facility viability the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE09HB) .................. 192,000,000

For transfer to the Roswell Park Cancer Institute corporation to support capital projects in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program (12RP09HE) ............ 25,000,000

LABORATORIES AND RESEARCH (CCP) .............................. 8,000,000
---------------------

Capital Projects Fund

Preservation of Facilities Purpose

To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of
DEPARTMENT OF HEALTH
CAPITAL PROJECTS 2009-10

the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12590903) ...................... 8,000,000

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

Capital Projects Fund

Preservation of Facilities Purpose

For minor alterations, improvements and preventive maintenance of St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home, and Montrose Nursing Home including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12590903) ...................... 7,600,000

WATER RESOURCES (CCP) ........................................ 9,980,000

Federal Capital Projects Fund

Water Resources Purpose

For federal grants for the safe drinking water revolving fund (12020957) ....... 9,980,000
DEPARTMENT OF HEALTH
CAPITAL PROJECTS 2009-10

1 For the comprehensive construction programs, purposes and
2 projects as herein specified in accordance with the
3 following:
4
5 Capital Projects Fund - Advances .......................... 108,000,000
6 ..........................
7 All Funds ................................................. 108,000,000
8 ..........................
9
10 Capital Projects Fund
11
12 HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORK-
13 ERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP) ............ 108,000,000
14 ..........................
15
16 Health Care System Improvement Purpose
17
18 An advance for payments and grants in
19 accordance with section 2818 of the
20 public health law establishing the
21 health care system improvement capital
22 grant program, provided, however, that
23 no expenditures may be made from this
24 appropriation until a comprehensive plan
25 of projects has been approved by the
26 director of the budget. The moneys
27 hereby appropriated shall be for payment
28 of financial assistance heretofore
29 accrued or hereafter to accrue
30 (12BD09HE) .......................... 108,000,000
31
All or a portion of the disbursements made pursuant to the reappropriations made hereinafter from the capital projects fund may be eligible for reimbursement from proceeds of bonds issued by the dormitory authority. The dormitory authority and the department of health shall report quarterly to the director of the budget the amounts expended from appropriations which are eligible for reimbursement from the proceeds of the bonds. The director of the budget shall review these reports and then certify to the comptroller amounts expended from these appropriations which are reimbursable from bond proceeds. Until such time as the dormitory authority determines that amounts expended from these appropriations are not reimbursable from bond proceeds, all such expenditures shall be considered to be reimbursable from bond proceeds.

HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORKERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP)

Capital Projects Fund

Health Care System Improvement Purpose

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

For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery system including operational support intended to maintain facility viability the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE08HE) 133,000,000 .......................... (re. $133,000,000)

For services and expenses related to local health care planning including but not limited to: examining racial and ethnic disparities in the provision of health care; developing a process to measure and integrate consumer needs for health care services as the basis for health care provider planning; assessing future long term care needs taking into account consumer preferences for care; and reviewing the impact of the migration of services from hospitals to ambulatory care providers on the cost, quality and availability of services. Notwithstanding section one hundred twelve or section one hundred sixty-three of the state finance law, the commissioner of health, at his or her discretion, may award, without a competitive process, grants up to $2 million to qualified health planning agencies for such purposes. For the purposes of HEAL NY, such activities are deemed to constitute a capital expenditure (12HE08HE) 7,000,000 .......................... (re. $7,000,000)

For transfer to the Roswell Park cancer institute corporation to support capital projects in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program (12RP08HE) 25,000,000 ... (re. $6,250,000)

The appropriation made by chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008 is hereby amended and reappropriated to read:

For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery
DEPARTMENT OF HEALTH
CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

system including the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE07HE) ...

140,000,000 ............................................. (re. $140,000,000)

The appropriation made by chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2008 is hereby amended and reappropriated to read:
For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery system including the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HE06HE) ...

140,000,000 ............................................. (re. $51,250,000)

The appropriation made by chapter 54, section 1, of the laws of 2005, as amended by chapter 54, section 1, of the laws of 2008 is hereby amended and reappropriated to read:
For payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, including necessary support to facilitate closures, conversions and consolidations within the health care delivery system including the retirement of health care facility indebtedness, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. For purposes of HEAL NY, all such activities are deemed to constitute a capital expenditure. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue (12HB05HE) ...

65,000,000 ............................................. (re. $24,851,000)

LABORATORIES AND RESEARCH (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12590803) ... 10,000,000 ........ (re. $9,650,000)

By chapter 54, section 1, of the laws of 2007:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of
DEPARTMENT OF HEALTH
CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12590703) ... 10,000,000 .................... (re. $3,923,000)

By chapter 54, section 1, of the laws of 2006:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the director of the division of the budget, funds of this appropriation may be transferred to the dormitory authority of the state of New York for capital projects (12590603) ... 10,000,000 .................... (re. $4,718,000)

By chapter 54, section 1, of the laws of 2005:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services (12590503) ................................. 4,000,000 .................... (re. $794,000)

By chapter 54, section 1, of the laws of 2004:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services (12590403) ................................. 4,000,000 .................... (re. $380,000)

By chapter 54, section 1, of the laws of 2003:
To maintain and improve existing facilities including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services (12590303) ................................. 4,000,000 .................... (re. $1,988,000)

Umbilical Cord Blood Bank Purpose

By chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2007:
For payments and grants for the design and construction of an umbilical cord blood bank facility in Syracuse, New York. Upon the request of the Commissioner of the department of health and approval of the Director of the division of the budget, these funds may be available and are authorized for transfer to the state university of New York construction fund (125906BB) ................................. 5,000,000 .................... (re. $5,000,000)

MAINTENANCE AND IMPROVEMENTS OF EXISTING FACILITIES (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For minor alterations, improvements and preventive maintenance of St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home, Batavia Nursing Home, and Montrose Nursing Home including preparation of plans and for payment to the design and construction management account of the centralized services fund of the New York state office of general services. Upon the request of the commissioner of the department of health and approval of the
DEPARTMENT OF HEALTH

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

director of the division of the budget, funds of this appropriation
may be transferred to the dormitory authority of the state of New
York for capital projects (12600803) ............................
7,600,000 .............................................. (re. $7,600,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
section 1, of the laws of 2008:
For minor alterations, improvements and preventive maintenance of the
St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,
Batavia Nursing Home, and Montrose Nursing Home including 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. Upon the request of the commissioner of
the department of health and approval of the director of the divi-
sion of the budget, funds of this appropriation may be transferred
to the dormitory authority of the state of New York for capital
projects (12600703) ... 7,600,000 ................. (re. $3,465,000)

By chapter 54, section 1, of the laws of 2006:
For minor alterations, improvements and preventive maintenance of the
St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,
Batavia Nursing Home and Montrose Nursing Home including preparation
of plans and for payment to the design and construction manage-
ment account of the centralized services fund of the New York state
office of general services. Upon the request of the commissioner of
the department of health and approval of the director of the divi-
sion of the budget, funds of this appropriation may be transferred
to the dormitory authority of the state of New York for capi-
tal projects (12600603) ... 7,600,000 ............... (re. $1,755,000)

By chapter 54, section 1, of the laws of 2005, as amended by chapter 54,
section 1, of the laws of 2006:
For minor alterations, improvements and preventive maintenance of the
St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home,
Batavia Nursing Home, and Montrose Nursing Home including 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. (12600503) ......................
7,600,000 .............................................. (re. $2,003,000)

By chapter 54, section 1, of the laws of 2004:
For minor alterations, improvements and preventive maintenance of the
St. Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home
and Batavia Nursing Home including preparation of plans and for
payment to the design and construction management account of the
centralized services fund of the New York state office of general
services (12600403) ... 7,600,000 ................. (re. $2,363,000)

By chapter 54, section 1, of the laws of 2003:
For minor alterations, improvements and preventive maintenance of St.
Albans Nursing Home, Helen Hayes Hospital, Oxford Nursing Home and
Batavia Nursing Home including preparation of plans and for payment
to the design and construction management account of the centralized
services fund of the New York state office of general services
(12600303) ... 7,600,000 ......................... (re. $2,556,000)

WATER RESOURCES (CCP)

Federal Capital Projects Fund

Water Resources Purpose
DEPARTMENT OF HEALTH
CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

By chapter 54, section 1, of the laws of 2008:
For federal grants for the safe drinking water revolving fund
(12020857) ... 9,980,000 ......................... (re. $9,980,000)

By chapter 54, section 1, of the laws of 2007:
For federal grants for the safe drinking water revolving fund
(12020757) ... 36,812,000 ......................... (re. $36,447,000)

By chapter 54, section 1, of the laws of 2006:
For federal grants for the safe drinking water revolving fund
(12020657) ... 32,937,000 ......................... (re. $28,747,000)

By chapter 54, section 1, of the laws of 2005:
For federal grants for the safe drinking water revolving fund
(12010557) ... 65,000,000 ......................... (re. $1,480,000)

By chapter 54, section 1, of the laws of 2004:
For federal grants for the safe drinking water revolving fund
(12020457) ... 65,000,000 ......................... (re. $626,000)

HEALTH CARE EFFICIENCY AND AFFORDABILITY LAW FOR NEW YORKERS (HEAL NY) CAPITAL GRANT PROGRAM (CCP)

Capital Projects Fund

Health Care System Improvement Purpose

By chapter 54, section 1, of the laws of 2008:
An advance for payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue
(12BD08HE) ... 85,000,000 ......................... (re. $85,000,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54, section 1, of the laws of 2008:
An advance for payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue
(12BD07HE) ... 85,000,000 ......................... (re. $85,000,000)

By chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2008:
An advance for payments and grants in accordance with section 2818 of the public health law establishing the health care system improvement capital grant program, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. The moneys hereby appropriated shall be for payment of financial assistance heretofore accrued or hereafter to accrue
(12BD06HE) ... 85,000,000 ......................... (re. $43,593,000)

By chapter 54, section 1, of the laws of 2005, as amended by chapter 54, section 1, of the laws of 2008:
An advance for payments in accordance with section 2817 of the public
health law establishing the community health care centers capital
program, provided, however, that no expenditures may be made from
this appropriation until a comprehensive plan of projects has been
approved by the director of the budget. The moneys hereby appropri-
ated shall be for payment of financial assistance heretofore accrued
or hereafter to accrue (12BD05CH) ............................... (re. $10,000,000)

An advance for payments and grants in accordance with section 2818 of
the public health law establishing the health care system improve-
ment capital grant program, provided, however, that no expenditures
may be made from this appropriation until a comprehensive plan of
projects has been approved by the director of the budget. The moneys
hereby appropriated shall be for payment of financial assistance
heretofore accrued or hereafter to accrue (12BD05HE) ............
175,000,000 ................................................. (re. $120,184,000)
DEPARTMENT OF HEALTH  
OFFICE OF MEDICAID INSPECTOR GENERAL  
STATE OPERATIONS AND AID TO LOCALITIES  2009-10

For payment according to the following schedule:

<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>35,187,000</td>
<td>0</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal</td>
<td>52,284,000</td>
<td>50,610,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other</td>
<td>5,274,000</td>
<td>0</td>
</tr>
<tr>
<td>All Funds</td>
<td>92,745,000</td>
<td>50,610,000</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>GF-St/Local</td>
<td>35,187,000</td>
<td>0</td>
<td>0</td>
<td>35,187,000</td>
</tr>
<tr>
<td>SR-Federal</td>
<td>52,284,000</td>
<td>0</td>
<td>0</td>
<td>52,284,000</td>
</tr>
<tr>
<td>SR-Other</td>
<td>5,274,000</td>
<td>0</td>
<td>0</td>
<td>5,274,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>92,745,000</td>
<td>0</td>
<td>0</td>
<td>92,745,000</td>
</tr>
</tbody>
</table>

SCHEDULE

MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM  | 91,090,000

General Fund / State Operations  
State Purposes Account - 003

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

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>23,363,000</td>
</tr>
<tr>
<td>Temporary service</td>
<td>23,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>120,000</td>
</tr>
<tr>
<td>Total</td>
<td>23,506,000</td>
</tr>
</tbody>
</table>
NONPERSONAL SERVICE

Supplies and materials .......................... 984,000
Travel ............................................. 299,000
Contractual services ......................... 9,653,000
Equipment ......................................... 3,500,000

Amount available for nonpersonal service.. 14,436,000

MAINTENANCE UNDISTRIBUTED

For transfer to the state university of New
York and its subsidiaries, with any avail-
able federal matching funds, or to
contract without competition for services
with the state university of New York
research foundation, to provide support
for the medical assistance program;
including but not limited to, providing
clinical and medical expertise, maximizing
the recovery of unclaimed federal medicaid
reimbursement funds, performing audits of
facility ordered services and physicians,
reviewing requests for medical prior
approvals, resolving medical and/or surgi-
cal claims pended, and conducting clinical
eligibility reviews for disabled individ-
uals or for services and expenses, togeth-
er with any available federal matching
funds, for contracts or other expenditures
supporting medicaid audit and fraud activ-
ities.

Contractual services ............................ 500,000

Program account subtotal ................... 38,442,000

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

Notwithstanding any other provision of law,
the money hereby appropriated may be
increased or decreased by interchange,
with any appropriation of the office of
medicaid inspector general, and may be
increased or decreased by transfer or
suballocation between these appropriated
amounts and appropriations of the depart-
ment of health, office of mental health,
office of mental retardation and develop-
mental disabilities and office of alcohol-
ism and substance abuse services with the
approval of the director of the budget,
who shall file such approval with the
department of audit and control and copies
thereof with the chairman of the senate
finance committee and the chairman of the
assembly ways and means committee.
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid fraud and abuse program</td>
<td>52,284,000</td>
</tr>
<tr>
<td>Program fund subtotal</td>
<td>52,284,000</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>Quality Assurance and Audit Revenue Activities Account</td>
<td></td>
</tr>
<tr>
<td>Notwithstanding any other provision of law, the money hereby appropriated</td>
<td></td>
</tr>
<tr>
<td>increased or decreased by interchange, with any appropriation of the office</td>
<td></td>
</tr>
<tr>
<td>of medicaid inspector general, and may be increased or decreased by transfer</td>
<td></td>
</tr>
<tr>
<td>or suballocation between these appropriated amounts and appropriations of</td>
<td></td>
</tr>
<tr>
<td>the department of health, office of mental health, office of mental</td>
<td></td>
</tr>
<tr>
<td>retardation and development of mental disabilities and office of alcohol-</td>
<td></td>
</tr>
<tr>
<td>ism and substance abuse services with the approval of the director of the</td>
<td></td>
</tr>
<tr>
<td>budget, who shall file such approval with the department of audit and</td>
<td></td>
</tr>
<tr>
<td>control and copies thereof with the chairman of the senate finance</td>
<td></td>
</tr>
<tr>
<td>committee and the chairman of the assembly ways and means committee.</td>
<td></td>
</tr>
<tr>
<td>For additional administrative expenses of medicaid audit and fraud</td>
<td></td>
</tr>
<tr>
<td>prevention.</td>
<td></td>
</tr>
<tr>
<td>PERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>245,000</td>
</tr>
<tr>
<td>NONPERSONAL SERVICE</td>
<td></td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>109,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>10,000</td>
</tr>
<tr>
<td>Amount available for nonpersonal service</td>
<td>119,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>364,000</td>
</tr>
<tr>
<td>MAINTENANCE UNDISTRIBUTED</td>
<td>0</td>
</tr>
<tr>
<td>General Fund / State Operations</td>
<td></td>
</tr>
<tr>
<td>State Purposes Account - 003</td>
<td></td>
</tr>
<tr>
<td>Less the amount appropriated as an offset from the special revenue funds -</td>
<td></td>
</tr>
<tr>
<td>miscellaneous special revenue fund - 339, recoveries and revenue account.</td>
<td></td>
</tr>
<tr>
<td>Notwithstanding any contrary provision of law, this offset shall reduce</td>
<td></td>
</tr>
<tr>
<td>general fund appropriations within the medicaid audit</td>
<td></td>
</tr>
</tbody>
</table>
DEPARTMENT OF HEALTH
OFFICE OF MEDICAID INSPECTOR GENERAL

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

and fraud prevention program of the office
of medicaid inspector general funded from
the state purposes account ............... (3,700,000)

Program account subtotal ............... (3,700,000)

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Recoveries and Revenue Account

Amount appropriated as an offset to the
general fund - state purposes account of
the office of medicaid inspector general.
The director of the budget is hereby
authorized to apportion funds to the medi-
caid audit and fraud prevention program of
this agency from this appropriation by

certificate of approval ............... 3,700,000

Program account subtotal ............... 3,700,000

OFFICE OF WELFARE INSPECTOR GENERAL PROGRAM ............ 1,655,000

General Fund / State Operations
State Purposes Account - 003

For services and expenses associated with
the office of the welfare inspector gener-
al:

PERSONAL SERVICE

Personal service--regular ............... 445,000

Program account subtotal ............... 445,000

Special Revenue Funds - Other / State Operations
Miscellaneous Special Revenue Fund - 339
Administrative Reimbursement Account

For services and expenses associated with
the office of the welfare inspector gener-
al:

PERSONAL SERVICE

Personal service--regular ............... 479,000

NONPERSONAL SERVICE

Supplies and materials ...................... 25,000
Travel .................................. 28,000
Contractual services ...................... 408,000
Equipment .............................. 39,000
STATE OPERATIONS AND AID TO LOCALITIES  2009-10

1 Fringe benefits ............................... 211,000
2 Indirect costs ................................. 20,000

Amount available for nonpersonal service.. 731,000

Program account subtotal .................... 1,210,000

Total new appropriations for state operations and aid to localities ........................................... 92,745,000
MEDICAID AUDIT AND FRAUD PREVENTION PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
Notwithstanding any other provision of law, the money hereby appropriated may be increased or decreased by interchange, with any appropriation of the office of medicaid inspector general, and may be increased or decreased by transfer or suballocation between these appropriated amounts and appropriations of the department of health, office of mental health, office of mental retardation and development disabilities and office of alcoholism and substance abuse services with the approval of the director of the budget, who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

For services and expenses related to the medicaid fraud and abuse program ... 50,610,000 ......................... (re. $50,610,000)

Total reappropriations for state operations and aid to localities ........................................... 50,610,000

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

<table>
<thead>
<tr>
<th>APPROPRIATIONS</th>
<th>REASSIGNMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Revenue Funds - Other</td>
<td>600,000,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>600,000,000</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>SR-Other</td>
<td>600,000,000</td>
<td>0</td>
<td>0</td>
<td>600,000,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>600,000,000</td>
<td>0</td>
<td>0</td>
<td>600,000,000</td>
</tr>
</tbody>
</table>

**SCHEDULE**

22 Special Revenue Funds - Other / State Operations
23 Miscellaneous Special Revenue Fund - 339
24 Mental Hygiene Patient Income Account
26 Amount appropriated for the various offices
27 of the department of mental hygiene and
28 for employee fringe benefits of any other
29 state agency. The director of the budget
30 is hereby authorized to transfer funds to
31 the office of mental health, office of
32 mental retardation and developmental disa-
33 bilities, and office of alcoholism and
34 substance abuse services of the department,
35 or to the general fund from this appro-
36 priation by certificate of approval ...... 300,000,000
37 ------------
38 Program account subtotal ................ 300,000,000
39 ------------
41 Special Revenue Funds - Other / State Operations
42 Miscellaneous Special Revenue Fund - 339
43 Mental Hygiene Program Fund Account
46 Amount appropriated for the various offices
47 of the department of mental hygiene and
48 for employee fringe benefits of any other
49 state agency. The director of the budget
50 is hereby authorized to transfer funds to
51 the office of mental health, office of
52 mental retardation and developmental disa-
53 bilities, and office of alcoholism and
54 substance abuse services of the depart-
55 ment, or to the general fund from this
56 appropriation by certificate of approval... 300,000,000
57 ------------
58 Program account subtotal ................ 300,000,000
59 ------------
60 Total new appropriations for state operations and aid to
61 localities ........................................... 600,000,000

61
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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>0</td>
<td>141,780,000</td>
<td>0</td>
<td>141,780,000</td>
</tr>
<tr>
<td>SR-Federal</td>
<td>6,445,000</td>
<td>135,473,000</td>
<td>0</td>
<td>141,918,000</td>
</tr>
<tr>
<td>SR-Other</td>
<td>128,271,000</td>
<td>184,079,000</td>
<td>0</td>
<td>312,350,000</td>
</tr>
<tr>
<td>Cap Proj</td>
<td>0</td>
<td>0</td>
<td>98,883,000</td>
<td>98,883,000</td>
</tr>
<tr>
<td><strong>All Funds</strong></td>
<td><strong>134,716,000</strong></td>
<td><strong>461,332,000</strong></td>
<td><strong>98,883,000</strong></td>
<td><strong>694,931,000</strong></td>
</tr>
</tbody>
</table>

SCHEDULE

COMMUNITY TREATMENT SERVICES PROGRAM ....................... 374,398,000

General Fund / Aid to Localities
Local Assistance Account - 001

For payment, net of disallowances, of state financial assistance in accordance with the mental hygiene law related to treatment services.

Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has demonstrated that it has applied for and received, or received formal notification of refusal of, all forms of third-party reimbursement, including federal aid and patient fees. The moneys hereby appropriated are available to reimburse or advance to localities and voluntary nonprofit agencies for expenditures heretofore accrued or hereafter to accrue during local fiscal periods commencing January 1, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010.

Notwithstanding the mental hygiene law or any other provision of law, rule or regulation to the contrary, the commissioner, with the approval of the director of the budget, may contract directly with voluntary agencies that are receiving, or are eligible to receive, state aid from this appropriation, and/or provide state aid.
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

from this appropriation to such voluntary
agencies through a state aid funding
authorization letter with local govern-
mental units. The commissioner, pursuant
to such contract and/or funding authori-
zation letter, may pay from this appropri-
ation all or a portion of the expenses
incurred by such voluntary agencies aris-
ing 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 charg-
es 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 appro-
priated herein may be made available for
obligations and payments heretofore or
hereafter accrued by the department of
health for community alcoholism, chemical
dependence, and substance abuse treatment
services, including the state share of
medical assistance payments.

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

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

Notwithstanding any contrary provision of
law, a portion of the amounts appropriated
herein shall be available for expenditure
in accordance with the provisions of part
C of chapter 57 of the laws of 2006, for
those programs eligible under paragraph
(iii) of subdivision 4 of section 1 of
such part.

Notwithstanding any contrary provision of
law, a portion of the amounts appropriated
herein shall be available for services and
expenses to assist parolees in obtaining
substance abuse treatment, housing and
employment pursuant to a plan prepared by
the executive director of the division of
parole and the commissioner of the office
of alcoholism and substance abuse services
and approved by the director of the budg-
et, and may be transferred to any other
state agency for implementing such plan.
Notwithstanding any inconsistent provision
of law, including section 1 of part C of
chapter 57 of the laws of 2006, as amended
by section 2 of part I of chapter 58 of
the laws of 2008, for the period
commencing on January 1, 2009 the
commissioner shall: (i) apply a one
percent reduction to the amount in effect
on December 31, 2008 for the purpose of
establishing rates of payments, contracts
or any other form of reimbursement, and
(ii) not apply any cost of living
adjustment for the period beginning April
1, 2009 and ending March 31, 2010 for the
purpose of establishing rates of payments,
contracts or any other form of
reimbursement.
Notwithstanding any inconsistent provision
of law, including section 41.23 of the
mental hygiene law, no unified services
plan shall be approved and no funding
shall be available for unified services
for the period beginning January 1, 2009
and ending March 31, 2010.
No expenditure shall be made for such
program until a certificate of allocation
has been approved by the director of the
budget and copies thereof filed with the
state comptroller and chairs of the senate
finance committee and the assembly ways
and means committee.
Notwithstanding any provision of law to the
contrary, the commissioner of the office
of alcoholism and substance abuse services
shall be authorized to continue contracts
which were executed on or before March 31,
2009 with entities providing services for
problem gambling and chemical dependency
prevention, treatment and recovery
services, without any additional require-
ments that such contracts be subject to
competitive bidding, a request for
proposal process or other administrative
procedures.
Notwithstanding any other provision of law,
the money hereby appropriated may be
transferred to state operations and/or
any appropriation of the office of alco-
holism and substance abuse services, with
the approval of the director of the budget
who shall file such approval with the
department of audit and control and copies
thereof with the chairman of the senate
finance committee and the chairman of the
assembly ways and means committee.
The state comptroller is hereby authorized to receive funds from the office of alcoholism and substance abuse services that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 2009-10 appropriation.

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For services and expenses related to problem gambling and chemical dependence outpatient and chemotherapy services</td>
<td>105,500,000</td>
</tr>
<tr>
<td>For services and expenses of chemical dependence treatment and case management services for the diversion of felony offenders from prison to treatment, distributed through a competitive process in consultation with the division of criminal justice services</td>
<td>3,500,000</td>
</tr>
<tr>
<td>For the state share of medical assistance payments for outpatient services and the state share of disproportionate share payments</td>
<td>32,780,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>141,780,000</td>
</tr>
</tbody>
</table>

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

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

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures | 81,058,000 |
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse and services to other state agencies for services and expenses related to federal homeless grants. The director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse and services and/or any other federal fund in which federal homeless grants are actually received

For services and expenses associated with federal grant awards yet to be allocated. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse and services

For services and expenses related to enforcing the underage drinking laws program grant. Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms of the federal award

For payment, net of disallowances, of state financial assistance in accordance with

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program fund subtotal</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Program fund subtotal</td>
<td>$86,058,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal / Aid to Localities</td>
<td></td>
</tr>
<tr>
<td>Federal Operating Grants Fund - 290</td>
<td></td>
</tr>
<tr>
<td>Special Revenue Funds - Other / Aid to Localities</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>Mental Hygiene Program Fund Account</td>
<td></td>
</tr>
<tr>
<td>For payment, net of disallowances, of state financial assistance in accordance with</td>
<td></td>
</tr>
</tbody>
</table>
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

the mental hygiene law related to treatment services.
Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has demonstrated that it has applied for and received, or received formal notification of refusal of, all forms of third-party reimbursement, including federal aid and patient fees. The moneys hereby appropriated are available to reimburse or advance to localities and voluntary nonprofit agencies for expenditures heretofore accrued or hereafter to accrue during local fiscal periods commencing January 1, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010.

Notwithstanding the mental hygiene law or any other provision of law, rule or regulation to the contrary, the commissioner, with the approval of the director of the budget, may contract directly with voluntary agencies that are receiving, or are eligible to receive, state aid from this appropriation, and/or provide state aid from this appropriation to such voluntary agencies through a state aid funding authorization letter with local governmental units. The commissioner, pursuant to such contract and/or funding authorization letter, may pay from this appropriation all or a portion of the expenses incurred by such voluntary agencies arising out of loans obtained from the proceeds of bonds and notes issued by the dormitory authority of the state of New York or another authorized entity approved by the division of the budget. Such expenses may include, but shall not be limited to, amounts relating to principal and interest and any other fees and charges arising from such loans.

Notwithstanding any inconsistent provisions of law, moneys from this appropriation may be used for expenses of localities, nonprofit and for-profit agencies that may arise from the assumption of operational responsibilities for programs when operating certificates for such programs cease to be in effect and/or programs are placed into receivership pursuant to section 19.41 of the mental hygiene law.

Notwithstanding any contrary provision of law, a portion of the amounts appropriated herein shall be available for expenditure in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (iii) of subdivision 4 of section 1 of such part.
Notwithstanding any contrary provision of law, a portion of the amounts appropriated herein shall be available for services and expenses to assist parolees in obtaining substance abuse treatment, housing and employment pursuant to a plan prepared by the executive director of the division of parole and the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget, and may be transferred to any other state agency for implementing such plan.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008, for the period commencing on January 1, 2009 the commissioner shall: (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement, and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010 for the purpose of establishing rates of payments, contracts or any other form of reimbursement. No expenditure shall be made for such program until a certificate of allocation has been approved by the director of the budget and copies thereof filed with the state comptroller and chairs of the senate finance committee and the assembly ways and means committee.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services for alcoholism and substance abuse services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.
The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

The state comptroller is hereby authorized to receive funds from the office of alcoholism and substance abuse services that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of this fund for the purpose of reimbursing the 2009-10 appropriation.

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

1. For services and expenses related to inpatient rehabilitation services ............. 200,000
2. For services and expenses related to residential services ..................... 89,500,000
3. For services and expenses related to crisis services ......................... 16,000,000
4. For services and expenses of chemical dependence treatment and case management services for the diversion of felony offenders from prison to treatment, distributed through a competitive process in consultation with the division of criminal justice services ............ 500,000
5. For expenses related to debt service payments for capital projects funded by the proceeds of bonds and notes issued by the dormitory authority of the state of New York .......................... 24,000,000

Program account subtotal ................ 130,200,000

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EXECUTIVE DIRECTION PROGRAM .......................... 62,976,000

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

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

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

<table>
<thead>
<tr>
<th>Account Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service</td>
<td>3,578,000</td>
</tr>
<tr>
<td>Nonpersonal service</td>
<td>977,000</td>
</tr>
<tr>
<td>Program fund subtotal</td>
<td>4,555,000</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 consistent with the terms and conditions of the federal award. Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms of the federal award</td>
<td>147,000</td>
</tr>
<tr>
<td>Program fund subtotal</td>
<td>147,000</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>Credentialing Services Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to the credentialing of prevention, alcohol and substance abuse, and problem gambling counselors. Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services</td>
<td></td>
</tr>
</tbody>
</table>
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
STATE OPERATIONS AND AID TO LOCALITIES 2009-10

PERSONAL SERVICE

Personal service--regular ......................... 626,000
Holiday/overtime compensation ................... 5,000

Amount available for personal service .... 631,000

NONPERSONAL SERVICE

Fringe benefits ................................. 303,000
Indirect costs ................................. 25,000
Contractual services ......................... 3,000

Amount available for nonpersonal service.. 331,000

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

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

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

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

Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of alcoholism and substance abuse services make payments for any such assessment of expenses of
STATE OPERATIONS AND AID TO LOCALITIES  2009-10

administration from funds available on or after April 1, 2009.

PERSONAL SERVICE

Personal service--regular ...................  25,795,000
Temporary service ..........................  130,000
Holiday/overtime compensation .............  75,000

Amount available for personal service ....  26,000,000

NONPERSONAL SERVICE

Supplies and materials ..........................  1,200,000
Travel ...........................................  750,000
Contractual services ..........................  8,352,000
Equipment ......................................  300,000
Indirect costs .................................  1,100,000
Fringe benefits ................................  16,697,000

Amount available for nonpersonal service..  28,399,000

Program account subtotal .....................  54,399,000

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

For services and expenses related to the operation of methadone services and a patient registry for the prevention of simultaneous enrollment in multiple methadone treatment programs.

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

NONPERSONAL SERVICE

Contractual services ..........................  300,000

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

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

For services and expenses related to special projects.
Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to local
assistance and/or any appropriation of the
office of alcoholism and substance abuse
services.
Notwithstanding any other provision of law,
up to $2,000,000 of this appropriation
shall be made available for services and
expenses to support amounts for adminis-
tration, research associates, equipment,
travel, conference expenses, contractual
services, grant writers to increase income
from non-state sources, and other research
initiatives. Funding will be provided
through research foundation for mental
hygiene, inc. resources, including, but
not limited to, indirect costs recoveries,
direct grant reimbursement, interest earn-
ings and operating balances.

NONPERSONAL SERVICE

Supplies and materials ....................... 15,000
Travel ....................................... 5,000
Contractual services .......................... 2,050,000

Program account subtotal ................... 2,070,000

INSTITUTIONAL SERVICES ..................... 71,740,000

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

For services and expenses associated with
administering the substance abuse
prevention and treatment (SAPT) block
grant.
Notwithstanding any inconsistent provision
of law, a portion of the funds hereby
appropriated may, subject to the approval
of the director of the budget, be trans-
ferred to local assistance and/or any
appropriation of the office of alcoholism
and substance abuse services consistent
with the terms and conditions of the SAPT
block grant award.

Personal service ............................. 865,000
Nonpersonal service ......................... 335,000

Program fund subtotal ..................... 1,200,000

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

Notwithstanding any other provision of law,
the money hereby appropriated may be
transferred to local assistance and/or any
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appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account. Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of alcoholism and substance abuse services make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>19,736,000</td>
</tr>
<tr>
<td>Temporary service</td>
<td>575,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>689,000</td>
</tr>
<tr>
<td><strong>Amount available for personal service</strong></td>
<td><strong>21,000,000</strong></td>
</tr>
</tbody>
</table>

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>5,900,000</td>
</tr>
<tr>
<td>Travel</td>
<td>290,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>9,400,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>410,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>840,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>10,500,000</td>
</tr>
<tr>
<td><strong>Amount available for nonpersonal service</strong></td>
<td><strong>27,340,000</strong></td>
</tr>
</tbody>
</table>

Program account subtotal         48,340,000

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who
shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of alcoholism and substance abuse services make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

PERSONAL SERVICE

Personal service--regular .................. 15,000,000

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

NONPERSONAL SERVICE

Indirect costs ............................ 600,000
Fringe benefits ............................ 6,600,000
---------------------------------
Amount available for nonpersonal service.. 7,200,000
Program account subtotal .................. 22,200,000
---------------------------------

PREVENTION AND PROGRAM SUPPORT .................. 86,934,000

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

For services and expenses related to prevention, intervention and treatment programs provided by the substance abuse prevention and treatment (SAPT) block grant. Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures.

Program fund subtotal: 28,300,000

Special Revenue Funds - Federal / Aid to Localities

For services and expenses related to prevention from the federal safe and drug-free schools and communities act consistent with the terms and conditions of the federal award.

Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services for problem gambling and chemical dependency prevention, treatment and recovery services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures.

Program fund subtotal: 4,755,000

Special Revenue Funds - Other / Aid to Localities

For payment, net of disallowances, of state financial assistance in accordance with the mental hygiene law related to problem gambling and chemical dependency school and community-based prevention, education, and recovery programs, and program support.
Notwithstanding any other provisions of law, no payment shall be made from this appropriation until the recipient agency has demonstrated it has applied for and received, or received formal notification of refusal of, all forms of third-party reimbursement, including federal aid and patient fees. The moneys hereby appropriated are available to reimburse or advance to localities and voluntary nonprofit agencies for expenditures heretofore accrued or hereafter to accrue during local fiscal periods commencing January 1, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010.

Notwithstanding the mental hygiene law or any other provision of law, rule or regulation to the contrary, the commissioner, with the approval of the director of the budget, may contract directly with voluntary agencies that are receiving, or are eligible to receive state aid from this appropriation, and/or provide state aid from this appropriation to such voluntary agencies through a state aid funding authorization letter with local governmental units.

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

The state comptroller is hereby authorized to receive funds from the office of alcoholism and substance abuse services that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years and is authorized to refund such moneys to the credit of this fund for the purpose of reimbursing the 2009-10 appropriation.
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Notwithstanding any contrary provision of law, a portion of the amounts appropriated herein shall be available for expenditure in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (iii) of subdivision 4 of section 1 of such part.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008, for the period commencing on January 1, 2009 the commissioner shall: (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement, and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010 for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services for problem gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures

Program account subtotal 46,000,000

Special Revenue Fund - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
License Plate Account

For services and expenses related to prevention efforts targeted at youth.

Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services

Program account subtotal 39,000

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Program account subtotal 39,000
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

1 Special Revenue Funds - Other / Aid to Localities
2 Chemical Dependence Service Fund - 346
3 For services and expenses of community chem-
4 ical dependence treatment and prevention
5 services programs including services and
6 expenses related to staff training, evalu-
7 ation, and workforce development activ-
8 ities.
9 Notwithstanding any provision of law, rule
10 or regulation to the contrary, a portion
11 of this appropriation related to enforce-
12 ment action fine and/or levy moneys may be
13 made available to localities and nonprofit
14 and for-profit agencies for payment of
15 expenses for facilities operating under a
16 receivership pursuant to section 19.41 of
17 the mental hygiene law. Such funds may
18 also be transferred to state operations
19 and/or any appropriation of the office of
20 alcoholism and substance abuse services
21 and appropriations of the department of
22 health, the office of medicaid inspector
23 general, the office of mental health, and
24 the office of mental retardation and
25 developmental disabilities with the
26 approval of the director of the budget who
27 shall file such approval with the depart-
28 ment of audit and control and copies ther-
29 eof with the chairman of the senate
30 finance committee and the chairman of the
31 assembly ways and means committee ......... 7,840,000
32 ----------------
33 Program fund subtotal ..................... 7,840,000
34 ----------------
35
36 Total new appropriations for state operations and aid to
37 localities .................................................. 596,048,000
38 ........................
COMMUNITY TREATMENT SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

The appropriation made by chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008, is hereby amended and reappropriated to read:

For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:

- North Country Behavioral Network, Inc. ...........................................
  [117,500] 62,500 .......................................................... (re. $62,500)
- Cattaraugus County Council on Alcoholism and Substance Abuse ........
  [70,500] 37,500 .......................................................... (re. $37,500)
- New York Council on Problem Gambling .................................
  [112,800] 60,000 .......................................................... (re. $60,000)
- Alcohol and Drug Dependency Services, Inc. ..............................
  [188,000] 100,000 .......................................................... (re. $100,000)
- Our Lady of Lourdes Memorial Hospital, Inc. ..............................
  [282,000] 150,000 .......................................................... (re. $150,000)
- Institute for the Professional Development in the Addictions .......
  [23,500] 12,500 .......................................................... (re. $12,500)

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

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

For services and expenses associated with federal grant awards yet to be allocated by the federal department of health and human services.

Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to state operations and/or any appropriation of the office of alcoholism and substance abuse services .................
5,000,000 .......................................................... (re. $5,000,000)

The appropriation made by chapter 54, section 1, of the laws of 2008, is hereby amended and reappropriated to read:

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

[Notwithstanding any inconsistent provision of law, up to $2,800,000 of this appropriation may be transferred and/or suballocated, pursuant to memoranda of understanding between the office of alcoholism and substance abuse services and the department of health and the department of correctional services, respectively, which addresses how such funds contribute to required set-asides of the block grant, to the following agencies: up to $1,400,000 to the AIDS institute of the department of health for the provision of primary health care services for persons enrolled in drug treatment programs; and up to $1,400,000 to the department of correctional services for treatment and counseling costs.]

Notwithstanding any inconsistent provision of law, a portion of the funds hereby appropriated may, subject to the approval of the director of the budget, be transferred to state operations and/or any appropriation of the office of alcoholism and substance abuse services consistent with the terms and conditions of the SAPT block grant award.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2008 with entities providing services for compulsive
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - RE APPROPRIATIONS 2009-10

1 gambling and chemical dependency prevention and treatment services,
without any additional requirements that such contracts be subject
2 to competitive bidding, a request for proposal process or other
3 administrative procedures ... $1,058,000 .......... (re. $72,137,000)

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

9 By chapter 54, section 1, of the laws of 2007:
10 For services and expenses of prevention, intervention, and treatment
11 programs provided by the SAPT block grants.
12 Notwithstanding any inconsistent provision of law, up to $2,800,000 of
13 this appropriation may be transferred, pursuant to memoranda of
14 understanding between the office of alcoholism and substance abuse
15 services and the department of health and the department of correc-
16 tional services, respectively, which addresses how such funds
17 contribute to required set-asides of the block grant, to the follow-
18 ing agencies: up to $1,400,000 to the AIDS institute of the depart-
19 ment of health for the provision of primary health care services for
20 persons enrolled in drug treatment programs; and up to $1,400,000 to
21 the department of correctional services for treatment and counseling
22 costs.
23 Notwithstanding any inconsistent provision of law, a portion of the
24 funds hereby appropriated may, subject to the approval of the direc-
25 tor of the budget, be transferred to state operations in the office
26 of alcoholism and substance abuse services consistent with the terms
27 and conditions of the SAPT block grant award for administrative and
28 support services, including fringe benefits, associated with the
29 federal block grant.
30 Notwithstanding any provision of law to the contrary, the commissioner
31 of the office of alcoholism and substance abuse services shall be
32 authorized to continue contracts which were executed on or before
33 March 31, 2007 with entities providing services for compulsive
34 gambling and chemical dependency prevention and treatment services,
35 without any additional requirements that such contracts be subject
36 to competitive bidding, a request for proposal process or other
37 administrative procedures.
38 Notwithstanding any inconsistent provision of law, moneys hereby
39 appropriated may be transferred to prevention and program support of
40 the office of alcoholism and substance abuse services.
41 For grants beginning prior to April 1, 2007 .........................
42 57,553,000 ........................................... (re. $372,000)
43 For grants beginning on or after April 1, 2007 ......................
44 23,500,000 ........................................... (re. $23,500,000)
45 For services and expenses associated with federal block grant awards
46 yet to be allocated by the federal department of health and human
47 services. Notwithstanding any inconsistent provision of law, the
48 director of the budget is hereby authorized to transfer appropri-
49 ation authority contained herein to any other federal fund or
50 program within the office of alcoholism and substance abuse services
51 for aid to localities, administrative and support services, includ-
52 ing fringe benefits, associated with the federal block grant.
53 For grants beginning prior to April 1, 2007 .........................
54 5,000,000 ........................................... (re. $4,996,000)
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to homeless grants. Subject to a
plan approved by the director of the budget, the amount appropriated
herein may be made available to other state agencies for services
and expenses related to federal homeless grants. The director of the
budget is hereby authorized to transfer appropriation authority
contained herein to any other federal fund in which federal homeless
grants are actually received ... 11,000,000 ...... (re. $350,000)

For services and expenses related to enforcing the underage drinking
laws program grant.
Notwithstanding any inconsistent provision of law, a portion of the
funds hereby appropriated may, subject to the approval of the
director of the budget, be transferred to state operations and/or
any appropriation of the office of alcoholism and substance abuse
services ... 5,000,000 ......................... (re. $350,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to homeless grants. Subject to a
plan approved by the director of the budget, the amount appropriated
herein may be made available to other state agencies for services
and expenses related to federal homeless grants. The director of the
budget is hereby authorized to transfer appropriation authority
contained herein to any other federal fund in which federal homeless
grants are actually received.
For grants beginning prior to April 1, 2007 ......................
11,000,000 ....................................... (re. $8,806,000)
For services and expenses related to enforcing the underage drinking
laws program grant.
Notwithstanding any inconsistent provision of law, a portion of the
funds hereby appropriated may, subject to the approval of the direc-
tor of the budget, be transferred to state operations in the office
of alcoholism and substance abuse services consistent with the terms
of the federal award for administrative and support services,
including fringe benefits, associated with this grant.
For grants beginning on or after April 1, 2007 .....................
360,000 ........................................... (re. $350,000)

By chapter 54, section 1, of the laws of 2006:
For services and expenses related to homeless grants. Subject to a
plan approved by the director of the budget, the amount appropriated
herein may be made available to other state agencies for services
and expenses related to federal homeless grants. The director of the
budget is hereby authorized to transfer appropriation authority
contained herein to any other federal fund in which federal homeless
grants are actually received.
For the grant period October 1, 2005 to September 30, 2010 ........
11,000,000 ....................................... (re. $6,799,000)
For services and expenses related to enforcing the underage drinking
laws program grant.
Notwithstanding any inconsistent provision of law, a portion of the
funds hereby appropriated may, subject to the approval of the direc-
tor of the budget, be transferred to state operations in the office
of alcoholism and substance abuse services consistent with the terms
of the federal award for administrative and support services,
including fringe benefits, associated with this grant.

For the grant period June 1, 2006 to May 31, 2008 .................. 360,000 ........................................ (re. $91,000)

By chapter 54, section 1, of the laws of 2005:
For services and expenses related to homeless grants. Subject to a
plan approved by the director of the budget, the amount appropriated
herein may be made available to other state agencies for services
and expenses related to federal homeless grants. The director of the
budget is hereby authorized to transfer appropriation authority
contained herein to any other federal fund in which federal homeless
grants are actually received.
For the grant period October 1, 2004 to September 30, 2009 ...........
11,000,000 ........................................ (re. $6,603,000)

By chapter 54, section 1, of the laws of 2004:
For services and expenses related to homeless grants. Subject to a
plan approved by the director of the budget, the amount appropriated
herein may be made available to other state agencies for services
and expenses related to federal homeless grants. The director of the
budget is hereby authorized to transfer appropriation authority
contained herein to any other federal fund in which federal homeless
grants are actually received.
For the grant period October 1, 2003 to September 30, 2008 ...........
11,000,000 ........................................ (re. $6,085,000)

By chapter 54, section 1, of the laws of 2003:
For services and expenses related to homeless grants ... ...
For the grant period October 1, 1998 to September 30, 2007 ...........
11,000,000 ........................................ (re. $6,812,000)

**EXECUTIVE DIRECTION PROGRAM**

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses associated with administering the substance
abuse prevention and treatment (SAPT) block grant.
Personal service ... 3,578,000 ..............................(re. $2,800,000)
Nonpersonal service ... 977,000 .............................. (re. $484,000)

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses associated with the administration of the
federal safe and drug free schools and communities act consistent
with the terms and conditions of the federal award ................
147,000 ........................................ (re. $147,000)

Special Revenue Funds - Federal / State Operations
Federal Operating Grants Fund - 290
Statewide Data Collection Account
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 By chapter 54, section 1, of the laws of 2008:
2 For services and expenses related to the statewide data collection
3 program as mandated in the 1988 federal anti-drug abuse act .......
4 543,000 .................................................. (re. $543,000)
5
6 INSTITUTIONAL SERVICES
7
8 Special Revenue Funds - Federal / State Operations
9 Federal Health and Human Services Fund - 265
10
11 By chapter 54, section 1, of the laws of 2008:
12 For services and expenses associated with administering the substance
13 abuse prevention and treatment (SAPT) block grant.
14 Personal service ... 865,000 .................................. (re. $600,000)
15 Nonpersonal service ... 335,000 .............................. (re. $192,000)
16
17 PREVENTION AND PROGRAM SUPPORT
18
19 Special Revenue Funds - Federal / Aid to Localities
20 Federal Health and Human Services Fund - 265
21
22 By chapter 54, section 1, of the laws of 2008:
23 For services and expenses related to prevention, intervention and
24 treatment programs provided by the substance abuse prevention and
25 treatment (SAPT) block grant. Notwithstanding any inconsistent
26 provision of law, moneys hereby appropriated may, subject to the
27 approval of the director of the budget, be transferred to state
28 operations and/or any appropriation of the office of alcoholism and
29 substance abuse services.
30 Notwithstanding any provision of law to the contrary, the commissioner
31 of the office of alcoholism and substance abuse services shall be
32 authorized to continue contracts which were executed on or before
33 March 31, 2008 with entities providing services for compulsive
34 gambling and chemical dependency prevention and treatment services,
35 without any additional requirements that such contracts be subject
36 to competitive bidding, a request for proposal process or other
37 administrative procedures ... 28,300,000 ............ (re. $21,462,000)
38
39 By chapter 54, section 1, of the laws of 2007:
40 For services and expenses associated with federal grant awards yet to
41 be allocated by the U.S. department of education and/or the federal
42 department of health and human services. Notwithstanding any incon-
43 sistent provision of law, the director of the budget is hereby
44 authorized to transfer appropriation authority contained herein to
45 any other federal fund or program within the office of alcoholism
46 and substance abuse services for aid to localities, administrative
47 and support services, including fringe benefits, associated with the
48 awarded grant.
49 For grants beginning prior to April 1, 2007 ..................
50 5,000,000 .................................................. (re. $4,633,000)
51
52 Special Revenue Funds - Federal / Aid to Localities
53 Federal Department of Education Fund - 267
54
55 By chapter 54, section 1, of the laws of 2008:
56 For services and expenses related to prevention from the federal safe
57 and drug-free schools and communities act consistent with the terms
58 and conditions of the federal award.
Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2008 with entities providing services for compulsive gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures ... 4,755,000 ............ (re. $4,755,000)

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

For services and expenses related to prevention from the federal safe and drug-free schools and communities act consistent with the terms and conditions of the federal award.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2007 with entities providing services for compulsive gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures.

For grants beginning on or after April 1, 2007 ...................... 4,755,000 ...........................................(re. $3,888,000)

Special Revenue Funds - Federal / Aid to Localities

Federal Block Grant Fund - 269

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

For services and expenses related to prevention, intervention and treatment programs provided by the substance abuse prevention and treatment (SAPT) block grant. Notwithstanding any inconsistent provision of law, moneys hereby appropriated may, subject to the approval of the director of the budget, be transferred to the community treatment services program of the office of alcoholism and substance abuse services.

Notwithstanding any provision of law to the contrary, the commissioner of the office of alcoholism and substance abuse services shall be authorized to continue contracts which were executed on or before March 31, 2007 with entities providing services for compulsive gambling and chemical dependency prevention and treatment services, without any additional requirements that such contracts be subject to competitive bidding, a request for proposal process or other administrative procedures.

For grants beginning on or after April 1, 2007 ...................... 2,200,000 ...........................................(re. $570,000)

Total reappropriations for state operations and aid to localities ................................................. 198,337,500

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DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
CAPITAL PROJECTS 2009-10

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

Capital Projects Fund ........................................ 10,837,000
Mental Hygiene Capital Improvement Fund - 389 .......... 88,046,000
--------------
All Funds .......................................................... 98,883,000
= = = = = = = =
ADMINISTRATION PROGRAM (CCP) ......................... 1,277,000

Capital Projects Fund

Administration Purpose

For payment of personal service and nonpersonal service including fringe benefits related to the administration of capital projects provided by the office of alcoholism and substance abuse services from new and reappropriated funds (53A10950) ..................... 1,277,000

COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP). 89,356,000

Capital Projects Fund

Minor Rehabilitation Purpose

For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2009, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030989) ....... 4,810,000

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030903) .. 42,273,000

New Facilities Purpose

For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services,
pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0907) ...................... 42,273,000

DESIGN AND CONSTRUCTION SUPERVISION (CCP) ................. 3,500,000

Capital Projects Fund

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new projects (53AA60930) .................... 3,000,000

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new projects (53060930) .................... 500,000

INSTITUTIONAL SERVICES PROGRAM (CCP) ....................... 4,000,000

Capital Projects Fund

Minor Rehabilitation Purpose

For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2009, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
CAPITAL PROJECTS 2009-10

1 of projects has been approved by the
director of the budget (53HD0989)...... 1,000,000

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

For alterations and improvements for pres-
ervation of various facilities including
rehabilitation projects, provided,
however, that no expenditures may be
made from this appropriation until a
comprehensive plan of projects has been
approved by the director of the budget.
This appropriation may be used for the
cost of potential claims against
contracts awarded by the dormitory
authority of the state of New York. Upon
request of the commissioner of the
office of alcoholism and substance abuse
services and approval by the director of
the budget, this appropriation may be
transferred to the dormitory authority
of the state of New York (53A20903) .... 3,000,000

NON-BONDABLE PROJECTS (CCP) ............................... 750,000

Capital Projects Fund

Non-Bondable Purpose

For transfer to the Mental Hygiene Capital
Improvement Fund for reimbursement of
the non-bondable cost of community
facilities authorized by appropriations
or reappropriations funded from the
Mental Hygiene Capital Improvement Fund
including liabilities incurred prior to
April 1, 2009 or for payment to the
dormitory authority of the state of New
York for defeasance of bonds. Upon
request of the commissioner of the
office of alcoholism and substance abuse
services and approval by the director of
the budget, this appropriation may be
transferred to the dormitory authority
of the state of New York (53NB09NB) .... 750,000
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

COMMUNITY ALCOHOLISM AND SUBSTANCE ABUSE FACILITIES (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

By chapter 54, section 1, of the laws of 2008:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2008, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030889) ..................
4,810,000 ........................................... (re. $4,810,000)

By chapter 54, section 1, of the laws of 2007:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2007, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030789) ..................
4,810,000 ........................................... (re. $4,810,000)

By chapter 54, section 1, of the laws of 2006:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2006, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030689) ..................
4,810,000 ........................................... (re. $4,810,000)

By chapter 54, section 1, of the laws of 2005:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2005, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030589) ..................
5,310,000 ........................................... (re. $5,310,000)

By chapter 54, section 1, of the laws of 2004:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2004, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030489) ..................
5,310,000 ........................................... (re. $3,292,000)

By chapter 54, section 1, of the laws of 2003:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2003, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030389) ..................
5,310,000 ........................................... (re. $443,000)
By chapter 54, section 1, of the laws of 2008:
For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030803) .......................... 42,273,000 .......................... (re. $42,273,000)

By chapter 54, section 1, of the laws of 2007:
For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030703) ..................... 27,423,000 .......................... (re. $26,668,000)

By chapter 54, section 1, of the laws of 2006:
For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030603) ..................... 17,243,000 .......................... (re. $10,343,000)

By chapter 54, section 1, of the laws of 2005:
For alterations and improvements for preservation of various facilities including rehabilitation projects and the acquisition of property, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53030503) ..................... 13,125,000 .......................... (re. $6,800,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0807) ..................... 66,273,000 .......................... (re. $66,273,000)

By chapter 54, section 1, of the laws of 2007:
For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0707) ..................... 27,423,000 .......................... (re. $19,492,000)

For the acquisition of property, design, construction and rehabilitation of 100 community residential treatment beds in Suffolk and Nassau counties, to be developed for operation by voluntary-operated
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

or local government operated chemical dependency treatment providers. Notwithstanding any other inconsistent provision of law, the moneys hereby appropriated may support up to 100 percent of approved capital costs of such chemical dependency facilities. Notwithstanding any other inconsistent provision of law, and subject to approval of the director of the budget, funds from this appropriation may be paid to the dormitory authority of the state of New York or the office of general services to the design and construction management account pursuant to one or more certificates approved by the director of the budget for purposes of carrying out the projects provided for herein. No expenditure shall be made from this appropriation until a spending plan for the proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53010707) ... 26,600,000 .......................... (re. $26,600,000)

For the acquisition of property, design, construction and rehabilitation of 100 intensive residential and/or community residential beds for veterans, to be developed for operation by voluntary-operated or local government operated chemical dependency treatment providers. Notwithstanding any other inconsistent provision of law, the moneys hereby appropriated may support up to 100 percent of approved capital costs of such chemical dependency facilities. Notwithstanding any other inconsistent provision of law, and subject to approval of the director of the budget, funds from this appropriation may be paid to the dormitory authority of the state of New York or the office of general services to the design and construction management account pursuant to one or more certificates approved by the director of the budget (53020707) ... 25,400,000 .......................... (re. $25,400,000)

By chapter 54, section 1, of the laws of 2006:
For the acquisition of property, design, construction and extensive rehabilitation of facilities for the purpose of delivering chemical dependence services, pursuant to the mental hygiene law. No expenditure shall be made from this appropriation until a spending plan for proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53AA0607) ......................... 17,243,000 .......................... (re. $12,371,000)

For the acquisition of property design, construction and rehabilitation of 108 beds for adolescents and/or women and their children, to be developed for operation by voluntary-operated or local government operated chemical dependency treatment providers. Notwithstanding any other inconsistent provision of the law, the moneys hereby appropriated may support up to 100 percent of approved capital costs of such chemical dependency facilities. Notwithstanding any other inconsistent provision of the law, and subject to approval of the director of the budget, funds from this appropriation may be paid to the dormitory authority of the state of New York or the office of general services to the design and construction management account pursuant to one or more certificates approved by the director of the budget for purposes of carrying out the projects provided for herein. No expenditure shall be made from this appropriation until a spending plan for the proposed projects has been submitted by the commissioner of the office of alcoholism and substance abuse services and approved by the director of the budget (53080707) ... 25,400,000 .......................... (re. $25,400,000)
DEPARTMENT OF MENTAL HYGIENE
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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

services and approved by the director of the budget (53010607) ....

24,900,000 .................................................. (re. $22,899,000)

By chapter 54, section 1, of the laws of 2005:
For the acquisition of property, design, construction and extensive
rehabilitation of facilities for the purpose of delivering chemical
dependence services, pursuant to the mental hygiene law. No expendi-
ture shall be made from this appropriation until a spending plan for
proposed projects has been submitted by the commissioner of the
office of alcoholism and substance abuse services and approved by
the director of the budget (53AA0507) .............................
13,125,000 .................................................. (re. $5,636,000)

By chapter 54, section 1, of the laws of 2004:
For the acquisition of property, design, construction and extensive
rehabilitation of facilities for the purpose of delivering chemical
dependence services, pursuant to the mental hygiene law. No expendi-
ture shall be made from this appropriation until a spending plan for
proposed projects has been submitted by the commissioner of the
office of alcoholism and substance abuse services and approved by
the director of the budget (53AA0407) .............................
12,970,000 .................................................. (re. $8,844,000)

By chapter 54, section 1, of the laws of 2003:
For the acquisition of property, design, construction and extensive
rehabilitation of facilities for the purpose of delivering chemical
dependence services, pursuant to the mental hygiene law. No expendi-
ture shall be made from this appropriation until a spending plan for
proposed projects has been submitted by the commissioner of the
office of alcoholism and substance abuse services and approved by
the director of the budget (53AA0307) .............................
12,970,000 .................................................. (re. $4,549,000)

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Capital Projects Fund

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2008:
For payment to the design and construction management account of the
centralized services fund of the New York state office of general
services or to the dormitory authority of the state of New York for
the purpose of preparation and review of plans, specifications,
estimates, services, construction management and supervision,
inspection, studies, appraisals, surveys, testing and environmental
impact statements for new projects (53A60830) ......................
2,000,000 .................................................. (re. $2,000,000)

By chapter 54, section 1, of the laws of 2007:
For payment to the design and construction management account of the
centralized services fund of the New York state office of general
services or to the dormitory authority of the state of New York for
the purpose of preparation and review of plans, specifications,
estimates, services, construction management and supervision,
inspection, studies, appraisals, surveys, testing and environmental
impact statements for new projects (53A60730) ......................
2,000,000 .................................................. (re. $412,000)

For: (1) the payment of all claims for personal injury, death or prop-
erty damage for which the New York State Medical Care Facilities
Finance Agency, the facilities development corporation, or the dormitory authority of the state of New York might be liable occurring upon, in or about any projects covered by the Agreement of Lease entered into by the facilities development corporation, the department of mental hygiene and the New York State Medical Care Facilities Finance Agency under date of October 1, 1987 as from time to time amended and supplemented and any and all penalties, costs, including attorneys' fees, claims, demands and causes of action due directly or indirectly to the use, disuse, misuse or interest in such projects; (2) in the case of damage, loss or destruction of any such project, or any part of any such project, the payment of the costs of repairing, restoring, rebuilding or replacing the same in accordance with the obligations of the facilities development corporation so to do from the proceeds of insurance under the provisions of paragraph (b) of section 3.04 of the Agreement of Lease; and (3) payments to the New York State Medical Care Facilities Finance Agency of moneys at the times and in the amounts that annual rentals would be due with respect to each project during such time or times as each such project may be damaged or destroyed and not available for use by the department of mental hygiene in accordance with the terms of the Agreement of Lease.

Notwithstanding the provisions of any general or special law, the facilities development corporation may assign to the New York State Medical Care Facilities Finance Agency all or any portion of the moneys hereby appropriated for the purposes hereinabove set forth. Notwithstanding the foregoing, in the event the appropriation is insufficient to cover the losses, upon notification from the facilities development corporation, the director of the budget shall submit a request for additional appropriations to cover the additional losses. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of mental retardation and developmental disabilities for payment to the dormitory authority of the state of New York for the preparation of plans purpose (53WC0730) ................. 2,000,000 ................................................... (re. $2,000,000)

By chapter 54, section 1, of the laws of 2006:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new projects (53A60630) ..................... 2,000,000 ................................................... (re. $48,000)

Mental Hygiene Capital Improvement Fund - 389
Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2008:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new projects (53060830) ..................... 500,000 ................................................... (re. $500,000)
INSTITUTIONAL SERVICES PROGRAM (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

By chapter 54, section 1, of the laws of 2008:
For minor alterations and improvements to various facilities,
including the payment of liabilities incurred prior to April 1, 2008, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0889) ....................... (re. $500,000)

By chapter 54, section 1, of the laws of 2007:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2007, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0789) .............................. (re. $500,000)

By chapter 54, section 1, of the laws of 2006:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2006, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0689) .............................. (re. $500,000)

By chapter 54, section 1, of the laws of 2005:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2005, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0589) .............................. (re. $323,000)

By chapter 54, section 1, of the laws of 2004:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2004, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0489) .............................. (re. $352,000)

By chapter 54, section 1, of the laws of 2003:
For minor alterations and improvements to various facilities, including the payment of liabilities incurred prior to April 1, 2003, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (53HD0389) .............................. (re. $73,000)

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
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

the director of the budget (53HD0289) ......................... (re. $120,000)

By chapter 54, section 1, of the laws of 2001:
For minor alterations and improvements to various facilities, includ-
ing the payment of liabilities incurred prior to April 1, 2001,
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 (53HD0189) .........................
500,000 .................................................. (re. $38,000)

By chapter 54, section 1, of the laws of 1999:
For minor alterations and improvements to various facilities, includ-
ing the payment of liabilities incurred prior to April 1, 1999,
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 (53HD9989) .........................
1,000,000 .................................................. (re. $409,000)

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements for preservation of various
facilities including rehabilitation projects, provided, however, that no
expenditures may be made from this appropriation until a com-prehen-
sive plan of projects has been approved by the director of
the budget. This appropriation may be used for the cost of potential
claims against contracts awarded by the dormitory authority of the
state of New York. Upon request of the commissioner of the office of
alcoholism and substance abuse services and approval by the director
of the budget, this appropriation may be transferred to the
dormitory authority of the state of New York (53A20803) ............
3,000,000 .................................................. (re. $3,000,000)

By chapter 54, section 1, of the laws of 2007:
For alterations and improvements for preservation of various facili-
ties including rehabilitation projects, provided, however, that no
expenditures may be made from this appropriation until a comprehen-
sive plan of projects has been approved by the director of the budg-
et. This appropriation may be used for the cost of potential claims
against contracts awarded by the dormitory authority of the state of
New York. Upon request of the commissioner of the office of alcohol-
ism and substance abuse services and approval by the director of the
budget, this appropriation may be transferred to the dormitory

By chapter 54, section 1, of the laws of 2006:
For alterations and improvements for preservation of various facili-
ties including rehabilitation projects, provided, however, that no
expenditures may be made from this appropriation until a comprehen-
sive plan of projects has been approved by the director of the budg-
et. This appropriation may be used for the cost of potential claims
against contracts awarded by the dormitory authority of the state of
New York. Upon request of the commissioner of the office of alcohol-
ism and substance abuse services and approval by the director of the
budget, this appropriation may be transferred to the dormitory


authority of the state of New York (53A20603) ................. (re. $7,800,000)

By chapter 54, section 1, of the laws of 2005:
For alterations and improvements for preservation of various facili-
ties including rehabilitation projects, provided, however, that no
expenditures may be made from this appropriation until a comprehen-
sive plan of projects has been approved by the director of the budg-
et. This appropriation may be used for the cost of potential claims
against contracts awarded by the dormitory authority of the state of
New York. Upon request of the commissioner of the office of alcohol-
ism and substance abuse services and approval by the director of the
budget, this appropriation may be transferred to the dormitory
authority of the state of New York (53A20503) .................
2,700,000 .................................................. (re. $1,855,000)

By chapter 54, section 1, of the laws of 2004:
For alterations and improvements for preservation of various facili-
ties including rehabilitation projects, provided, however, that no
expenditures may be made from this appropriation until a comprehen-
sive plan of projects has been approved by the director of the budg-
et. This appropriation may be used for the cost of potential claims
against contracts awarded by the dormitory authority of the state of
New York 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 appropri-
ation may be transferred to the dormitory authority of the state of
New York (53A20403) ... 1,000,000 ....................... (re. $779,000)

By chapter 54, section 1, of the laws of 2003:
For alterations and improvements for preservation of various facili-
ties including rehabilitation projects, provided, however, that no
expenditures may be made from this appropriation until a comprehen-
sive plan of projects has been approved by the director of the budg-
et. This appropriation may be used for the cost of potential claims
against contracts awarded by the dormitory authority of the state of
New York 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 appropri-
ation may be transferred to the dormitory authority of the state of
New York (53PR0303) ... 1,000,000 ....................... (re. $936,000)

By chapter 54, section 1, of the laws of 2002:
For alterations and improvements for preservation of various facili-
ties including rehabilitation projects, provided, however, that no
expenditures may be made from this appropriation until a comprehen-
sive plan of projects has been approved by the director of the budg-
et. This appropriation may be used for the cost of potential claims
against contracts awarded by the dormitory authority of the state of
New York 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 appropri-
ation may be transferred to the dormitory authority of the state of
New York (53PR0203) ... 2,000,000 ....................... (re. $1,837,000)

By chapter 54, section 1, of the laws of 2001:
For alterations and improvements for preservation of various facili-
ties including rehabilitation projects, provided, however, that no
expenditures may be made from this appropriation until a comprehen-
sive plan of projects has been approved by the director of the budg-
et. This appropriation may be used for the cost of potential claims
against contracts awarded by the dormitory authority of the state of
New York 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 appropri-
ation may be transferred to the dormitory authority of the state of
New York (53PR0103) ... 2,000,000 .................... (re. $1,063,000)

By chapter 54, section 1, of the laws of 2000:
For alterations and improvements for preservation of various facili-
ties including rehabilitation projects, provided, however, that no
expenditures may be made from this appropriation until a comprehen-
sive plan of projects has been approved by the director of the budg-
et. This appropriation may be used for the cost of potential claims
against contracts awarded by the dormitory authority of the state of
New York 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 appropri-
ation may be transferred to the dormitory authority of the state of
New York (53PR0003) ... 1,937,000 .................... (re. $786,000)
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DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

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>557,292,000</td>
<td>5,220,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal</td>
<td>45,197,000</td>
<td>30,805,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other</td>
<td>2,620,378,000</td>
<td>0</td>
</tr>
<tr>
<td>Capital Projects Funds</td>
<td>576,543,000</td>
<td>1,553,418,000</td>
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<tr>
<td>Enterprise Funds</td>
<td>8,578,000</td>
<td>0</td>
</tr>
<tr>
<td>Internal Service Funds</td>
<td>2,782,000</td>
<td>0</td>
</tr>
<tr>
<td><strong>All Funds</strong></td>
<td><strong>3,810,770,000</strong></td>
<td><strong>1,589,443,000</strong></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>
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<td>557,292,000</td>
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<td>43,839,000</td>
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<td>SR-Other</td>
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<td>587,238,000</td>
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<td>Internal Srv</td>
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<td>2,782,000</td>
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<td><strong>All Funds</strong></td>
<td><strong>2,045,858,000</strong></td>
<td><strong>1,188,369,000</strong></td>
<td><strong>576,543,000</strong></td>
<td><strong>3,810,770,000</strong></td>
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</table>

SCHEDULE

ADMINISTRATION AND FINANCE PROGRAM ......................................... 117,011,000

- Special Revenue Funds - Federal / State Operations
- Federal Health and Human Services Fund - 265
- Personal service .......................................................... 814,000
- Nonpersonal service ...................................................... 178,000
- Fringe benefits ............................................................ 366,000
- Program fund subtotal ..................................................... 1,358,000

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

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

NONPERSONAL SERVICE

- Supplies and materials ................................................... 200,000
- Travel ................................................................. 35,000
- Contractual services .................................................. 125,000
DEPARTMENT OF MENTAL HYGIENE
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Equipment ........................................ 140,000

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

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

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

NONPERSONAL SERVICE

Supplies and materials .................... 70,000

Program account subtotal .............. 70,000

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

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

NONPERSONAL SERVICE

Supplies and materials .................... 1,650,000
Contractual services ....................... 1,650,000

Program account subtotal .............. 3,300,000

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

Notwithstanding any other provision of law,
the money hereby appropriated may be
increased or decreased by interchange,
with any appropriation of the office of
mental health, and may be increased or
decreased by transfer or suballocation
between these appropriated amounts and
appropriations of the department of
health, the office of medicaid inspector
general, the office of mental retardation
and developmental disabilities, and the
office of alcoholism and substance abuse
services with the approval of the director
of the budget who shall file such approval
with the department of audit and control
and copies thereof with the chairman of
the senate finance committee and the
chairman of the assembly ways and means
committee. Notwithstanding any other
provision of law to the contrary, a
portion of this appropriation shall be available to the Research Foundation for Mental Hygiene, Inc. pursuant to a contract, subject to the approval of the director of the budget, to continue a study of the restructuring of financing of community-based mental health programs. Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental health, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental health make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009. Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. Notwithstanding any inconsistent provision of law, this appropriation is not available to support the development or production of separate reports pursuant to: (i) subdivisions (h) and (l) of section 41.55 of the mental hygiene law; (ii) section 20 of chapter 723 of the laws of 1989; or (iii) subdivision (c) of section 7.15 of the mental hygiene law, for the period beginning April 1, 2009 and ending March 31, 2010.

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

PERSONAL SERVICE

Personal service--regular .................. 46,541,000
Temporary service ......................... 1,005,000
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holiday/overtime compensation</td>
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<td>Amount available for personal service</td>
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<td><strong>NONPERSONAL SERVICE</strong></td>
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<tr>
<td>Supplies and materials</td>
<td>2,088,000</td>
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<td>Travel</td>
<td>1,717,000</td>
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<td>Contractual services</td>
<td>23,158,000</td>
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<td>Equipment</td>
<td>3,355,000</td>
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<td>Fringe benefits</td>
<td>21,601,000</td>
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<td>Indirect costs</td>
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<td>Amount available for nonpersonal service</td>
<td>52,589,000</td>
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<td>Program account subtotal</td>
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<td><strong>PERSONAL SERVICE</strong></td>
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<td>Temporary service</td>
<td>2,045,000</td>
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<tr>
<td><strong>NONPERSONAL SERVICE</strong></td>
<td></td>
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<tr>
<td>Supplies and materials</td>
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<tr>
<td>Travel</td>
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<td>Contractual services</td>
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<td>Equipment</td>
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<td>Amount available for nonpersonal service</td>
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<td>Program account subtotal</td>
<td>5,839,000</td>
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<td><strong>PERSONAL SERVICE</strong></td>
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<tr>
<td>Personal service--regular</td>
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<td><strong>NONPERSONAL SERVICE</strong></td>
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<td>Supplies and materials</td>
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<td>Equipment</td>
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<td>Fringe benefits</td>
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<td>Indirect costs</td>
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<td>Amount available for nonpersonal service</td>
<td>2,152,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>2,739,000</td>
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</table>
Internal Service Funds / State Operations
Mental Hygiene Revolving Account - 343

PERSONAL SERVICE

Personal service--regular .................. 1,103,000

NONPERSONAL SERVICE

Supplies and materials ....................... 461,000
Travel ........................................ 7,000
Contractual services ........................ 388,000
Equipment ..................................... 236,000
Fringe benefits ................................ 561,000
Indirect costs .................................. 26,000

Amount available for nonpersonal service.. 1,679,000

Program account subtotal ..................... 2,782,000

ADULT SERVICES PROGRAM .......................... 2,324,042,000

General Fund / Aid to Localities
Local Assistance Account - 001

For services and expenses of various adult
community mental health services, includ-
ing 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 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,
2009 or July 1, 2009 and for advances for
the period beginning January 1, 2010 for
local governments and voluntary agencies
with program years beginning January 1.
Notwithstanding any other provision of law,
and except for transfers to the department
of health to reimburse the department for
the state share of medical assistance
payments and as modified below, this
appropriation shall be available for obli-
gations for the period commencing July 1,
2009 and ending June 30, 2010 and shall be
available for expenditure from July 1,
2009 through September 15, 2010.

An amount of this appropriation shall be
available for the development of a demonstration program pursuant to section 41.35 of the mental hygiene law, and notwithstanding the provisions of any other law to the contrary, for the purpose of testing and evaluating new methods or arrangements for organizing, financing, staffing and providing services for persons with serious mental illness, in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga and Wyoming counties.

Notwithstanding any provision of law to the contrary, an amount of this appropriation shall be available for expenditure, including transfer to the department of health to reimburse the department for the state share of medical assistance payments for various community mental health services, in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (i) of subdivision 4 of section 1 of such part.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 2009-10 appropriation.

Notwithstanding any inconsistent provision of law, including section 1 of part C of
chapter 57 of the laws of 2006, as amended
by section 2 of part I of chapter 58 of
the laws of 2008, for the period
commencing on January 1, 2009 the
commissioner shall (i) apply a one percent
reduction to the amount in effect on
December 31, 2008 for the purpose of
establishing rates of payments, contracts
or any other form of reimbursement and
(ii) not apply any cost of living
adjustment for the period beginning April
1, 2009 and ending March 31, 2010, for the
purpose of establishing rates of payments,
contracts, or any other form of
reimbursement.
Notwithstanding any inconsistent provision
of law, including section 41.23 of the
mental hygiene law, no unified services
plan may be approved and no funding shall
be available for unified services for the
period beginning January 1, 2009 and
ending March 31, 2010. Notwithstanding any
other provision of law, the money hereby
appropriated may be transferred to state
operations and/or any appropriation of the
office of mental health, and to other
state agencies, authorities, or accounts
for expenditures incurred in the operation
of such programs with the approval of the
director of the budget who shall file such
approval with the department of audit and
control and copies thereof with the
chairman of the senate finance committee
and the chairman of the assembly ways and
means committee:
For services and expenses of various commu-
nity mental health non-residential
programs, pursuant to article 41 of the
mental hygiene law, including but not
limited to sections 41.13, 41.18, and
41.47 ............................... 74,932,000
For services and expenses of various commu-
nity mental health emergency programs,
including comprehensive psychiatric emerg-
ency programs pursuant to section 41.51
of the mental hygiene law .............. 6,889,000
For transfer to the department of health to
reimburse the department for the state
share of medical assistance payments for
various mental health services. Notwith-
standing any inconsistent provision of
law, a portion of the money herein appro-
piated may be made available for transfer
to the department of health for the state
share of disproportionate share payments
to voluntary nonprofit general hospitals
pursuant to chapter 119 of the laws of
1997 as amended. Notwithstanding any
inconsistent provision of law, an amount
up to $600,000 of this appropriation may
be available for transfer to the depart-
ment of health to reimburse the department
for the state share of medical assistance
payments related to certain hospitals with
an increase in psychiatric inpatient
volume of 5 percent or more during their
participation in the alternate rate meth-
ology (ARMS) through 1993 ............... 322,202,000
------------
Program account subtotal .................. 404,023,000
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Special Revenue Funds - Federal / Aid to Localities
Federal Health and Human Services Fund - 265

For programs to assist and transition from
homelessness (PATH) grants. Notwithstanding
any inconsistent provision of law, a
portion of this appropriation, consistent
with the terms and conditions of the PATH
grant, may be transferred to other
programs within the office of mental
health for aid to localities, administra-
tive and support services, including
fringe benefits, associated with the grant 4,800,000

For services and expenses related to adult
mental health services funded by the
community mental health services block
grant. Notwithstanding any inconsistent
provision of law, a portion of this 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 ............... 16,777,000

For services and expenses associated with
federal grant awards yet to be allocated
by the federal department of health and
human services. Notwithstanding any incon-
sistent provision of law, the director of
the budget is hereby authorized to trans-
fer appropriation authority contained
herein to any other federal fund or
program within the office of mental health
services for aid to localities, adminis-
trative and support services, including
fringe benefits, associated with the
awarded grant ......................... 1,200,000

For services and expenses associated with
the federal New York makes work pay grant
allocated by the federal department of
health and human services. Notwithstanding
any inconsistent provision of law, the
director of the budget is hereby autho-
rized to transfer appropriation authority
contained herein to any other federal fund
or program within the office of mental
health services and aid to localities,
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL HEALTH

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administrative and support services, including fringe benefits, associated with the awarded grant ....................... 6,000,000

Program fund subtotal ................... 28,777,000

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

For services and expenses related to homeless and shelter plus care grants. Subject to a plan approved by the director of the budget, the amount appropriated herein may be made available to other state agencies for services and expenses related to federal homeless and shelter plus care grants .......................... 8,000,000

Program fund subtotal ................... 8,000,000

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental health, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental health make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009. Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. Notwithstanding any inconsistent provision of law, including subdivision (e) of section 7.17 or section 41.55 of the mental hygiene law, this
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appropriation is available to facilitate
the closure or restructuring of wards
designated by the commissioner of mental
health for the period beginning April 1,
2009 and ending March 31, 2010, and shall
not be available for the continued
operation of such facilities or wards.
The state comptroller is hereby authorized
and directed to loan money in accordance
with the provisions set forth in
subdivision 5 of section 4 of the state
finance law to the mental hygiene patient
income account.

PERSONAL SERVICE

Personal service--regular ......................... 525,915,000
Temporary service ............................... 3,780,000
Holiday/overtime compensation .................. 39,300,000

Amount available for personal service ... 568,995,000

NONPERSONAL SERVICE

Supplies and materials .......................... 68,656,000
Travel ............................................... 2,512,000
Contractual services ............................ 64,004,000
Equipment ......................................... 2,732,000
Fringe benefits .................................... 254,099,000
Indirect costs ..................................... 17,603,000

Amount available for nonpersonal service .. 409,606,000

Program account subtotal ....................... 978,601,000

Notwithstanding any other provision of law,
the money hereby appropriated may be
transferred to local assistance and/or any
appropriation of the office of mental
health, with the approval of the director
of the budget who shall file such approval
with the department of audit and control
and copies thereof with the chairman of
the senate finance committee and the
chairman of the assembly ways and means
committee. Notwithstanding section 11 of
title A of article 2 of the civil service
law, this appropriation and all positions
funded by it shall be exempt from the
provisions of said section pertaining to
the assessment, computation and payment of
the fractional share of administration
expenses charged by the state department
of civil service, nor shall the office of
mental health make payments for any such
assessment of expenses of administration
from funds available on or after April 1,
2009. Notwithstanding any other provision
of law to the contrary, funds appropriated
under this program shall not be used for
the payment of tolls at the Robert F.
Kennedy bridge, for vehicles driven by
persons commuting to and from work who are
employed at facilities located on Ward's
island operated by the department of
mental hygiene. Notwithstanding any
inconsistent provision of law, including
subdivision (e) of section 7.17 or section
41.55 of the mental hygiene law, this
appropriation is available to facilitate
the closure or restructuring of wards
designated by the commissioner of mental
health for the period beginning April 1,
2009 and ending March 31, 2010, and shall
not be available for the continued
operation of such facilities or wards.
The state comptroller is hereby authorized
and directed to loan money in accordance
with the provisions set forth in
subdivision 5 of section 4 of the state
finance law to the mental hygiene program
fund account.

PERSONAL SERVICE

Personal service--regular 174,294,000
Temporary service 917,000
Holiday/overtime compensation 24,000,000

Amount available for personal service 199,211,000

NONPERSONAL SERVICE

Supplies and materials 49,412,000
Travel 1,802,000
Contractual services 50,486,000
Equipment 1,708,000
Fringe benefits 85,718,000
Indirect costs 9,082,000

Amount available for nonpersonal service 198,208,000

MAINTENANCE UNDISTRIBUTED

For transfer to the department of health
medical assistance local assistance
program for payments for outside hospital
care 3,165,000

Program account subtotal 400,584,000
Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Mental Hygiene Program Fund Account

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

For 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,
2009 or July 1, 2009 and for advances for
the period beginning January 1, 2010 for
local governments and voluntary agencies
with program years beginning January 1.

Notwithstanding any other provision of law,
and except for transfers to the department
of health to reimburse the department for
the state share of medical assistance
payments and as modified below, this
appropriation shall be available for obli-
gations for the period commencing July 1,
2009 and ending June 30, 2010 and shall be
available for expenditure from July 1,
2009 through September 15, 2010.

An amount of this appropriation shall be
available for the development of a demon-
stration program pursuant to section 41.35
of the mental hygiene law, and notwith-
standing the provisions of any other law
to the contrary, for the purpose of test-
ing and evaluating new methods or arrange-
ments for organizing, financing, staffing
and providing services for persons with
serious mental illness, in one or more of
Chautauqua, Erie, Genesee, Monroe, Ononda-
ga and Wyoming counties.

Notwithstanding any provision of law to the
contrary, an amount of this appropriation
shall be available for expenditure, for
various community mental health services,
in accordance with the provisions of part
C of chapter 57 of the laws of 2006, for
those programs eligible under paragraph
(i) of subdivision 4 of section 1 of such
part.

Notwithstanding any provision of law to the
 contrary, the commissioner of the office
of mental health shall be authorized to
continue contracts which were executed on
or before March 31, 2009 with entities providing services to persons with mental illness, without any additional require-
ments that such contracts be subject to competitive bidding, a request for proposals process or other administrative
procedures.
No expenditures shall be made for such program prior to the approval of a 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 that were
returned from providers in the current fiscal year in respect of a settlement of
local assistance funds from prior fiscal years, and is authorized to refund such
moneys to the credit of the mental hygiene program fund account for the purpose of
reimbursing the 2009-10 appropriation.
Notwithstanding any inconsistent provision of law, including section 1 of part C of
chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008, for the period
commencing on January 1, 2009 the commissioner shall (i) apply a one percent
reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts
or any other form of reimbursement and (ii) not apply any cost of living
adjustment for the period beginning April 1, 2009 and ending March 31, 2010, for the
purpose of establishing rates of payments, contracts, or any other form of reimbursement. Notwithstanding any other
provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the
office of mental health, and to other state agencies, authorities, or accounts for expenditures incurred in the operation
of such programs with the approval of the director of the budget who shall file such approval with the department of audit and
control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and
means committee:
For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13, 41.18, and 41.47. Notwithstanding any other provision of law to the contrary, up to $1,500,000 of this appropriation shall be made available to the Research Foundation for Mental Hygiene, Inc. pursuant to a contract with the office of mental health for two mental health managed care demonstration programs. One program shall be located in one or more of Chautauqua, Erie, Genesee, Monroe, Onondaga and Wyoming counties, and the other program shall be located in the city of New York. An amount from this appropriation when combined with the appropriation for the miscellaneous special revenue fund - 339 medication reimbursement account shall provide up to $15,000,000 for grants to the counties and city of New York to provide medication, and other services necessary to prescribe and administer medication pursuant to a plan approved by the commissioner of mental health, as authorized under chapter 408 of the laws of 1999 as amended .......................... 184,200,000

For services and expenses of various community mental health residential programs, including but not limited to community residences pursuant to sections 41.44 and 41.38 of the mental hygiene law. Notwithstanding the provisions of section 31.03 of the mental hygiene law and any other inconsistent provision of law, moneys appropriated for family care shall be available for, but not limited to, the purchase of substitute caretakers up to a maximum of 14 days and payments limited to $680 per year based upon financial need for the personal needs of each client residing in the family care home ........... 312,277,000

Program account subtotal .................. 496,477,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Medication Reimbursement Account

For services and expenses related to adult mental health services, including assisted outpatient treatment pursuant to article 9 and other provisions of the mental hygiene law. Notwithstanding any other provision of law, this appropriation may be made
DEPARTMENT OF MENTAL HYGIENE
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STATE OPERATIONS AND AID TO LOCALITIES  2009-10

1 available upon the approval of the direct-
2 tor of the budget  ......................  7,580,000

3 Program account subtotal  ..............  7,580,000

4 CHILDRREN AND YOUTH SERVICES PROGRAM  .....................  455,506,000

5

6 General Fund / Aid to Localities
7 Local Assistance Account - 001

8 For services and expenses of various chil-
9 dren and families community mental health
10 services, including transfer to the
11 department of health to reimburse the
12 department for the state share of medical
13 assistance for various community mental
14 health services.
15 This appropriation anticipates the transfer
16 of funds from the state education
17 department to the office of mental health
18 of tuition funds advanced in previous
19 years and reimbursed by the child's school
20 district of origin to the state of New
21 York pursuant to chapter 810 of the laws
22 of 1986 and applicable provisions of the
23 education law.
24 For payment of state financial assistance,
25 net of disallowances, for community mental
26 health programs pursuant to article 41 and
27 other provisions of the mental hygiene
28 law. The moneys hereby appropriated for
29 allocation to local governments and volun-
30 tary agencies for services are available
31 to reimburse or advance funds to local
32 governments and voluntary agencies for
33 expenditures made or to be made during
34 local program years commencing January 1,
35 2009 or July 1, 2009 and for advances for
36 the period beginning January 1, 2010 for
37 local governments and voluntary agencies
38 with program years beginning January 1.
39 Notwithstanding any other provision of law,
40 and except for transfers to the department
41 of health to reimburse the department for
42 the state share of medical assistance
43 payments and as modified below, this
44 appropriation shall be available for obli-
45 gations for the period commencing July 1,
46 2009 and ending June 30, 2010 and shall be
47 available for expenditure from July 1,
49 Notwithstanding any provision of law to the
50 contrary, an amount of this appropriation
51 shall be available for expenditure,
52 including transfer to the department of
53 health to reimburse the department for the
54 state share of medical assistance payments
55 for various community mental health
services, in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (i) of subdivision 4 of section 1 of such part. Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures. No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from the office of mental health that were returned from providers in the current fiscal year in respect of a settlement of local assistance funds from prior fiscal years, and is authorized to refund such moneys to the credit of the local assistance account of the general fund for the purpose of reimbursing the 2009-10 appropriation. Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008, for the period commencing on January 1, 2009 the commissioner shall (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010, for the purpose of establishing rates of payments, contracts, or any other form of reimbursement. Notwithstanding any inconsistent provision of law, including section 41.23 of the mental hygiene law, no unified services
plan may be approved and no funding shall be available for unified services for the period beginning January 1, 2009 and ending March 31, 2010. Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental health, and to other state agencies, authorities, or accounts for expenditures incurred in the operation of such programs with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee:

For services and expenses of various community mental health non-residential programs, pursuant to article 41 of the mental hygiene law, including but not limited to sections 41.13 and 41.18 ........... 17,217,000

For services and expenses of various community mental health emergency programs. 2,437,000

For transfer to the department of health to reimburse the department for the state share of medical assistance payments for various mental health services. Notwithstanding any inconsistent provision of law, a portion of the money herein appropriated may be made available for transfer to the department of health for the state share of disproportionate share payments to voluntary nonprofit general hospitals pursuant to chapter 119 of the laws of 1997 as amended ....................... 133,615,000

Program account subtotal ............... 153,269,000

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

For services and expenses related to children's mental health services funded by the community mental health services block grant. Notwithstanding any inconsistent provision of law, a portion of this appropriation, consistent with the terms and conditions of the block grant, may be transferred to other programs within the office of mental health for aid to localities, administrative and support services, including fringe benefits, associated with the federal block grant .................. 7,062,000

Program fund subtotal .................. 7,062,000
Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental health, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental health make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009. Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>121,328,000</td>
</tr>
<tr>
<td>Temporary service</td>
<td>2,367,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>9,200,000</td>
</tr>
<tr>
<td><strong>Amount available for personal service</strong></td>
<td><strong>132,895,000</strong></td>
</tr>
</tbody>
</table>

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>11,426,000</td>
</tr>
<tr>
<td>Travel</td>
<td>673,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>11,029,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>854,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>59,136,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>4,198,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>94,192,000</strong></td>
</tr>
</tbody>
</table>
The state comptroller is hereby authorized
and directed to loan money in accordance
with the provisions set forth in subdivi-
sion 5 of section 4 of the state finance
law to the mental hygiene program fund
account.
For services and expenses of various chil-
dren and families community mental health
services, including transfer to the
department of health to reimburse the
department for the state share of medical
assistance for various community mental
health services. This appropriation
anticipates the transfer of funds from the
state education department to the office
of mental health of tuition funds advanced
in previous years and reimbursed by the
child's school district of origin to the
state of New York pursuant to chapter 810
of the laws of 1986 and applicable
provisions of the education law.
For payment of state financial assistance,
net of disallowances, for community mental
health programs pursuant to article 41 and
other provisions of the mental hygiene
law. The moneys hereby appropriated for
allocation to local governments and 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,
2009 or July 1, 2009 and for advances for
the period beginning January 1, 2010 for
local governments and voluntary agencies
with program years beginning January 1.
Notwithstanding any other provision of law,
and except for transfers to the department
of health to reimburse the department for
the state share of medical assistance
payments and as modified below, this
appropriation shall be available for obli-
gations for the period commencing July 1,
2009 and ending June 30, 2010 and shall be
available for expenditure from July 1,
2009 through September 15,2010.
Notwithstanding any provision of law to the
contrary, an amount of this appropriation
shall be available for expenditure,
including transfer to the department of
health to reimburse the department for the
state share of medical assistance payments
for various community mental health
services, in accordance with the
provisions of part C of chapter 57 of the
laws of 2006, for those programs eligible
under paragraph (i) of subdivision 4 of
section 1 of such part.
Notwithstanding any provision of law to the
contrary, the commissioner of the office
of mental health shall be authorized to
continue contracts which were executed on
or before March 31, 2009 with entities
providing services to persons with mental
illness, without any additional require-
ments that such contracts be subject to
competitive bidding, a request for
proposals process or other administrative
procedures.
No expenditures shall be made for such
program prior to the approval of a 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 that were
returned from providers in the current
fiscal year in respect of a settlement of
local assistance funds from prior fiscal
years, and is authorized to refund such
moneys to the credit of the mental hygiene
program fund account for the purpose of
reimbursing the 2009-10 appropriation.
Notwithstanding any inconsistent provision
of law, including section 1 of part C of
chapter 57 of the laws of 2006, as amended
by section 2 of part I of chapter 58 of
the laws of 2008, for the period
commencing on January 1, 2009 the
commissioner shall (i) apply a one percent
reduction to the amount in effect on
December 31, 2008 for the purpose of
establishing rates of payments, contracts
or any other form of reimbursement and
(ii) not apply any cost of living
adjustment for the period beginning April
1, 2009 and ending March 31, 2010, for the
purpose of establishing rates of payments,
contracts, or any other form of
reimbursement. Notwithstanding any other
provision of law, the money hereby
appropriated may be transferred to state
operations and/or any appropriation of the
goal of mental health, and to other
state agencies, authorities, or accounts
for expenditures incurred in the operation
of such programs with the approval of the
director of the budget who shall file such
approval with the department of audit and
control and copies thereof with the
chairman of the senate finance committee
and the chairman of the assembly ways and
means committee:

For services and expenses of various commu-
nity mental health non-residential
programs, pursuant to article 41 of the
mental hygiene law, including but not
limited to sections 41.13 and 41.18 .. 59,251,000
For services and expenses of various commu-
nity mental health emergency programs .... 13,826,000
For services and expenses of various commu-
nity mental health residential programs,
including but not limited to community
residences pursuant to sections 41.44 and
41.38 of the mental hygiene law ........ 1,887,000

Program account subtotal ............ 74,964,000

COMMUNITY MENTAL HEALTH SUPPORT AND WORKFORCE REINVESTMENT
PROGRAM ........................................ 7,717,000

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

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

For services and expenses of community
mental health support and workforce 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 chapter 62 of the laws of
2003 or any provision of law to the
contrary, this special revenue appropri-
ation shall represent the full and
complete obligation of the state and the
office of mental health community mental
health support workforce reinvestment
program in fiscal year 2009-10.

For payment of state financial assistance,
net of disallowances, for community mental
health programs pursuant to article 41 and
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other provisions of the mental hygiene law. The moneys hereby appropriated for allocation to local governments and voluntary agencies for services are available to reimburse or advance funds to local governments and voluntary agencies for expenditures made or to be made during local program years commencing January 1, 2009 or July 1, 2009 and for advances for the period beginning January 1, 2010 for local governments and voluntary agencies with program years beginning January 1.

Notwithstanding any other provision of law, and except for transfers to the department of health to reimburse the department for the state share of medical assistance payments and as modified below, this appropriation shall be available for obligations for the period commencing July 1, 2009 and ending June 30, 2010 and shall be available for expenditure from July 1, 2009 through September 15, 2010.

Notwithstanding any provision of law to the contrary, an amount of this appropriation shall be available for expenditure, including transfer to the department of health to reimburse the department for the state share of medical assistance payments for various community mental health services, in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (i) of subdivision 4 of section 1 of such part.

Notwithstanding any provision of law to the contrary, the commissioner of the office of mental health shall be authorized to continue contracts which were executed on or before March 31, 2009 with entities providing services to persons with mental illness, without any additional requirements that such contracts be subject to competitive bidding, a request for proposals process or other administrative procedures.

No expenditures shall be made for such program prior to the approval of a methodology for allocation in accordance with a plan approved by the commissioner and the director of the budget with copies to be filed with the chairpersons of the senate finance committee and assembly ways and means committee. Furthermore, no expenditure shall be made until a certificate of allocation has been approved by the director of the budget with copies to be filed with the chairpersons of the senate finance committee and the assembly ways and means committee. The state comptroller is hereby authorized to receive funds from
DEPARTMENT OF MENTAL HYGIENE
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STATE OPERATIONS AND AID TO LOCALITIES  2009-10

the office of mental health that were
returned from providers in the current
fiscal year in respect of a settlement of
local assistance funds from prior fiscal
years, and is authorized to refund such
moneys to the credit of the mental hygiene
program fund account for the purpose of
reimbursing the 2009-10 appropriation.
Notwithstanding any inconsistent provision
of law, including section 1 of part C of
chapter 57 of the laws of 2006, as amended
by section 2 of part I of chapter 58 of
the laws of 2008, for the period
commencing on January 1, 2009 the
commissioner shall (i) apply a one percent
reduction to the amount in effect on
December 31, 2008 for the purpose of
establishing rates of payments, contracts
or any other form of reimbursement and
(ii) not apply any cost of living
adjustment for the period beginning April
1, 2009 and ending March 31, 2010, for the
purpose of establishing rates of payments,
contracts, or any other form of
reimbursement. Notwithstanding any other
provision of law, the money hereby
appropriated may be transferred to state
operations and/or any appropriation of the
office of mental health, and to other
state agencies, authorities, or accounts
for expenditures incurred in the operation
of such programs with the approval of the
director of the budget who shall file such
approval with the department of audit and
control and copies thereof with the
chairman of the senate finance committee
and the chairman of the assembly ways and
means committee:

For services and expenses of various adult
community mental health residential
programs ........................................ 7,717,000
Program account subtotal ................... 7,717,000

--

ENHANCED COMMUNITY SERVICES PROGRAM ..................... 500,000

--

Special Revenue Funds - Other / Aid to Localities
HCRA Resources Fund - 061
Enhanced Community Services Account

For transfer to the department of health
comprehensive care center for eating
disorders development fund .................. 500,000
Program account subtotal ................... 500,000

--
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Forensic Services Program</td>
<td>243,575,000</td>
</tr>
<tr>
<td>2</td>
<td>Special Revenue Funds - Other / State Operations</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Miscellaneous Special Revenue Fund - 339</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Mental Hygiene Program Fund Account</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental health, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental health make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009. Notwithstanding any other provision of law to the contrary, funds appropriated under this program shall not be used for the payment of tolls at the Robert F. Kennedy bridge, for vehicles driven by persons commuting to and from work who are employed at facilities located on Ward's island operated by the department of mental hygiene. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene program fund account.</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Personal Service</td>
<td>129,560,000</td>
</tr>
<tr>
<td>7</td>
<td>Temporary Service</td>
<td>2,384,000</td>
</tr>
<tr>
<td>8</td>
<td>Holiday/overtime compensation</td>
<td>15,400,000</td>
</tr>
<tr>
<td></td>
<td>Amount available for personal service</td>
<td>147,344,000</td>
</tr>
<tr>
<td>9</td>
<td>Nonpersonal Service</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Supplies and materials</td>
<td>12,259,000</td>
</tr>
<tr>
<td>11</td>
<td>Travel</td>
<td>925,000</td>
</tr>
<tr>
<td>12</td>
<td>Contractual services</td>
<td>6,193,000</td>
</tr>
<tr>
<td>13</td>
<td>Equipment</td>
<td>458,000</td>
</tr>
<tr>
<td>14</td>
<td>Fringe benefits</td>
<td>65,504,000</td>
</tr>
</tbody>
</table>
Indirect costs .................................. 10,892,000

Amount available for nonpersonal service.. 96,231,000

Program account subtotal ................. 243,575,000

RESEARCH IN MENTAL ILLNESS PROGRAM .................................. 85,876,000

For services and expenses to support central
administration, research associates,
equipment provided through external
grants, travel, conference expenses,
including the annual research conference,
contractual services, grant writers to
increase income from non-state sources,
and other research initiatives. Funding
will be provided through research
foundation for mental hygiene, inc.
resources, including, but not limited to,
indirect costs recoveries, direct grant
reimbursement, interest earnings and
operating balances.

PERSONAL SERVICE

Personal service--regular .................. 1,915,000

NONPERSONAL SERVICE

Contractual services ........................ 4,665,000
Fringe benefits .............................. 650,000

Amount available for nonpersonal service.. 5,315,000
Program account subtotal ................. 7,230,000

Notwithstanding any other provision of law,
the money hereby appropriated may be
transferred to local assistance and/or any
appropriation of the office of mental
health, with the approval of the director
of the budget who shall file such approval
with the department of audit and control
and copies thereof with the chairman of
the senate finance committee and the
chairman of the assembly ways and means
committee. Notwithstanding section 11 of
title A of article 2 of the civil service
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law, this appropriation and all positions
funded by it shall be exempt from the
provisions of said section pertaining to
the assessment, computation and payment of
the fractional share of administration
expenses charged by the state department
of civil service, nor shall the office of
mental health make payments for any such
assessment of expenses of administration
from funds available on or after April 1,
2009. Notwithstanding any other provision
of law to the contrary, funds appropriated
under this program shall not be used for
the payment of tolls at the Robert F.
Kennedy bridge, for vehicles driven by
persons commuting to and from work who are
employed at facilities located on Ward's
island operated by the department of
mental hygiene. The state comptroller is
hereby authorized and directed to loan
money in accordance with the provisions
set forth in subdivision 5 of section 4 of
the state finance law to the mental
hygiene program fund account.

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>45,430,000</td>
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<tr>
<td>Temporary service</td>
<td>65,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>884,000</td>
</tr>
<tr>
<td><strong>Amount available for personal service</strong></td>
<td><strong>46,379,000</strong></td>
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</tbody>
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NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>3,676,000</td>
</tr>
<tr>
<td>Travel</td>
<td>113,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>4,669,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>102,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>20,185,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>3,522,000</td>
</tr>
<tr>
<td><strong>Amount available for nonpersonal service</strong></td>
<td><strong>32,267,000</strong></td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>78,646,000</td>
</tr>
</tbody>
</table>

Total new appropriations for state operations and aid to localities ........................................... 3,234,227,000

============
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

ADMINISTRATION AND FINANCE PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
Personal service ... 814,000 .............................. (re. $814,000)
Nonpersonal service ... 178,000 .............................. (re. $178,000)
Fringe benefits ... 366,000 .............................. (re. $366,000)

ADULT SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

The appropriation made by chapter 54, section 1, of the laws of 2008, as amended by chapter 496, section 5, of the laws of 2008, is hereby amended and reappropriated to read:
For services and expenses of the Mental Health Association in Rockland County ... [94,000] 50,000 .............................. (re. $50,000)
For services and expenses of the Mental Health Association in Orange County ... [65,800] 35,000 .............................. (re. $35,000)
For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:
Relief Resources .... [282,000] 150,000 .............................. (re. $150,000)
NASW-NYS Training Initiative on Veteran’s Mental Health ..............................
[235,000] 125,000 .............................. (re. $125,000)
Health Care Enhancements for direct care workers ..............................
[282,000] 150,000 .............................. (re. $150,000)
Hospital Audiences ... [141,000] 75,000 .............................. (re. $75,000)
Farm Net ... [141,000] 75,000 .............................. (re. $75,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses to support a public awareness and education campaign specifically focused on suicide prevention among young Latina and elderly Asian women. The office of mental health shall contract through a request for proposal process with organizations with demonstrated experience in outreach to non-English speaking communities. The selected organizations shall partner with community-based organizations with experience providing mental health services to Latina, East Asian, South Asian, Southeast Asian, and Pacific Islander communities ... 1,000,000 .............................. (re. $750,000)
For grants to community-based organizations providing support to parents with psychiatric disabilities. The office of mental health shall contract through a request for proposal process with community-based organizations for services and expenses of the following programs: (a) programs offering counseling services and parenting skills that enable individuals to be more effective parents and (b) programs providing training for legal professionals to recognize psychiatric disabilities in parents and connect such parents to services that enhance their parenting skills in an effort to prevent their children from entering the child welfare system. Of the amount appropriated herein no less than $200,000 and up to $350,000 shall be made available for transfer to the Commission on Quality of Care and Advocacy for Persons with Disabilities to increase legal services for parents with psychiatric disabilities through a request for proposal process ... 850,000 .............................. (re. $850,000)
For services and expenses associated with a needs-based request for proposals initiative assist community recovery providers efforts in
critical physical plant improvements, transportation amelioration
and/or renovation and rehabilitation enhancements ..............
500,000 ......................................................... (re. $500,000)

By chapter 54, section 1, of the laws of 2006:
For services and expenses related to the addition of a minimum of 55
scattered site supported apartments and attendant services to
provide independent housing for persons with serious mental illness
currently residing in impacted adult homes ......................
810,000 ............................................................... (re. $810,000)
For services and expenses of contracts with municipalities, educa-
tional institutions and/or not-for-profit agencies:
Eating Disorders program initiatives ... 300,000 ........ (re. $85,000)

By chapter 54, section 1, of the laws of 2005:
For services and expenses of contracts with municipalities and/or
not-for-profit agencies:
Hospital audiences ... 175,000 ................................. (re. $10,000)
Mental Health Projects ... 350,000 ............................ (re. $5,000)

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

By chapter 54, section 1, of the laws of 2008:
For programs to assist and transition from homelessness (PATH) grants.
Notwithstanding any inconsistent provision of law, a portion of this
appropriation, consistent with the terms and conditions of the PATH
grant, may be transferred to other programs within the office of
mental health for aid to localities, administrative and support
services, including fringe benefits, associated with the grant ....
4,287,000 .......................................................... (re. $3,767,000)
For services and expenses related to adult mental health services
funded by the community mental health services block grant.
Notwithstanding any inconsistent provision of law, a portion of this
appropriation, consistent with the terms and conditions of the block
grant, may be transferred to other programs within the office of
mental health for aid to localities, administrative and support
services, including fringe benefits, associated with the federal
block grant ... 24,077,000 ................................. (re. $5,563,000)
For services and expenses associated with federal grant awards yet to
be allocated by the federal department of health and human services.
Notwithstanding any inconsistent provision of law, the director of
the budget is hereby authorized to transfer appropriation authority
contained herein to any other federal fund or program within the
office of mental health services for aid to localities,
administrative and support services, including fringe benefits,
associated with the awarded grant ... 1,200,000 .... (re. $1,200,000)
For services and expenses related to homeless and shelter plus care
grants. Subject to a plan approved by the director of the budget,
the amount appropriated herein may be made available to other state
agencies for services and expenses related to federal homeless and
shelter plus care grants ... 8,000,000 ..................... (re. $8,000,000)

By chapter 54, section 1, of the laws of 2007:
For programs to assist and transition from homelessness (PATH) grants.
Notwithstanding any inconsistent provision of law, a portion of this
appropriation, consistent with the terms and conditions of the PATH
grant, may be transferred to other programs within the office of
mental health for aid to localities, administrative and support
services, including fringe benefits, associated with the grant:
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL HEALTH

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

For the grant period September 1, 2007 to August 31, 2008 ............
4,287,000 ........................................... (re. $3,798,000)

By chapter 54, section 1, of the laws of 2006:
For programs to assist and transition from homelessness (PATH) grants.
Notwithstanding any inconsistent provision of law, a portion of this
appropriation, consistent with the terms and conditions of the PATH
grant, may be transferred to other programs within the office of
mental health for aid to localities, administrative and support
services, including fringe benefits, associated with the grant:
For the grant period September 1, 2006 to August 31, 2007 ............
3,887,000 ........................................... (re. $1,692,000)

CHILDREN AND YOUTH SERVICES PROGRAM

General Fund / Aid to Localities
Local Assistance Account - 001

The appropriation made by chapter 54, section 1, of the laws of 2008, as
amended by chapter 496, section 1, of the laws of 2008, is hereby
amended and reappropriated to read:
North Country Children's Mental Health Programs .....................
[94,000] 50,000 ........................................ (re. $50,000)

By chapter 54, section 1, of the laws of 2006:
For new and existing family support providers to work with and
strengthen families of children being admitted to and/or currently
receiving treatment from or soon to be discharged from mental health
services, including but not limited to residential treatment facili-
ties, community residences, hospitals, day treatment programs and
home and community-based waiver programs .........................
1,000,000 ............................................ (re. $1,000,000)

For services and expenses related to two pilot projects and joint
pilot project known as the New York state/New York local transi-
tional housing task force for children. An amount up to $350,000 of
this appropriation will be used to establish two transitional living
housing pilot projects. An amount up to $75,000 of this appropri-
ation will be used to establish and fund the taskforce and a report.
An amount up to $75,000 of this appropriation will be used to fund
outreach and education presentations to municipal and county offi-
cials about the feasibility of joint cooperative agreements on tran-
sitional living housing projects ..................................
500,000 ............................................ (re. $500,000)

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to children's mental health services
funded by the community mental health services block grant.
Notwithstanding any inconsistent provision of law, a portion of this
appropriation, consistent with the terms and conditions of the block
grant, may be transferred to other programs within the office of
mental health for aid to localities, administrative and support
services, including fringe benefits, associated with the federal
block grant ... 7,062,000 ................................... (re. $5,427,000)

Total reappropriations for state operations and aid to
localities .......................... 36,025,000

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DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2009-10

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

Capital Projects Fund ........................................... 38,010,000
Mental Hygiene Capital Improvement Fund ................... 538,533,000

All Funds .................................................................... 576,543,000

COMMUNITY MENTAL HEALTH FACILITIES (CCP) .......... 11,630,000

Capital Projects Fund

Minor Rehabilitation Purpose

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100989) ......................... 6,000,000

Mental Hygiene Capital Improvement Fund - 389

Administration Purpose

For payment of personal service and nonpersonal service, including fringe benefits related to the administration of the community capital program provided by the office of mental health for new and reappropriated community capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50120950) ......................... 630,000

Preservation of Facilities Purpose

For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL HEALTH

CAPITAL PROJECTS 2009-10

of mental health, pursuant to article 41 5,000,000
of the mental hygiene law (50230903) ...

DESIGN AND CONSTRUCTION SUPERVISION (CCP) .............. 14,000,000

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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, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50DC0930) ............. 2,000,000

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310930) .............. 12,000,000
EXECUTIVE DIRECTION (CCP) ........................................ 3,717,000

Mental Hygiene Capital Improvement Fund - 389

Administration Purpose

For payment of personal service and nonpersonal service, including fringe benefits, related to the administration of the capital programs provided by the office of mental health for new and reappropriated state operated institutional capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50990950) .................. 3,717,000

MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES (CCP).. 546,196,000

Capital Projects Fund

Energy Conservation Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for energy conservation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50050905) .................. 4,500,000

Environmental Protection or Improvements Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates for environmental protection (50EP0906) ........ 4,100,000

Health and Safety Purpose

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget.
<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50HS0901)</td>
<td>8,410,000</td>
</tr>
<tr>
<td>Preservation of Facilities Purpose</td>
<td></td>
</tr>
<tr>
<td>For payment of the cost of construction, including the preparation of designs, plans, specifications and estimates to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget (50PF0903)</td>
<td>12,000,000</td>
</tr>
<tr>
<td>Mental Hygiene Capital Improvement Fund - 389</td>
<td></td>
</tr>
<tr>
<td>Accreditation Purpose</td>
<td></td>
</tr>
<tr>
<td>For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060902)</td>
<td>347,480,000</td>
</tr>
<tr>
<td>Environmental Protection or Improvements Purpose</td>
<td></td>
</tr>
<tr>
<td>For payment of the cost of construction, including the preparations of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060906)</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Health and Safety Purpose</td>
<td></td>
</tr>
<tr>
<td>For payment of the cost of construction, including the preparation of designs, plans,</td>
<td></td>
</tr>
</tbody>
</table>
DEPARTMENT OF MENTAL HYGIENE
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CAPITAL PROJECTS 2009-10

specifications and estimates, for health
and safety improvements to existing
facilities and programs, provided,
however, that no expenditures may be
made from this appropriation until a
comprehensive plan of projects has been
approved by the director of the budget.
This appropriation may be used for
payment of personal service, indirect
cost recovery, and fringe benefit costs
associated with New York State employees
assigned to such capital projects. Upon
request of the commissioner of mental
health and approval by the director of
the budget, this appropriation may be
transferred to the dormitory authority
of the state of New York (50010901) .... 38,125,000

Preservation of Facilities Purpose

For payment of the cost of construction,
reconstruction and improvements, includ-
ing the preparation of designs, plans,
specifications and estimates, and minor
rehabilitation and improvements for the
preservation of existing facilities and
programs, provided, however, that no
expenditures may be made from this
appropriation until a comprehensive plan
of projects has been approved by the
director of the budget. This appropri-
ation may be used for payment of
personal service, indirect cost recov-
ery, and fringe benefit costs associated
with New York State employees assigned
to such capital projects. Upon request
of the commissioner of mental health and
approval by the director of the budget,
this appropriation may be transferred to
the dormitory authority of the state of
New York (50030903) .................
45,396,000

Program Improvement or Program Change Purpose

For payment of the cost of construction,
reconstruction and improvements, includ-
ing the preparation of designs, plans,
specifications and estimates related to
improvements or changes to existing
facilities and programs. Upon request of
the commissioner of mental health and
approval by the director of the budget,
this appropriation may be transferred to
the dormitory authority of the state of
New York (50080908) ................. 85,185,000
DEPARTMENT OF MENTAL HYGIENE
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1. 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 forcommunity facilities authorized by
   appropriations or reappropriations fund-
   ed from the Mental Hygiene Capital
   Improvement Fund including liabilities
   incurred prior to April 1, 2008 or for
   payment to the dormitory authority of
   the state of New York for defeasance of
   bonds. Upon request of the commissioner
   of mental health and approval by the
   director of the budget, this appropri-
   nation may be transferred to the dormito-
   ry authority of the state of New York
   (502909NB) ........................................... 1,000,000
COMMUNITY MENTAL HEALTH FACILITIES (CCP)

Capital Projects Fund

Minor Rehabilitation Purpose

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

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100889) .......

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

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

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100789) ............

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

By chapter 54, section 1, of the laws of 2006:

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100689) ............

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

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

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law, within the amounts hereby appropriated, the commissioner of the office of mental health may provide state aid grants of up to 100 per centum of reasonable capital costs associated with the acquisition, rehabilitation, and/or improvements (50100589) ............

6,000,000 ........................................ (re. $4,308,000)

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

State aid to municipalities and other public and not-for-profit agencies for acquisition, rehabilitation, and/or improvements to existing community mental health facilities as required to address code violations, health and safety issues, and/or structural/mechanical deficiencies. Notwithstanding any inconsistent provision of law,
within the amounts hereby appropriated, the commissioner of the
office of mental health may provide state aid grants of up to 100
per centum of reasonable capital costs associated with the acquisi-
tion, rehabilitation, and/or improvements (50100489) ..............
6,000,000 .................................................. (re. $3,083,000)

By chapter 54, section 1, of the laws of 2003:
State aid to municipalities and other public and not-for-profit 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 (50100389) ..............
7,000,000 .................................................. (re. $3,537,000)

By chapter 54, section 1, of the laws of 2002:
State aid to municipalities and other public and not-for-profit 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. $1,199,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 1998:
State aid to not-for-profit agencies for acquisition of property,
construction and rehabilitation of 200 supported/SRO beds, approved
by the commissioner of the office of mental health, pursuant to
Article 41 of the mental hygiene law. The moneys hereby appropriated
shall be available for payment of state aid grants for up to 50 per
centum of the reasonable capital costs of those premises acquired,
constructed or rehabilitated for the purpose of housing mentally ill
persons (3/99) (50139807) ... 8,000,000 ............ (re. $3,062,000)

By chapter 54, section 1, of the laws of 1994, for:
State aid to municipalities and other public and not-for-profit
private agencies for acquisition of property, design, construction
and rehabilitation of community mental health facilities and associ-
ated programs including, but not limited to, article 28 or article
31 community mental health facilities or supported housing beds, and
for state aid grants for facilities intended to serve mentally ill
persons (50239407) ... 16,070,000 ...................... (re. $588,000)

Mental Hygiene Capital Improvement Fund - 389

New Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For payment to municipalities and not-for-profit community providers
for the acquisition of property, design, construction and rehabi-
litation of housing for mentally ill persons. To the extent that any
portion of such appropriation is utilized to develop housing in any
DEPARTMENT OF MENTAL HYGIENE
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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

1. city having a population of one million or more, that portion of the
2. appropriation shall be matched on a 50/50 basis (50VY0807) ...
3. 145,000,000 ........................................... (re. $145,000,000)
4.
5. By chapter 54, section 1, of the laws of 2007:
6. For payment to municipalities and not-for-profit community providers
7. for the acquisition of property, design, construction and rehabilita-
8. tion of housing for mentally ill persons. To the extent that any
9. portion of such appropriation is utilized to develop housing in any
10. city having a population of one million or more, that portion of the
11. appropriation shall be matched on a 50/50 basis (50VY0707) ........
12. 200,000,000 ........................................... (re. $200,000,000)
13.
14. By chapter 54, section 1, of the laws of 2006:
15. For payment to municipalities and other public and not-for-profit
16. community providers approved by the commissioner of the office of
17. mental health, pursuant to mental hygiene law, for the acquisition
18. of property, construction and rehabilitation of supportive housing
19. for mentally ill homeless persons (50VY0607) .........................
20. 211,000,000 ........................................... (re. $193,938,000)
21.
22. By chapter 54, section 1, of the laws of 2005:
23. For payment to municipalities and not-for-profit community providers
24. for the acquisition of property, design, construction and rehabilita-
25. tion of housing for mentally ill persons. Of such appropriation up
26. to eighty percent shall be matched on a 50/50 basis (50VY0507) ....
27. 75,000,000 ........................................... (re. $59,047,000)
28.
29. By chapter 54, section 1, of the laws of 2003:
30. For payment to municipalities and not-for-profit community providers
31. for the acquisition of property, design, construction and rehabilita-
32. tion of housing for mentally ill persons. Of such appropriation up
33. to eighty percent shall be matched on a 50/50 basis (50VY0307) ....
34. 65,000,000 ........................................... (re. $33,930,000)
35.
36. By chapter 54, section 1, of the laws of 1999:
37. For payment to municipalities and not-for-profit community providers
38. for the acquisition of property, design, construction and rehabilita-
39. tion of housing for mentally ill persons. Of such appropriation
40. eighty percent shall be matched on a 50/50 basis and twenty percent
41. shall not require a match (50VY9907) ..............................
42. 50,000,000 ........................................... (re. $21,998,000)
43.
44. By chapter 54, section 1, of the laws of 1998:
45. For payment to municipalities and not-for-profit community providers
46. for the acquisition of property, design, construction and rehabilita-
47. tion of SRO/supportive housing for mentally ill homeless persons,
48. to be matched on a 50/50 basis (50279807) ..........................
49. 40,000,000 ........................................... (re. $1,112,000)
50.
51. By chapter 54, section 1, of the laws of 1993, as amended by chapter 54,
52. section 1, of the laws of 1996:
53. For the acquisition of property, construction and rehabilitation of
54. article 31 community mental health facilities and associated
55. programs and facilities under the auspice of municipalities and
56. other public and not-for-profit private agencies, approved by the
57. commissioner of the office of mental health, pursuant to article 41
58. of the mental hygiene law. The funds hereby appropriated shall be
59. used for the acquisition of property, construction and rehabili-
DEPARTMENT OF MENTAL HYGIENE
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CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

ation of community facilities (50149307) ......................
42,000,000 ........................................... (re. $1,211,000)
For acquisition of property, design, construction and rehabilitation
of community facilities under the auspice of municipalities and
other public and not-for-profit private agencies approved by the
commissioner of the office of mental health, pursuant to article 41
of the mental hygiene law. The funds hereby appropriated shall be
available for the costs of those portions of acquired, constructed
or rehabilitated facilities intended to house mentally ill persons.
All disbursements from funds apportioned from this appropriation
shall, for bonding purposes, be considered disbursements of the
Mental Hygiene Capital Improvement Fund (50139307) ............... 
13,000,000 ........................................... (re. $594,000)

By chapter 54, section 1, of the laws of 1990:
For the acquisition of property, construction and rehabilitation of
article 31 community mental health facilities under the auspice of
municipalities and other public and not-for-profit private agencies
approved by the commissioner of the office of mental health, 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 availabil-
ity 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. $2,338,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For the acquisition of property, construction and rehabilitation of
new facilities and/or relocation of existing community mental health
facilities under the auspice of municipalities and other public and
not-for-profit agencies, approved by the commissioner of the office
of mental health, pursuant to article 41 of the mental hygiene law
(50230803) ... 29,000,000 ............................ (re. $28,000,000)

By chapter 54, section 1, of the laws of 2007:
For the acquisition of property, construction and rehabilitation of
new facilities and/or relocation of existing community mental health
facilities under the auspice of municipalities and other public and
not-for-profit agencies, approved by the commissioner of the office
of mental health, pursuant to article 41 of the mental hygiene law
(50230703) ... 112,000,000 .......................... (re. $103,139,000)

By chapter 54, section 1, of the laws of 2006:
For the acquisition of property, construction and rehabilitation of
new facilities and/or relocation of existing community mental health
facilities under the auspice of municipalities and other public and
not-for-profit agencies, approved by the commissioner of the office
of mental health, pursuant to article 41 of the mental hygiene law
(50230603) ... 15,000,000 ........................... (re. $11,814,000)
By chapter 54, section 1, of the laws of 2003:
For the acquisition of property, construction and rehabilitation of new facilities and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230303) ... 5,000,000 ......................... (re. $409,000)

By chapter 54, section 1, of the laws of 2001:
For the acquisition of property, construction, rehabilitation and/or relocation of existing community mental health facilities under the auspice of municipalities and other public and not-for-profit agencies, approved by the commissioner of the office of mental health, pursuant to article 41 of the mental hygiene law (50230103) ...........
5,000,000 ................................. (re. $595,000)

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Capital Projects Fund

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2008:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50DC0830) ............
2,000,000 ................................. (re. $2,000,000)

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2008:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority of the state of New York for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval of the director of the budget, funds from this appropriation may be transferred to the office of mental retardation and developmental disabilities and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for preparation of plans purpose (50310830) ... 12,000,000 ............ (re. $12,000,000)

By chapter 54, section 1, of the laws of 2007:
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 development disabilities and the
office of alcoholism and substance abuse services for payment to the
dormitory authority of the state of New York for preparation of
plans purpose (50310730) ... 12,000,000 ............ (re. $5,457,000)

By chapter 54, section 1, of the laws of 2006:
For payment to the design and construction management account of the
centralized services fund of the New York state office of general
services or to the dormitory authority of the state of New York for
the purpose of preparation and review of plans, specifications,
estimates, services, construction management and supervision,
inspection, studies, appraisals, surveys, testing and environmental
impact statements for new and existing projects. Upon request of the
commissioner of mental health and approval by the director of the
budget, this appropriation may be transferred to the dormitory
authority of the state of New York. Upon approval of the director of
the budget, funds from this appropriation may be transferred to the
office of mental retardation and development disabilities and the
office of alcoholism and substance abuse services for payment to the
dormitory authority of the state of New York for preparation of
plans purpose (50310630) ... 8,000,000 ............ (re. $2,000,000)

By chapter 54, section 1, of the laws of 2005:
For payment to the design and construction management account of the
centralized services fund of the New York state office of general
services or to the dormitory authority of the state of New York for
the purpose of preparation and review of plans, specifications,
estimates, services, construction management and supervision,
inspection, studies, appraisals, surveys, testing and environmental
impact statements for new and existing projects. Upon request of the
commissioner of mental health and approval by the director of the
budget, this appropriation may be transferred to the dormitory
authority of the state of New York. Upon approval of the director of
the budget, funds from this appropriation may be transferred to the
dormitory authority of the state of New York for preparation of
plans purpose (50310530) ... 8,000,000 ............ (re. $2,000,000)

By chapter 54, section 1, of the laws of 2004:
For payment to the design and construction management account of the
centralized services fund of the New York state office of general
services or to the dormitory authority of the state of New York for
the purpose of preparation and review of plans, specifications,
estimates, services, construction management and supervision,
inspection, studies, appraisals, surveys, testing and environmental
impact statements for new and existing projects. Upon request of the
commissioner of mental health and approval by the director of the
budget, this appropriation may be transferred to the dormitory
authority of the state of New York. Upon approval of the director of
the budget, funds from this appropriation may be transferred to the
office of mental retardation and developmental disabilities and the
office of alcoholism and substance abuse services for payment to the
dormitory authority of the state of New York for preparation of
plans purpose (50310430) ... 8,000,000 ............ (re. $2,635,000)

By chapter 54, section 1, of the laws of 2003:
For payment to the design and construction management account of the
centralized services fund of the New York state office of general
services or to the dormitory authority of the state of New York for
the purpose of preparation and review of plans, specifications,
estimates, services, construction management and supervision,
inspection, studies, appraisals, surveys, testing and environmental
impact statements for new and existing projects. Upon request of the
commissioner of mental health and approval by the director of the
budget, this appropriation may be transferred to the dormitory
authority of the state of New York. Upon approval of the director of
the budget, funds from this appropriation may be transferred to the
office of mental retardation and developmental disabilities and the
office of alcoholism and substance abuse services for payment to the
dormitory authority of the state of New York for preparation of
plans purpose (50310330) ... 8,000,000 ............ (re. $300,000)

EXECUTIVE DIRECTION (CCP)

Mental Hygiene Capital Improvement Fund - 389

Administration Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of personal service and nonpersonal service, including
fringe benefits, related to the administration of the capital
programs provided by the office of mental health for new and reap-
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 (50990850) ............
3,717,000 ........................................... (re. $3,717,000)

By chapter 54, section 1, of the laws of 2007:
For payment of personal service and nonpersonal service, including
fringe benefits, related to the administration of the capital
programs provided by the office of mental health for new and reap-
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 (50990750) ............
3,717,000 ........................................... (re. $2,396,000)

By chapter 54, section 1, of the laws of 2004, as amended by chapter 54,
section 1, of the laws of 2005, as supplemented by a certificate of
transfer:
For payment of personal service and nonpersonal service, including
fringe benefits, related to the administration of the capital
programs provided by the office of mental health for new and reap-
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) ............
3,591,000 ........................................... (re. $428,000)
By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improve-
ments, 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 appro-
priation may be transferred to the dormitory authority of the state
of New York (50050805) ... 4,500,000 ............... (re. $4,500,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates for environmental protection (50EP0806) ..............
4,100,000 ........................................... (re. $4,100,000)

By chapter 54, section 1, of the laws of 2006:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates for environmental protection (50EP0606) ..............
6,550,000 ........................................... (re. $990,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates for environmental protection (50EP0506) ..............
7,450,000 ........................................... (re. $263,000)

By chapter 54, section 1, of the laws of 2008:
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
facilities and programs, provided, however, that no expenditures may
be made from this appropriation until a comprehensive plan of
projects has been approved by the director of the budget. Upon
request of the commissioner of mental health and approval by the
director of the budget, this appropriation may be transferred to the
dormitory authority of the state of New York (50HS0801) ...
7,010,000 .................................................. (re. $5,602,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and 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
authority of the state of New York (50HS0701) .................
4,000,000 .................................................. (re. $788,000)

Minor Rehabilitation Purpose

By chapter 54, section 1, of the laws of 2007:
For minor alterations and improvements to various facilities, includ-
ing the payment of liabilities incurred prior to April 1, 2007,
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 (50380789) .........................
4,000,000 .................................................. (re. $339,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and 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 (50PF0803) ..............................
18,400,000 .................................................. (re. $18,273,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and 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 (50PF0703) ... 13,800,000 ....................... (re. $8,209,000)

By chapter 54, section 1, of the laws of 2006:
For payment for the renovation, improvements, space management and/or
utilization activities at the St. Lawrence Psychiatric Center
(50SL0603) ... 5,000,000 ................................. (re. $5,000,000)

Mental Hygiene Capital Improvement Fund - 389

Accreditation Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of land acquisition, construction, recon-
struction and improvements, including the preparation of designs,
plans, specifications and estimates related to accreditation im-
provements to existing facilities and programs. This appropriation
may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060802) … 95,624,000 …… (re. $95,624,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060702) ………………… 164,153,000 ……………………………………… (re. $159,202,000)

By chapter 54, section 1, of the laws of 2006, as amended by chapter 54, section 1, of the laws of 2008:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060602) ………………… 70,352,000 ……………………………………… (re. $52,441,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060502) ………………… 45,212,000 ……………………………………… (re. $19,791,000)

By chapter 54, section 1, of the laws of 2004:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060402) ………………… 8,500,000 ……………………………………… (re. $1,371,000)

By chapter 54, section 1, of the laws of 2003, as amended by chapter 54, section 1, of the laws of 2008, as supplemented by a certificate of transfer:
For payment of the cost of land acquisition, construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates related to accreditation improvements to existing facilities and programs. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060302) ………………… 6,900,000 ……………………………………… (re. $979,000)
By chapter 54, section 1, of the laws of 2008:

For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060806) .

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

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

For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060706) .

500,000 ................................................. (re. $241,000)

By chapter 54, section 1, of the laws of 2006:

For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50060606) .

500,000 ................................................. (re. $104,000)

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

For payment of the cost of construction, reconstruction and improvements, including the preparations of designs, plans, specifications and estimates for environmental protection. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50160306) .

2,000,000 ................................................. (re. $610,000)

Health and Safety Purpose

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

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. This appropriation may be used for payment of personal service, indirect cost recovery, and fringe benefit costs associated with New York State employees assigned to such capital projects. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50010801) .

60,276,000 ................................................. (re. $60,276,000)

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

For payment of the cost of construction, reconstruction and improvements, including the preparation of designs, plans, specifications and estimates, for health and safety improvements to existing facilities and programs, provided, however, that no expenditures may be
made from this appropriation until a comprehensive plan of projects
has been approved by the director of the budget. Upon request of the
commissioner of mental health and approval by the director of the
budget, this appropriation may be transferred to the dormitory
authority of the state of New York (50010701) .........................
28,963,000 .................................................... (re. $20,912,000)

By chapter 54, section 1, of the laws of 2006:
For payment of the cost of construction, reconstruction and 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
authority of the state of New York (50010601) .........................
19,130,000 .................................................... (re. $2,413,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and 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
authority of the state of New York (50010501) .........................
43,797,000 .................................................... (re. $5,672,000)

By chapter 54, section 1, of the laws of 2004:
For payment of the cost of construction, reconstruction and 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
authority of the state of New York (50010401) .........................
29,350,000 .................................................... (re. $1,525,000)

By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and 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
authority of the state of New York (50010301) .........................
45,000,000 .................................................... (re. $1,374,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL HEALTH
CAPITAL PROJECTS - REAPPROPRIATIONS  2009-10

and estimates, and minor rehabilitation and improvements for the
preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a
comprehensive plan of projects has been approved by the director of
the budget. This appropriation may be used for payment of personal
service, indirect cost recovery, and fringe benefit costs associated
with New York State employees assigned to such capital projects.
Upon request of the commissioner of mental health and approval by
the director of the budget, this appropriation may be transferred to
the dormitory authority of the state of New York (50030803) .......
24,688,000 ........................................ (re. $24,688,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates, and minor rehabilitation and improvements for the
preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a
comprehensive plan of projects has been approved by the director of
the budget. Upon request of the commissioner of mental health and
approval by the director of the budget, this appropriation may be
transferred to the dormitory authority of the state of New York
(50030703) ... 34,946,000 ..................... (re. $27,675,000)

By chapter 54, section 1, of the laws of 2006:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates, and minor rehabilitation and improvements for the
preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a
comprehensive plan of projects has been approved by the director of
the budget. Upon request of the commissioner of mental health and
approval by the director of the budget, this appropriation may be
transferred to the dormitory authority of the state of New York
(50030603) ... 21,804,000 ..................... (re. $8,516,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates, and minor rehabilitation and improvements for the
preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a
comprehensive plan of projects has been approved by the director of
the budget. Upon request of the commissioner of mental health and
approval by the director of the budget, this appropriation may be
transferred to the dormitory authority of the state of New York
(50030503) ... 25,045,000 ..................... (re. $6,182,000)

By chapter 54, section 1, of the laws of 2004:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates, and minor rehabilitation and improvements for the
preservation of existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a
comprehensive plan of projects has been approved by the director of
the budget. Upon request of the commissioner of mental health and
approval by the director of the budget, this appropriation may be
transferred to the dormitory authority of the state of New York
(50030403) ... 29,350,000 ..................... (re. $6,889,000)
By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates, and minor rehabilitation and improvements for the
preservation of existing facilities and programs, provided, however,
that no expenditures may be made from this appropriation until a
comprehensive plan of projects has been approved by the director of
the budget. Upon request of the commissioner of mental health and
approval by the director of the budget, this appropriation may be
transferred to the dormitory authority of the state of New York
(50030303) ... 21,700,000 ..................... (re. $1,432,000)

Program Improvement or Program Change Purpose

By chapter 54, section 1, of the laws of 2008:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates related to improvements or changes to existing facili-
ties and programs. Upon request of the commissioner of mental
health and approval by the director of the budget, this appropriation may be
transferred to the dormitory authority of the state of New York
(50080808) ... 32,952,000 ..................... (re. $32,952,000)

By chapter 54, section 1, of the laws of 2007:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates related to improvements or changes to existing facili-
ties and programs. Upon request of the commissioner of mental health
and approval by the director of the budget, this appropriation may be
transferred to the dormitory authority of the state of New York
(50080708) ... 46,208,000 ..................... (re. $41,675,000)

By chapter 54, section 1, of the laws of 2006:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates related to improvements or changes to existing facili-
ties and programs, including for costs associated with the civil
commitment of persons convicted of sexually violent offenses in
accordance with the mental hygiene law directly upon their release
or conditional release from a correctional facility. Upon request of
the commissioner of mental health and approval by the director of
the budget, this appropriation may be transferred to the dormitory
authority of the state of New York (50080608) ..................
85,473,000 .................................. (re. $44,694,000)

By chapter 54, section 1, of the laws of 2005:
For payment of the cost of construction, reconstruction and 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 (50080508) ..................
14,146,000 ................................. (re. $2,301,000)

By chapter 54, section 1, of the laws of 2003:
For payment of the cost of construction, reconstruction and improve-
ments, including the preparation of designs, plans, specifications
and estimates related to improvements or changes to existing facilities and programs, provided, however, that no expenditures may be made from this appropriation until a comprehensive plan of projects has been approved by the director of the budget. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50080308) ...................... 18,000,000 .................................. (re. $1,834,000)

NON-BONDABLE PROJECTS (CCP)

Capital Projects Fund

Non-Bondable Purpose

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

For transfer to the Mental Hygiene Capital Improvement Fund for reimbursement of the non-bondable cost of institutional projects authorized by appropriations or reappropriations funded from the Mental Hygiene Capital Improvement Fund including liabilities incurred prior to April 1, 2000 or for payment to the dormitory authority of the state of New York for defeasance of bonds. Upon request of the commissioner of mental health and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (50FO00NB) ............ 8,000,000 .................................. (re. $5,045,000)

(APPROPRIATED TO THE FACILITIES DEVELOPMENT CORPORATION)

EXECUTIVE DIRECTION (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 1, section 8, of the laws of 1965, as amended by chapter 54, section 1, of the laws of 2006:

(1) The payment of all claims for personal injury, death or property damage for which the New York State Medical Care Facilities Finance Agency or the facilities development corporation or the dormitory authority might be liable occurring upon, in or about any projects covered by the Agreement of Lease entered into by the facilities development corporation, the department of mental hygiene and the New York State Medical Care Facilities Finance Agency under date of October 1, 1987 as from time to time amended and supplemented and any and all penalties, costs, including attorneys' fees, claims, demands and causes of action due directly or indirectly to the use, disuse, misuse or interest in such projects; (2) in the case of damage, loss or destruction of any such project, or any part of any such project, the payment of the costs of repairing, restoring, rebuilding or replacing the same in accordance with the obligations of the facilities development corporation so to do from the proceeds of insurance under the provisions of paragraph (b) of section 3.04 of the Agreement of Lease; and (3) payments to the New York State Medical Care Facilities Finance Agency of moneys at the times and in the amounts that annual rentals would be due with respect to each project during such time or times as each such project may be damaged or destroyed and not available for use by the department of mental hygiene in accordance with the terms of the Agreement of Lease.
Notwithstanding the provisions of any general or special law, the
facilities development corporation may assign to the New York State
Medical Care Facilities Finance Agency all or any portion of the
moneys hereby appropriated for the purposes hereinabove set forth.
Notwithstanding the foregoing, in the event the appropriation is
insufficient to cover the losses, upon notification from the Facili-
ties Development Corporation, the director of the division of the
budget shall submit a request for additional appropriations to cover
the additional losses. Upon approval by the director of the budget,
funds from this appropriation may be transferred to the office of
mental retardation and developmental disabilities and the office of
alcoholism and substance abuse services for payment to the dormitory
authority of the state of New York (00638103) ....................
4,000,000 ........................................... (re. $2,445,000)
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>1,491,249,000</td>
<td>2,289,500</td>
</tr>
<tr>
<td>Special Revenue Funds - Federal</td>
<td>751,000</td>
<td>3,141,000</td>
</tr>
<tr>
<td>Special Revenue Funds - Other</td>
<td>2,897,403,000</td>
<td>0</td>
</tr>
<tr>
<td>Capital Projects Funds</td>
<td>127,315,000</td>
<td>318,910,000</td>
</tr>
<tr>
<td>Enterprise Funds</td>
<td>2,669,000</td>
<td>0</td>
</tr>
<tr>
<td>Internal Service Funds</td>
<td>350,000</td>
<td>0</td>
</tr>
<tr>
<td>All Funds</td>
<td>4,519,737,000</td>
<td>324,340,500</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>0</td>
<td>1,491,249,000</td>
<td>0</td>
<td>1,491,249,000</td>
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<tr>
<td>SR-Federal</td>
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<td>0</td>
<td>751,000</td>
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<tr>
<td>SR-Other</td>
<td>2,167,640,000</td>
<td>729,763,000</td>
<td>0</td>
<td>2,897,403,000</td>
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<tr>
<td>Cap Proj</td>
<td>0</td>
<td>127,315,000</td>
<td>127,315,000</td>
<td>127,315,000</td>
</tr>
<tr>
<td>Enterprise</td>
<td>2,669,000</td>
<td>0</td>
<td>0</td>
<td>2,669,000</td>
</tr>
<tr>
<td>Internal Srv</td>
<td>350,000</td>
<td>0</td>
<td>0</td>
<td>350,000</td>
</tr>
<tr>
<td>All Funds</td>
<td>2,171,410,000</td>
<td>2,221,012,000</td>
<td>127,315,000</td>
<td>4,519,737,000</td>
</tr>
</tbody>
</table>

SCHEDULE

CENTRAL COORDINATION AND SUPPORT PROGRAM ............... 118,624,000

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

For services and expenses related to the administration of the federal senior companions program .................. 333,000
For services and expenses associated with housing counseling assistance and training programs .................. 418,000
Program fund subtotal .................. 751,000
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

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

Notwithstanding any other provision of law,
the money hereby appropriated may be
transferred to local assistance and/or any
appropriation of the office of mental
retardation and developmental disabili-
ties, and may be increased or decreased by
transfer or suballocation between these
appropriated amounts and appropriations of
the department of health, the office of
medicaid inspector general, the office of
mental health, and the office of alcohol-
ism and substance abuse services with the
approval of the director of the budget who
shall file such approval with the depart-
ment of audit and control and copies ther-
eoif with the chairman of the senate
finance committee and the chairman of the
assembly ways and means committee. The
state comptroller is hereby authorized and
directed to loan money in accordance with
the provisions set forth in subdivision 5
of section 4 of the state finance law to
the mental hygiene patient income account.
Notwithstanding section 11 of title A of
article 2 of the civil service law, this
appropriation and all positions funded by
it shall be exempt from the provisions of
said section pertaining to the assessment,
computation and payment of the fractional
share of administration expenses charged
by the state department of civil service,
nor shall the office of mental retardation
and developmental disabilities make
payments for any such assessment of
expenses of administration from funds
available on or after April 1, 2009.

PERSONAL SERVICE

44  Personal service--regular ......................  60,107,000
45  Temporary service ..............................  548,000
46  Holiday/overtime compensation ...............  194,000

Amount available for personal service ....  60,849,000

----------

NONPERSONAL SERVICE

52  Supplies and materials ...................... 681,000
53  Travel ......................................... 2,309,000
55  Contractual services ......................... 20,393,000
56  Equipment ................................. 3,986,000
57  Fringe benefits ........................... 26,871,000
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

1  Indirect costs ..............................  2,434,000

2  -------------------------

3  Amount available for nonpersonal service..  56,674,000

4  -------------------------

5  Program account subtotal .................  117,523,000

6  -------------------------

7  Internal Service Fund / State Operations
8  Miscellaneous Internal Service Fund - 334
9  OMRDD Copy Center Account

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

24  NONPERSONAL SERVICE

25  Contractual services .......................  350,000

26  -------------------------

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

28  -------------------------

29  COMMUNITY SERVICES PROGRAM ............. 3,538,048,000

30  -------------------------

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

33  For services and expenses of the community
34  services program, net of disallowances,
35  for community mental retardation and
36  developmental disabilities programs pursu-
37  ant to article 41 of the mental hygiene
38  law, and/or chapter 620 of the laws of
39  1974, chapter 660 of the laws of 1977,
40  chapter 412 of the laws of 1981, chapter
41  27 of the laws of 1987, chapter 729 of the
42  laws of 1989, chapter 329 of the laws of
43  1993 and other provisions of the mental
44  hygiene law.
45  Notwithstanding any other provision of law,
46  advances and reimbursement made pursuant
47  to subdivision (d) of section 41.15 and
48  section 41.18 of the mental hygiene law
49  shall be allocated pursuant to a plan and
50  in a manner prescribed by the agency head
51  and approved by the director of the budg-
52  et. No expenditure shall be made until a
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

certificate of allocation has been approved by the director of the budget and copies thereof filed with the state controller, and the chairs of the senate finance and assembly Ways and Means committees. The moneys hereby appropriated are available to reimburse or advance localities and voluntary non-profit agencies for expenditures made during local fiscal periods commencing January 1, 2009, April 1, 2009 or July 1, 2009, and for advances for the 3 month period beginning January 1, 2010.

Notwithstanding the provisions of article 41 of the mental hygiene law or any other inconsistent provision of law, rule or regulation, the commissioner, with the approval of the director of the budget, may contract with voluntary agencies that are receiving, or are eligible to receive, state aid directly or through written agreements with local governments pursuant to article 41 of the mental hygiene law. The commissioner, pursuant to such contract and in the manner provided therein, may pay all or a portion of the expenses incurred by such voluntary agencies arising out of loans which are funded from the proceeds of bonds and notes issued by the dormitory authority of the state of New York. Such expenses may include, but shall not be limited to, amounts relating to principal and interest and any other fees and charges arising from such loans.

Notwithstanding any inconsistent provision of law, reimbursement from this appropriation for services delivered under the medical assistance program shall be pursuant to economic and efficient rates of payments, which recognize consumer choice, established by the commissioner, and approved by the director of the budget.

Notwithstanding any inconsistent provision of law, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program.

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly Ways and Means committee.
Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent of the net deficit costs of day training programs.

Notwithstanding any inconsistent provision of law, with the approval of the director of the budget, moneys from this appropriation may be used for expenses incurred by the office of mental retardation and developmental disabilities that may arise from the assumption of operational responsibility for programs when operating certificates for such programs cease to be in effect.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of the laws of 2008, for the period commencing on January 1, 2009 the commissioner shall: (i) apply a one percent reduction to the amount in effect on December 31, 2008 for the purpose of establishing rates of payments, contracts or any other form of reimbursement, and (ii) not apply any cost of living adjustment for the period beginning April 1, 2009 and ending March 31, 2010 for the purpose of establishing rates of payments, contracts or any other form of reimbursement.

Notwithstanding any inconsistent provision of law, including section 41.23 of the mental hygiene law, no unified services plan shall be approved and no funding shall be available for unified services for the period beginning January 1, 2009 and ending March 31, 2010.

Notwithstanding any inconsistent provision of law, including section 31 of part E of chapter 58 of the laws of 1998, no income shall be considered exempt for the period beginning April 1, 2009 and ending March 31, 2010 to the long term sheltered workshop employment program for purposes of determining state aid.

Notwithstanding any inconsistent provision of law, and pursuant to criteria established by the commissioner of the office of mental retardation and developmental disabilities and approved by the director of the budget, expenditures may be made from this appropriation for residential facilities which are pending recertification as intermediate care facilities for the developmentally disabled.

Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for state aid of up to 100 percent
of the net operating costs related to the
provision of family support services,
including services to persons with
epilepsy.
Notwithstanding the provisions of section
41.36 of the mental hygiene law and any
other inconsistent provision of law,
moneys from this appropriation may be used
for payment up to $250 per year per
client, at such times and in such manner
as determined by the commissioner on the
basis of financial need for the personal
needs of each client residing in 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-
rimental modifications, adaptive technol-
gegies, 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 volun-
tary non-profit providers, for appropriate clinical services including, but not limited to, supportive and habilitative services consistent with the home and community based services waiver.
Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for expenditure in accordance with the provisions of part C of chapter 57 of the laws of 2006, for those programs eligible under paragraph (ii) of subdivi-
sion 4 of section 1 of such part.
Notwithstanding any inconsistent provision of law, moneys from this appropriation may be used for services and expenses associ-
ated with the NYS-CARES initiative related to the operation of certified and noncer-
tified voluntary operated community resi-
dential program alternatives including family care and community day program alternatives consistent with economic and efficient rates of payment and amounts, which recognize consumer choice, estab-
lished by the commissioner, and approved by the director of the budget.
Notwithstanding any inconsistent provision of law, the following appropriation amounts shall be net of refunds, rebates, reimbursements, and credits.
Funds appropriated herein shall be available in accordance with the following:
For the state share of medical assistance services expenses incurred by the depart-
ment of health for the provision of medical assistance services to the devel-
omentally disabled ..................... 1,371,273,000
For services and expenses related to the provision of residential services to the developmentally disabled ..................... 16,722,000
For services and expenses related to the provision of family support services to the developmentally disabled ..................... 56,269,000
For services and expenses related to the provision of workshop, day training and employment services to the developmentally disabled ..................... 44,480,000
For other services and expenses provided to the developmentally disabled including but not limited to hepatitis B, care at home
waiver, epilepsy services, special olympics and voluntary fingerprinting ........ 2,505,000

Program account subtotal ............... 1,491,249,000

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

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

Notwithstanding any other provision of law, the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding section 11 of title A of article 2 of the civil service law, this appropriation and all positions funded by it shall be exempt from the provisions of said section pertaining to the assessment, computation and payment of the fractional share of administration expenses charged by the state department of civil service, nor shall the office of mental retardation and developmental disabilities make payments for any such assessment of expenses of administration from funds available on or after April 1, 2009.

PERSONAL SERVICE

Personal service--regular ............... 502,960,000
Temporary service .................. 1,199,000
Holiday/overtime compensation .......... 40,472,000

Amount available for personal service .... 544,631,000

NONPERSONAL SERVICE

Nonpersonal service, including moneys for the community services program, net of refunds, rebates, reimbursements and credits.
### MAINTENANCE UNDISTRIBUTED

For expenses related to the payment of a provider of services assessment for the period April 1, 2009 through March 31, 2010 pursuant to section 43.04 of the mental hygiene law ............... 10,116,000  
Program account subtotal .......... 941,039,000

Notwithstanding any inconsistent provision of law, moneys for this appropriation may be used for any purpose enumerated in any existing office of mental retardation and developmental disabilities active aid to localities appropriation provided, however, that these moneys may not be used for payment of the state share of medical assistance programs for which federal reimbursement will be claimed.

Notwithstanding any other provisions of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.

Notwithstanding any inconsistent provision of law, the following appropriation amounts shall be net of refunds, rebates, reimbursements, and credits. The state comptroller is hereby authorized and directed to loan money in accordance with the provisions set forth in subdivision 5 of section 4 of the state finance law to the mental hygiene patient income account.

Notwithstanding any inconsistent provision of law, including section 1 of part C of chapter 57 of the laws of 2006, as amended by section 2 of part I of chapter 58 of

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>41,202,000</td>
</tr>
<tr>
<td>Travel</td>
<td>4,154,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>59,950,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>18,692,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>240,509,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>21,785,000</td>
</tr>
<tr>
<td>Amount available for nonpersonal service</td>
<td>386,292,000</td>
</tr>
<tr>
<td>MAINTENANCE UNDISTRIBUTED</td>
<td></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>Mental Hygiene Patient Income Account</td>
<td></td>
</tr>
</tbody>
</table>
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

the laws of 2008, for the period
commencing on January 1, 2009 the
commissioner shall: (i) apply a one
percent reduction to the amount in effect
on December 31, 2008 for the purpose of
establishing rates of payments, contracts
or any other form of reimbursement, and
(ii) not apply any cost of living
adjustment for the period beginning April
1, 2009 and ending March 31, 2010 for the
purpose of establishing rates of payments,
contracts or any other form of
reimbursement.

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

For services and expenses related to the
provision of residential services to the
developmentally disabled .................... 183,915,000

For services and expenses related to the
provision of day program services to the
developmentally disabled .................... 107,086,000

For services and expenses related to the
provision of family support services to
the developmentally disabled ................ 16,748,000

For other services and expenses provided to
the developmentally disabled including but
not limited to hepatitis B, care at home
waiver, epilepsy services, special olym-
pics and voluntary fingerprinting ............ 3,764,000

Program account subtotal ................... 311,513,000

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

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

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

Notwithstanding section 11 of title A of
article 2 of the civil service law, this
appropriation and all positions funded by
it shall be exempt from the provisions of
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

said section pertaining to the assessment,
computation and payment of the fractional
share of administration expenses charged
by the state department of civil service,
nor shall the office of mental retardation
and developmental disabilities make
payments for any such assessment of
expenses of administration from funds
available on or after April 1, 2009.

PERSONAL SERVICE

Personal service--regular ..................  224,387,000
Temporary service ........................  613,000
Holiday/overtime compensation ..........  18,236,000

Amount available for personal service.....  243,236,000

NONPERSONAL SERVICE

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

Supplies and materials ....................  2,654,000
Travel ....................................  918,000
Contractual services ......................  9,083,000
Equipment ................................  2,964,000
Fringe benefits ..........................  107,413,000
Indirect costs ...........................  9,729,000

Amount available for nonpersonal service.. 132,761,000

Program account subtotal .................. 375,997,000

Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
OMRDD Joint Clinic Operating Account

For services and expenses of operating clin-
ic treatment facilities serving persons
with developmental disabilities.
Notwithstanding any other provision of law,
the money hereby appropriated may be
transferred to state operations and/or any
appropriation of the office of mental
retardation and developmental disabili-
ties, with the approval of the director of
the budget who shall file such approval
with the department of audit and control
and copies thereof with the chairman of
the senate finance committee and the
chairman of the assembly ways and means
committee .................................  250,000

Program account subtotal ..................  250,000
<table>
<thead>
<tr>
<th>Account Description</th>
<th>Budget Amount</th>
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<tbody>
<tr>
<td>DEPARTMENT OF MENTAL HYGIENE</td>
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<td>STATE OPERATIONS AND AID TO LOCALITIES 2009-10</td>
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<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>OMRDD - Provider of Service Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to mental retardation and developmental disabilities</td>
<td></td>
</tr>
<tr>
<td>services associated with the New York state options for people through services (NYS-OPTS) initiative, in accordance with a programmatic and fiscal plan to be approved by the director of the budget. Notwithstanding any provision of law to the contrary, the director of the budget is authorized to make suballocations from this appropriation to the department of health medical assistance program. Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Notwithstanding any provision of law to the contrary, the moneys hereby appropriated, or so much thereof as may be necessary, are to be available for the purposes herein specified for obligations heretofore accrued or hereafter to accrue</td>
<td>320,000,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>320,000,000</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>OMRDD - Day Services Account</td>
<td></td>
</tr>
<tr>
<td>For services and expenses related to the provision of HCBS waiver day services to developmentally disabled individuals residing in intermediate care facilities. Notwithstanding any other provision of law, the money hereby appropriated may be transferred to state operations and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee</td>
<td>98,000,000</td>
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<tr>
<td>Program account subtotal</td>
<td>98,000,000</td>
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</tbody>
</table>
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

1 INSTITUTIONAL SERVICES PROGRAM ...............................  709,548,000

2

3 Special Revenue Funds - Other / State Operations
Mental Hygiene Gifts and Donations Fund - 019
Office of Mental Retardation and Developmental Disabili-
ties Gifts and Donations Account

8

9 For expenditures on behalf of residents from
donated funds. Notwithstanding any other
provision of law, the money hereby
appropriated may be transferred to local
assistance and/or any appropriation of the
office of mental retardation and develop-
mental disabilities, with the approval of
the director of the budget who shall file
such approval with the department of audit
and control and copies thereof with the
chairman of the senate finance committee
and the chairman of the assembly ways and
means committee.

22 NONPERSONAL SERVICE

23 Supplies and materials .........................  500,000

24

25 Program account subtotal ..................  500,000

28

29 Special Revenue Funds - Other / State Operations
Combined Nonexpendable Trust Fund - 332
OMRDD Nonexpendable Trust Account

33

34 For expenditures on behalf of residents from
donated funds. Notwithstanding any other
provision of law, the money hereby
appropriated may be transferred to local
assistance and/or any appropriation of the
office of mental retardation and develop-
mental disabilities, with the approval of
the director of the budget who shall file
such approval with the department of audit
and control and copies thereof with the
chairman of the senate finance committee
and the chairman of the assembly ways and
means committee.

47 NONPERSONAL SERVICE

49 Supplies and materials .........................  4,000

51

52 Program account subtotal ..................  4,000

53

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

58 Notwithstanding any other provision of law,
the money hereby appropriated may be
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
STATE OPERATIONS AND AID TO LOCALITIES  2009-10

transferred to local assistance and/or any
appropriation of the office of mental
retardation and developmental disabili-
ties, and may be increased or decreased by
transfer or suballocation between these
appropriated amounts and appropriations of
the department of health, the office of
medicaid inspector general, the office of
mental health, and the office of alcohol-
ism and substance abuse services with the
approval of the director of the budget who
shall file such approval with the depart-
ment of audit and control and copies ther-
eof with the chairman of the senate
finance committee and the chairman of the
assembly ways and means committee. The
state comptroller is hereby authorized and
directed to loan money in accordance with
the provisions set forth in subdivision 5
of section 4 of the state finance law to
the mental hygiene patient income account.
Notwithstanding section 11 of title A of
article 2 of the civil service law, this
appropriation and all positions funded by
it shall be exempt from the provisions of
said section pertaining to the assessment,
computation and payment of the fractional
share of administration expenses charged
by the state department of civil service,
nor shall the office of mental retardation
and developmental disabilities make
payments for any such assessment of
expenses of administration from funds
available on or after April 1, 2009.

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>223,211,000</td>
</tr>
<tr>
<td>Temporary service</td>
<td>408,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>17,673,000</td>
</tr>
<tr>
<td>Amount available for personal service</td>
<td>241,292,000</td>
</tr>
</tbody>
</table>

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>29,160,000</td>
</tr>
<tr>
<td>Travel</td>
<td>1,096,000</td>
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<tr>
<td>Contractual services</td>
<td>27,619,000</td>
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<tr>
<td>Equipment</td>
<td>8,238,000</td>
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<tr>
<td>Fringe benefits</td>
<td>106,555,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>9,652,000</td>
</tr>
<tr>
<td>Amount available for nonpersonal service</td>
<td>182,320,000</td>
</tr>
</tbody>
</table>

MAINTENANCE UNDISTRIBUTED

For expenses related to the payment of a
provider of services assessment for the
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

period April 1, 2009 through March 31, 2010 pursuant to section 43.04 of the
mental hygiene law .......................... 135,130,000

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Program account subtotal ............. 558,742,000

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

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

Notwithstanding section 11 of title A of
article 2 of the civil service law, this
appropriation and all positions funded by
it shall be exempt from the provisions of
said section pertaining to the assessment,
computation and payment of the fractional
share of administration expenses charged
by the state department of civil service,
nor shall the office of mental retardation
and developmental disabilities make
payments for any such assessment of
expenses of administration from funds
available on or after April 1, 2009.

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

PERSONAL SERVICE

Personal service--regular .............. 81,099,000
Temporary service ............................ 148,000
Holiday/overtime compensation .......... 6,421,000

---------------------
Amount available for personal service .... 87,668,000

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

NONPERSONAL SERVICE

Nonpersonal service, including moneys for
the community services program, net of
refunds, rebates, reimbursements and cred-
its.
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

1 Supplies and materials .................... 7,826,000
2 Travel .................................. 294,000
3 Contractual services ...................... 7,413,000
4 Equipment ................................ 2,211,000
5 Fringe benefits .......................... 38,714,000
6 Indirect costs ........................... 3,507,000

Amount available for nonpersonal service. 59,965,000

Program account subtotal .................. 147,633,000

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

For services and expenses including resi-
dents' salaries, supplies and materials of
sheltered workshops and vocational reha-
bilitiation work activities.
Notwithstanding any other provision of law,
the money hereby appropriated may be
transferred to local assistance and/or any
appropriation of the office of mental
retardation and developmental disabili-
ties, with the approval of the director of
the budget who shall file such approval
with the department of audit and control
and copies thereof with the chairman of
the senate finance committee and the
chairman of the assembly ways and means
committee.

NONPERSONAL SERVICE

Supplies and materials .................... 700,000
Travel .................................. 10,000
Contractual services ...................... 800,000
Equipment ................................ 40,000

Program account subtotal ................ 1,550,000

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

For services and expenses including super-
vision and administration of community
stores located at various developmental
centers.
Notwithstanding any other provision of law,
the money hereby appropriated may be
transferred to local assistance and/or any
appropriation of the office of mental
retardation and developmental disabili-
ties, with the approval of the director of
the budget who shall file such approval
with the department of audit and control
and copies thereof with the chairman of
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Personal service--regular</td>
<td>291,000</td>
</tr>
<tr>
<td><strong>NONPERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>722,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>94,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>12,000</td>
</tr>
<tr>
<td><strong>Amount available for nonpersonal service</strong></td>
<td>828,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>1,119,000</td>
</tr>
<tr>
<td><strong>RESEARCH IN MENTAL RETARDATION PROGRAM</strong></td>
<td>26,202,000</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>Research in Mental Retardation Account</td>
<td></td>
</tr>
<tr>
<td><strong>NONPERSONAL SERVICE</strong></td>
<td></td>
</tr>
<tr>
<td>Contractual services</td>
<td>150,000</td>
</tr>
<tr>
<td><strong>Program account subtotal</strong></td>
<td>150,000</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>Mental Hygiene Patient Income Account</td>
<td></td>
</tr>
<tr>
<td><strong>Notwithstanding any other provision of law,</strong></td>
<td></td>
</tr>
<tr>
<td>the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, with the approval of the director of the budget who shall file such approval with the department of audit and control and copies thereof with the chairman of the senate finance committee and the chairman of the assembly ways and means committee.**</td>
<td></td>
</tr>
</tbody>
</table>

**NONPERSONAL SERVICE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual services</td>
<td>150,000</td>
</tr>
<tr>
<td><strong>Program account subtotal</strong></td>
<td>150,000</td>
</tr>
</tbody>
</table>

**Notwithstanding any other provision of law,**

the money hereby appropriated may be transferred to local assistance and/or any appropriation of the office of mental retardation and developmental disabilities, and may be increased or decreased by
transfer or suballocation between these
appropriated amounts and appropriations of
the department of health, the office of
medicaid inspector general, the office of
mental health, and the office of alcohol-
ism and substance abuse services with the
approval of the director of the budget who
shall file such approval with the depart-
ment of audit and control and copies ther-
eof with the chairman of the senate
finance committee and the chairman of the
assembly ways and means committee. The
state comptroller is hereby authorized and
directed to loan money in accordance with
the provisions set forth in subdivision 5
of section 4 of the state finance law to
the mental hygiene patient income account.
Notwithstanding section 11 of title A of
article 2 of the civil service law, this
appropriation and all positions funded by
it shall be exempt from the provisions of
said section pertaining to the assessment,
computation and payment of the fractional
share of administration expenses charged
by the state department of civil service,
nor shall the office of mental retardation
and developmental disabilities make
payments for any such assessment of
expenses of administration from funds
available on or after April 1, 2009.

PERSONAL SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal service--regular</td>
<td>15,743,000</td>
</tr>
<tr>
<td>Holiday/overtime compensation</td>
<td>338,000</td>
</tr>
<tr>
<td>Amount available for personal service</td>
<td>16,081,000</td>
</tr>
</tbody>
</table>

NONPERSONAL SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplies and materials</td>
<td>875,000</td>
</tr>
<tr>
<td>Travel</td>
<td>7,000</td>
</tr>
<tr>
<td>Contractual services</td>
<td>1,181,000</td>
</tr>
<tr>
<td>Equipment</td>
<td>164,000</td>
</tr>
<tr>
<td>Fringe benefits</td>
<td>7,101,000</td>
</tr>
<tr>
<td>Indirect costs</td>
<td>643,000</td>
</tr>
<tr>
<td>Amount available for nonpersonal service</td>
<td>9,971,000</td>
</tr>
<tr>
<td>Program account subtotal</td>
<td>26,052,000</td>
</tr>
<tr>
<td>Total new appropriations for state operations and aid to localities</td>
<td>4,392,422,000</td>
</tr>
</tbody>
</table>
DEPARTMENT OF MENTAL HYGIENE  
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES  
STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 CENTRAL COORDINATION AND SUPPORT PROGRAM
2
3 Special Revenue Funds - Federal / State Operations
4 Federal Health and Human Services Fund - 265
5 Real Choice Grant Account
6
7 By chapter 54, section 1, of the laws of 2007:
8 For services and expenses related to the real choice through options
9 for people through services grant.
10 For grants beginning prior to April 1, 2007 ......................... (re. $2,511,000)
11
12 Special Revenue Funds - Federal / State Operations
13 Federal Operating Grants Fund - 290
14
15 By chapter 54, section 1, of the laws of 2008:
16 For services and expenses related to the administration of the federal
17 senior companions program ... 280,000 ................... (re. $280,000)
18 For services and expenses associated with housing counseling assis-
19 tance and training programs ... 350,000 ................... (re. $350,000)
20
21 COMMUNITY SERVICES PROGRAM
22
23 General Fund / Aid to Localities
24 Local Assistance Account - 001
25
26 The appropriation made by chapter 54, section 1, of the laws of 2008, as
27 amended by chapter 496, section 5, of the laws of 2008, is hereby
28 amended and reappropriated to read:
29 For services and expenses of contracts with municipalities, educa-
30 tional institutions and/or not-for-profit agencies:
31 Epilepsy Foundation of Western New York ..........................
32 [47,000] 25,000 ................................................................. (re. $25,000)
33 NYS Cerebral Palsy - Camp Jened ... [47,000] 25,000 ...... (re. $25,000)
34 ACHIEVE ... [94,000] 50,000 ........................................ (re. $50,000)
35 Chenango County ARC ... [32,900] 17,500 ............... (re. $17,500)
36 Epilepsy Foundation of Rochester - Syracuse - Binghamton ....
37 [23,500] 12,500 ............................................................... (re. $12,500)
38 Handicapped Children's Association of Southern New York ....
39 [18,800] 10,000 ............................................................... (re. $10,000)
40 Cerebral Palsy and Handicapped Children's Association of Chemung
41 County ... [70,500] 37,500 ........................................... (re. $37,500)
42 Camp Wildwood ... [47,000] 25,000 ............................. (re. $25,000)
43 Family and Children's Service of the Capital Region, Inc ........
44 [94,000] 50,000 ............................................................. (re. $50,000)
45 Camp Anne ... [282,000] 150,000 ...................... (re. $150,000)
46 Quality services for the Autism Community (QSAC) ..............
47 [141,000] 75,000 ............................................................ (re. $75,000)
48 Rockland County Association for the Learning Disabled ........
49 [47,000] 25,000 ............................................................ (re. $25,000)
50 Epilepsy Foundation of Southern New York ........................
51 [141,000] 75,000 ............................................................ (re. $75,000)
52
53 By chapter 54, section 1, of the laws of 2007:
54 For services and expenses of contracts with municipalities, educa-
55 tional institutions and/or not-for-profit agencies:
56 Epilepsy Foundation of Southern New York ... 200,000 ... (re. $20,000)
57 Broome - Tioga ARC ... 100,000 ................................. (re. $10,000)
58 Epilepsy Foundation of Rochester - Syracuse - Binghamton ....
59 25,000 ................................................................. (re. $1,000)
60
### DEPARTMENT OF MENTAL HYGIENE

#### OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

#### STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Reappropriated Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warren County Office of Community Services</td>
<td>200,000</td>
<td>(re. $20,000)</td>
</tr>
<tr>
<td>NYS Cerebral Palsy - Camp Jened</td>
<td>150,000</td>
<td>(re. $15,000)</td>
</tr>
<tr>
<td>Cody Center for Autism and Developmental Disabilities</td>
<td>100,000</td>
<td>(re. $29,000)</td>
</tr>
</tbody>
</table>

By chapter 54, section 1, of the laws of 2006:

For services and expenses of contracts with municipalities, educational institutions and/or not-for-profit agencies:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Reappropriated Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Respite</td>
<td>200,000</td>
<td>(re. $4,000)</td>
</tr>
<tr>
<td>Cody Center for Autism and Developmental Disabilities</td>
<td>500,000</td>
<td>(re. $1,000)</td>
</tr>
</tbody>
</table>

For services and expenses associated with a direct care worker recruitment and retention pilot project program:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Reappropriated Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2,500,000</td>
<td>(re. $1,612,000)</td>
</tr>
</tbody>
</table>

Total reappropriations for state operations and aid to localities: $430,500
For the comprehensive construction programs, purposes and projects as herein specified in accordance with the following:

Capital Projects Fund ........................................... 65,040,000
Mental Hygiene Capital Improvement Fund - 389 ................ 62,275,000

All Funds ........................................................... 127,315,000

Design and Construction Supervision (CCP) ................. 11,000,000

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects associated with the community services and institutional services programs. Upon the request of the commissioner of the office of mental retardation and developmental disabilities and the approval of the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51F20930). 3,000,000

For: (1) the payment of all claims for personal injury, death or property damage for which the New York State Medical Care Facilities Finance Agency, the facilities development corporation, or the dormitory authority of the state of New York might be liable occurring upon, in or about any projects covered by the Agreement of Lease entered into by the facilities development corporation, the department of mental hygiene and the New York State Medical Care Facilities Finance Agency under date of October 1, 1987 as from time to time amended and supplemented and any and all
penalties, costs, including attorneys' fees, claims, demands and causes of action due directly or indirectly to the use, disuse, misuse or interest in such projects; (2) in the case of damage, loss or destruction of any such project, or any part of any such project, the payment of the costs of repairing, restoring, rebuilding or replacing the same in accordance with the obligations of the facilities development corporation so to do from the proceeds of insurance under the provisions of paragraph (b) of section 3.04 of the Agreement of Lease; and (3) payments to the New York State Medical Care Facilities Finance Agency of moneys at the times and in the amounts that annual rentals would be due with respect to each project during such time or times as each such project may be damaged or destroyed and not available for use by the department of mental hygiene in accordance with the terms of the Agreement of Lease.

Notwithstanding the provisions of any general or special law, the facilities development corporation may assign to the New York State Medical Care Facilities Finance Agency all or any portion of the moneys hereby appropriated for the purposes hereinabove set forth. Notwithstanding the foregoing, in the event the appropriation is insufficient to cover the losses, upon notification from the facilities development corporation, the director of the budget shall submit a request for additional appropriations to cover the additional losses. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51WC0930) ....... 2,000,000

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, ins-
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

pection, studies, appraisals, surveys, testing and environmental impact state-
mements for new and existing projects
associated with the institutional ser-
vice program and the community services
program. Upon the request of the commis-
sioner of the office of mental retarda-
tion and developmental disabilities and
the approval of the director of the budget, this appropriation may be trans-
ferred 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 ser-
ves for payment to the dormitory auth-
orsity of the state of New York for the
preparation of plans purpose (51F10930)

INSTITUTIONAL SERVICES PROGRAM (CCP) ....................... 50,170,000

Capital Projects Fund

Health and Safety Purpose

For alterations and improvements for health and safety projects at various
facilities. Upon request of the 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 (51H10901) ....................... 7,500,000

Preservation of Facilities Purpose

For alterations and improvements for pres-
ervation of various facilities including rehabilitation projects. This approvi-
ation may be used for the cost of poten-
tial claims against contracts awarded by 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 transferred to the dormitory authority of the state of
New York (51P10903) ....................... 4,420,000

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon
request of the commissioner of the office of mental retardation and develop-
mental disabilities and approval by
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20903) ......................... 4,100,000

Mental Hygiene Capital Improvement Fund - 389

Health and Safety Purpose

For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30901) ......................... 34,150,000

NON-BONDABLE PROJECTS (CCP) ............................... 1,000,000

Capital Projects Fund

Non-Bondable Purpose

For transfer to the Mental Hygiene Capital Improvement Fund for reimbursement of non-bondable costs of projects authorized by appropriations or reappropriations funded from the Mental Hygiene Capital Improvement Fund including liabilities incurred prior to April 1, 2009 or for payment to the dormitory authority of the state of New York for defeasance of bonds. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51FL09NB) ............ 1,000,000

STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP) ............ 49,320,000

Capital Projects Fund

Administration Purpose

For payment of personal service and nonpersonal service costs related to the administration of capital projects for new and reappropriated appropriations. Upon request of the commissioner of the office of mental retardation and devel-
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

opmental 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 (51A109C1) ......................... 2,665,000

For renovation and minor rehabilitation
and improvements of state-owned communi-
ty residential and day program facili-
ties for the developmentally disabled.
Upon request of the commissioner of the
office of mental retardation and devel-
opmental 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 (51M10903) ......................... 19,380,000

For alterations and improvements of sites
leased for state-operated programs, and
for the purchase of furniture and equip-
ment for state-operated programs. Upon
request of the commissioner of the
office of mental retardation and devel-
opmental 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 (51L10907) ......................... 11,600,000

Mental Hygiene Capital Improvement Fund - 389

For renovation and minor rehabilitation
and improvements of state-owned communi-
ty residential and day program facili-
ties for the developmentally disabled.
Upon request of the commissioner of the
office of mental retardation and develop-
opmental 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 (51PR0903) ......................... 1,000,000

New Facilities Purpose

For the acquisition and alterations and
improvements of property to be used as
state-operated community residential
facilities. Upon request of the 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
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS 2009-10

1 the dormitory authority of the state of
2 New York. Upon request of the commis-
3 sioner of the office of mental retarda-
4 tion and developmental disabilities, and
5 approval by the director of the budget,
6 this appropriation may be used for the
7 acquisition and alterations and improve-
8 ments of property to be used as not-for-
9 profit facilities licensed pursuant to
10 articles 16 and 41 of the mental hygiene
11 law (51R10907) ...................... 14,675,000
12
13 VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP) ............... 15,825,000
14
15 Capital Projects Fund
16
17 Preservation of Facilities Purpose
18
19 For state aid, to municipalities and other
20 public and not-for-profit agencies,
21 including the payment of liabilities
22 incurred prior to April 1, 2009, for up
23 to 100 per centum of the net cost of
24 services and expenses related to the
25 maintenance and improvement of voluntary
26 not-for-profit provider operated commu-
27 nity residential and day service
28 programs (51200903) .................. 5,000,000
29
30 New Facilities Purpose
31
32 For state aid, to municipalities and other
33 public and not-for-profit agencies,
34 including the payment of liabilities
35 incurred prior to April 1, 2009 for up
36 to 100 per centum of the net cost of
37 feasibility studies, property options,
38 capital renovations, acquisition of
39 property, construction, rehabilitation
40 and capital costs incidental and appur-
41 tenant to facilities required to be
42 licensed pursuant to article 16, as
43 defined in the mental hygiene law, and
44 for services and expenses related to
45 environmental modifications and adaptive
46 technology services at voluntary not-
47 for-profit provider operated community
48 residential facilities, certified family
49 care homes and private residences, as a
50 loan and/or grant to family care provid-
51 ers, for payment to other state and
52 federal housing agencies, private corpo-
53 rations and for capital development of
54 residential housing or day program
55 alternatives not currently defined in
56 the mental hygiene law (51B10907) ...... 4,375,000
57
58
59
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
CAPITAL PROJECTS 2009-10

1 Mental Hygiene Capital Improvement Fund - 389
2
3 Community Facilities Purpose

4 For the comprehensive construction
5 programs, purposes and projects as here-
6 in specified, and for departmental
7 administrative costs related thereto,
8 consistent with section 41.34 of the
9 mental hygiene law, and for the acquisi-
10 tion of property, construction and reha-
11 bilitation, including the payment of
12 preoperational costs incurred prior to
13 occupancy, of article 16 community
14 mental retardation facilities and asso-
15 ciated programs and facilities and under
16 the auspice of municipalities and other
17 public and not-for-profit private agen-
18 cies approved by the commissioner of the
19 office of mental retardation and devel-
20 opmental disabilities, pursuant to arti-
21 cle 41 of the mental hygiene law and for
22 management fees associated with volun-
23 tary not-for-profit operated projects to
24 be financed through dormitory authority
25 of the state of New York bonds
26 (513209H2) ............................. 6,450,000
27
28
DEPARTMENT OF MENTAL HYGIENE

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS  2009-10

DESIGN AND CONSTRUCTION SUPERVISION (CCP)

Mental Hygiene Capital Improvement Fund - 389

Preparation of Plans Purpose

By chapter 54, section 1, of the laws of 2008:
For payment to the design and construction management account of the centralized services fund of the New York state office of general services or to the dormitory authority for the purpose of preparation and review of plans, specifications, estimates, services, construction management and supervision, inspection, studies, appraisals, surveys, testing and environmental impact statements for new and existing projects associated with the institutional services program and the community services program. Upon the request of the commissioner of the office of mental retardation and developmental disabilities and the approval of the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon approval by the director of the budget, funds from this appropriation may be transferred to the office of mental health and the office of alcoholism and substance abuse services for payment to the dormitory authority of the state of New York for the preparation of plans purpose (51P10830) ... 7,280,000 ................. (re. $3,640,000)

INSTITUTIONAL SERVICES PROGRAM (CCP)

Capital Projects Fund

Health and Safety Purpose

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements for health and safety projects at various facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H10801) ........ 6,400,000 ......................... (re. $6,400,000)
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

the dormitory authority of the state of New York (51H10501) .......... 7,350,000 .................................................. (re. $5,020,000)

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10803) ......................... 7,600,000 .................................................. (re. $7,600,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20803) ... 1,400,000 ............ (re. $1,400,000)

By chapter 54, section 1, of the laws of 2007:
For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10703) ......................... 4,180,000 .................................................. (re. $3,420,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20703) ... 3,300,000 ............ (re. $2,750,000)

By chapter 54, section 1, of the laws of 2006:
For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10603) ... 8,415,000 ............ (re. $4,300,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20603) ... 1,700,000 ............ (re. $1,190,000)

By chapter 54, section 1, of the laws of 2005:
For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10503) ... 6,200,000 ........... (re. $1,530,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20503) ... 2,469,000 .................... (re. $1,130,000)

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

For alterations and improvements for preservation of various facilities including rehabilitation projects. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51P10403) ... 8,180,000 ......................... (re. $1,740,000)

For minor maintenance, preservation and alterations of facilities on the grounds of former developmental centers. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51M20403) ... 2,600,000 .................... (re. $1,130,000)

Mental Hygiene Capital Improvement Fund - 389

Health and Safety Purpose

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

For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30801) ... 33,200,000 ..................... (re. $33,200,000)

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

For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51H30701) ... 32,290,000 ..................... (re. $30,790,000)

For alterations and improvements for health and safety projects at bernard fineson facilities on the creedmoor psychiatric center campus and at Howard park. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51BF0701) ... 11,000,000 ..................... (re. $11,000,000)
By chapter 54, section 1, of the laws of 2006:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York ($51H30601) ... 32,143,000 .................. (re. $25,000,000)
For alterations and improvements for health and safety projects at bernard fineson facilities on the creemoor psychiatric center campus and at Howard park. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York ($51BF0601) ... 27,000,000 .................. (re. $6,000,000)

By chapter 54, section 1, of the laws of 2005:
For alterations and improvements for health and safety projects at bernard fineson facilities on the creemoor 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 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 ($51BF0501) ... 40,000,000 .................. (re. $11,000,000)

By chapter 54, section 1, of the laws of 2004:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York ($51H30401) ...........
26,270,000 .................. (re. $11,200,000)

By chapter 54, section 1, of the laws of 2003:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York ($51H30301) ...........
26,004,000 .................. (re. $19,000,000)

By chapter 54, section 1, of the laws of 2002:
For alterations and improvements for health and safety projects at various facilities. This appropriation may be used for the cost of potential claims against contracts awarded by the dormitory authority of the state of New York or the facilities development corporation. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the
By chapter 54, section 1, of the laws of 2001:
For alterations and improvements for health and safety projects at the institute for basic research in developmental disabilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51IB0101) ........................................ (re. $6,010,000)

STATE-OPERATED COMMUNITY SERVICES PROGRAM (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51MI0803) ... 18,470,000 ....................... (re. $18,450,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For alterations and improvements of sites leased for state-operated programs, and for the purchase of furniture and equipment for state-operated programs. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51IL0807) ..........
2,000,000 ........................................... (re. $1,570,000)

Mental Hygiene Capital Improvement Fund - 389

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51PR0803) ... 1,000,000 ....................... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2007:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51PR0703) ... 1,000,000 ....................... (re. $1,000,000)
DEPARTMENT OF MENTAL HYGIENE
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
CAPITAL PROJECTS - REAPPROPRIATIONS 2009-10

By chapter 54, section 1, of the laws of 2006:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51PR0603) ... 1,000,000 ......................... (re. $1,000,000)

By chapter 54, section 1, of the laws of 2005:
For renovation and minor rehabilitation and improvements of state-owned community residential and day program facilities for the developmentally disabled. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York (51PR0503) ... 1,000,000 ......................... (re. $300,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10807) ............ 24,575,000 ......................... (re. $19,200,000)

By chapter 54, section 1, of the laws of 2007:
For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10707) ............ 22,200,000 ......................... (re. $19,200,000)

By chapter 54, section 1, of the laws of 2006:
For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to
By chapter 54, section 1, of the laws of 2005:
For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10507) ......... 4,000,000 .......................... (re. $1,250,000)

By chapter 54, section 1, of the laws of 2004:
For the acquisition and alterations and improvements of property to be used as state-operated community residential facilities. Upon request of the commissioner of the office of mental retardation and developmental disabilities and approval by the director of the budget, this appropriation may be transferred to the dormitory authority of the state of New York. Upon request of the commissioner of the office of mental retardation and developmental disabilities, and approval by the director of the budget, this appropriation may be used for the acquisition and alterations and improvements of property to be used as not-for-profit facilities licensed pursuant to articles 16 and 41 of the mental hygiene law (51R10407) ......... 4,000,000 .......................... (re. $1,000,000)

VOLUNTARY-OPERATED COMMUNITY FACILITIES (CCP)

Capital Projects Fund

Preservation of Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For state aid, to municipalities and other public and not-for-profit agencies, including the payment of liabilities incurred prior to April 1, 2008, for up to 100 per centum of the net cost of services and expenses related to the maintenance and improvement of voluntary not-for-profit provider operated community residential and day service programs (51R200803) ... 19,400,000 ...... (re. $19,390,000)

New Facilities Purpose

By chapter 54, section 1, of the laws of 2008:
For state aid, to municipalities and other public and not-for-profit agencies, including the payment of liabilities incurred prior to April 1, 2008 for up to 100 per centum of the net cost of feasibility studies, property options, capital renovations, acquisition of property, construction, rehabilitation and capital costs incidental and appurtenant to facilities required to be licensed pursuant to article 16, as defined in the mental hygiene law, and for services and expenses related to environmental modifications and adaptive technology services at voluntary not-for-profit provider operated community residential facilities, certified family care homes and private residences, as a loan and/or grant to family care providers, for payment to other state and federal
hating agencies, private corporations and for capital development
of residential housing or day program alternatives not currently
defined in the mental hygiene law (51B10807) .........................
4,000,000 ................................................ (re. $3,990,000)

Mental Hygiene Capital Improvement Fund - 389

Community Facilities Purpose

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

For the comprehensive construction programs, purposes and projects as
therein 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 rehabilita-
tion, including the payment of preoperational costs incurred prior
to occupancy, of article 16 community mental retardation facilities
and associated programs and facilities and under the auspice of
municipalities and other public and not-for-profit private agencies
approved by the commissioner of the office of mental retardation and
developmental disabilities, pursuant to article 41 of the mental
hygiene law and for management fees associated with voluntary not-
for-profit operated projects to be financed through dormitory
authority of the state of New York bonds (513208H2) .................
6,400,000 ................................................ (re. $6,400,000)

By chapter 54, section 1, of the laws of 2007, as amended by chapter 54,
section 1, of the laws of 2008:

For the comprehensive construction programs, purposes and projects as
therein 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 rehabilita-
tion, including the payment of preoperational costs incurred prior
to occupancy, of article 16 community mental retardation facilities
and associated programs and facilities and under the auspice of
municipalities and other public and not-for-profit private agencies
approved by the commissioner of the office of mental retardation and
developmental disabilities, pursuant to article 41 of the mental
hygiene law and for management fees associated with voluntary not-
for-profit operated projects to be financed through dormitory
authority of the state of New York bonds (513207H2) .................
6,350,000 ................................................ (re. $6,350,000)
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>5,580,000</td>
<td>293,000</td>
<td>0</td>
<td>5,873,000</td>
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<td>SR-Federal</td>
<td>7,274,000</td>
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<tr>
<td>SR-Other</td>
<td>3,960,000</td>
<td>478,000</td>
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<td>4,438,000</td>
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<tr>
<td>Enterprise</td>
<td>45,000</td>
<td>0</td>
<td>0</td>
<td>45,000</td>
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<tr>
<td>All Funds</td>
<td>16,859,000</td>
<td>771,000</td>
<td>0</td>
<td>17,630,000</td>
</tr>
</tbody>
</table>

SCHEDULE

ADMINISTRATION PROGRAM 9,885,000

General Fund / State Operations
State Purposes Account - 003

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

PERSONAL SERVICE

Personal service--regular 4,208,700
Holiday/overtime compensation 18,000
Amount available for personal service 4,226,700

NONPERSONAL SERVICE

Supplies and materials 64,000
Travel 256,400
Contractual services 969,700
Equipment 63,200
Amount available for nonpersonal service 1,353,300
Program account subtotal 5,580,000

Special Revenue Funds - Federal / State Operations
Federal Health and Human Services Fund - 265
COMMISSION ON QUALITY OF CARE AND
ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES  2009-10

For services and expenses associated with
federal grant awards yet to be allocated.
Notwithstanding any inconsistent provision
of law, the director of the budget is
hereby authorized to transfer appropri-
ation authority contained herein to any
other federal fund or program within the
commission on quality of care and advocacy
for persons with disabilities ............ 300,000

Program fund subtotal ............... 300,000

Special Revenue Funds - Other / State Operations
Combined Gifts, Grants and Bequests Fund - 020
Disability and Technical Assistance Account

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

PERSONAL SERVICE

Personal service--regular ............ 56,000
Holiday/overtime compensation ..... 2,000

Amount available for personal service .... 58,000

NONPERSONAL SERVICE

Supplies and materials ................ 3,000
Travel .................................. 9,000
Contractual services .................. 56,000
Equipment ............................. 1,000
Fringe benefits ....................... 27,000
Indirect costs .......................... 3,000

Amount available for nonpersonal service.. 99,000

Program account subtotal ............. 157,000

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

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

NONPERSONAL SERVICE

Supplies and materials ................ 15,000
Travel .................................. 20,000
Contractual services .................. 36,000

Program account subtotal ............. 71,000
COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES 2009-10

<table>
<thead>
<tr>
<th>Special Revenue Funds / Other / State Operations</th>
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<tbody>
<tr>
<td>Miscellaneous Special Revenue Fund - 339</td>
</tr>
<tr>
<td>Federal Salary Sharing Account</td>
</tr>
</tbody>
</table>

**PERSONAL SERVICE**

| Personal service--regular                     | 2,270,000 |
| Holiday/overtime compensation                  | 24,000    |
| Amount available for personal service          | 2,294,000 |

**NONPERSONAL SERVICE**

| Supplies and materials                        | 2,000     |
| Travel                                        | 146,000   |
| Contractual services                          | 164,000   |
| Equipment                                     | 15,000    |
| Fringe benefits                               | 1,013,000 |
| Indirect costs                                | 98,000    |
| Amount available for nonpersonal service      | 1,438,000 |
| **Program account subtotal**                  | 3,732,000 |

Enterprise Funds / State Operations

| Miscellaneous Enterprise Fund - 331           |
| Publications Account                         |

**NONPERSONAL SERVICE**

| Supplies and materials                        | 5,000     |
| Contractual services                          | 15,000    |
| **Program account subtotal**                  | 20,000    |

Enterprise Funds / State Operations

| Miscellaneous Enterprise Fund - 331           |
| TRAID Services Account                       |

For services and expenses related to TRAID project activities including the provision of educational, outreach, training and support services pursuant to chapter 58 of the laws of 2005.

**NONPERSONAL SERVICE**

| Supplies and materials                        | 5,000     |
| Travel                                        | 10,000    |
| Contractual services                          | 10,000    |
| **Program account subtotal**                  | 25,000    |

ADULT HOMES PROGRAM ...................................... 230,000
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<th>Item</th>
<th>Amount</th>
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<td>Local Assistance Account - 001</td>
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<tr>
<td>For services and expenses related to the</td>
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<tr>
<td>adult homes advocacy program ...................................</td>
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<td>Program account subtotal ................................................................</td>
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<tr>
<td>Special Revenue Funds - Other / Aid to Localities</td>
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<tr>
<td>HCRA Resources Fund - 061</td>
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<td>Adult Home Resident Council Support Project Account</td>
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<td>For services and expenses related to the</td>
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<td>adult homes resident council support project ................................</td>
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<td>Program account subtotal ................................................................</td>
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<td>CLIENT ASSISTANCE PROGRAM</td>
<td>654,000</td>
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<td>Special Revenue Funds - Federal / State Operations</td>
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<tr>
<td>Federal Department of Education Fund - 267</td>
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<td>Personal service ......................................................................</td>
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<td>Nonpersonal service ...................................................................</td>
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<td>Fringe benefits .......................................................................</td>
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<td>Indirect costs .........................................................................</td>
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<td>PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM ............</td>
<td>217,000</td>
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<td>Special Revenue Funds - Federal / State Operations</td>
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<tr>
<td>Federal Department of Education Fund - 267</td>
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<tr>
<td>For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements.</td>
<td></td>
</tr>
<tr>
<td>Personal service ......................................................................</td>
<td>56,000</td>
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<td>Nonpersonal service ...................................................................</td>
<td>133,000</td>
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<tr>
<td>Fringe benefits .......................................................................</td>
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<td>Indirect costs .........................................................................</td>
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<td>PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM</td>
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<td>Special Revenue Funds - Federal / State Operations</td>
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<td>Federal Operating Grants Fund - 290</td>
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<td>Personal service ......................................................................</td>
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<td>Nonpersonal service ...................................................................</td>
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<td>Program Description</td>
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<td>Protection and Advocacy for Developmentally Disabled Program</td>
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<td>Federal Health and Human Services Fund - 265</td>
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<td>Fringe benefits</td>
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<td>Personal service</td>
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<td>Indirect costs</td>
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<td>Protection and Advocacy for Persons with Traumatic Brain Injury Program</td>
<td>167,000</td>
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<tr>
<td>Nonpersonal service</td>
<td>167,000</td>
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<tr>
<td>Protection and Advocacy Help America Vote Act Program</td>
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<td>Special Revenue Funds - Federal / State Operations</td>
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<tr>
<td>Nonpersonal service</td>
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<td>Protection and Advocacy of Individual Rights Program</td>
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<td>Federal Department of Education Fund - 267</td>
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<tr>
<td>Personal service</td>
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<tr>
<td>Nonpersonal service</td>
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<td>Surrogate Decision-Making Committee Program</td>
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<td>Federal Department of Education Fund - 267</td>
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For surrogate decision-making committee
program contracts with local service
providers ........................................ 123,000
---
Program account subtotal .................. 123,000
---
Special Revenue Funds - Other / Aid to Localities
Miscellaneous Special Revenue Fund - 339
Federal Salary Sharing Account

For surrogate decision-making committee
program contracts with local service
providers ........................................ 418,000
---
Program account subtotal .................. 418,000
---
TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES .............................. 707,000
---
Special Revenue Funds - Federal / State Operations
Federal Department of Education Fund - 267
1031-OT-Education Account

For services and expenses related to TRAID
including for contract for the delivery of
direct services to persons utilizing
regional technology centers or other enti-
ties funded through the TRAID project
pursuant to chapter 58 of the laws of
2005.

Personal service ............................... 185,000
Nonpersonal service ........................... 431,000
Fringe benefits .................................. 77,000
Indirect costs ................................... 14,000
---
Total new appropriations for state operations and aid to
localities ........................................ 17,630,000
---
COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

ADMINISTRATION PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses associated with federal grant awards yet to be allocated. Notwithstanding any inconsistent provision of law, the director of the budget is hereby authorized to transfer appropriation authority contained herein to any other federal fund or program within the commission on quality of care and advocacy for persons with disabilities ... 300,000 ...................... (re. $300,000)

CLIENT ASSISTANCE PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
Personal service ... 67,000 ......................... (re. $67,000)
Nonpersonal service ... 571,000 ......................... (re. $571,000)
Fringe benefits ... 31,000 ............................ (re. $31,000)
Indirect costs ... 8,000 .............................. (re. $8,000)

By chapter 54, section 1, of the laws of 2007:
For the grant period October 1, 2007 to September 30, 2008:
Nonpersonal service ... 536,000 ......................... (re. $501,000)

PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements ... 229,000 ................ (re. $229,000)

By chapter 54, section 1, of the laws of 2007:
For services and expenses related to assisting individuals with obtaining assistive technology services and devices consistent with federal grant requirements:
For the grant period October 1, 2007 to September 30, 2008 ...........
168,000 .......................... (re. $99,000)

PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY PROGRAM

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

By chapter 54, section 1, of the laws of 2008:
Personal service ... 63,000 .......................... (re. $63,000)
Nonpersonal service ... 235,000 ........................ (re. $235,000)
Fringe benefits ... 29,000 ............................. (re. $29,000)
Indirect costs ... 6,000 ............................... (re. $6,000)
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<th>Federal Health and Human Services Fund - 265</th>
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<tr>
<td>By chapter 54, section 1, of the laws of 2008:</td>
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<tr>
<td>Personal service ... 466,000</td>
<td>(re. $466,000)</td>
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<tr>
<td>Nonpersonal service ... 1,354,000</td>
<td>(re. $1,354,000)</td>
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<tr>
<td>Fringe benefits ... 208,000</td>
<td>(re. $208,000)</td>
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<tr>
<td>Indirect costs ... 34,000</td>
<td>(re. $34,000)</td>
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<tr>
<td>By chapter 54, section 1, of the laws of 2007:</td>
<td></td>
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<tr>
<td>For the grant period October 1, 2006 to September 30, 2007:</td>
<td></td>
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<tr>
<td>Personal service ... 213,000</td>
<td>(re. $213,000)</td>
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<tr>
<td>Nonpersonal service ... 76,000</td>
<td>(re. $76,000)</td>
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<tr>
<td>Fringe benefits ... 97,000</td>
<td>(re. $97,000)</td>
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<tr>
<td>Indirect costs ... 15,000</td>
<td>(re. $15,000)</td>
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<td>By chapter 54, section 1, of the laws of 2006:</td>
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<td>For the grant period October 1, 2006 to September 30, 2007:</td>
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<td>1,629,000</td>
<td>(re. $900,000)</td>
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<td>PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS</td>
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<td>By chapter 54, section 1, of the laws of 2008:</td>
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<td>Personal service ... 488,000</td>
<td>(re. $488,000)</td>
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<td>Nonpersonal service ... 887,000</td>
<td>(re. $887,000)</td>
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<tr>
<td>Fringe benefits ... 218,000</td>
<td>(re. $218,000)</td>
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<tr>
<td>Indirect costs ... 37,000</td>
<td>(re. $37,000)</td>
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<tr>
<td>By chapter 54, section 1, of the laws of 2007:</td>
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<td>For the grant period October 1, 2006 to September 30, 2007:</td>
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<td>Personal service ... 239,000</td>
<td>(re. $239,000)</td>
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<tr>
<td>Nonpersonal service ... 133,000</td>
<td>(re. $133,000)</td>
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<tr>
<td>Fringe benefits ... 109,000</td>
<td>(re. $109,000)</td>
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<tr>
<td>Indirect costs ... 18,000</td>
<td>(re. $18,000)</td>
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<tr>
<td>By chapter 54, section 1, of the laws of 2006:</td>
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<tr>
<td>For the grant period October 1, 2006 to September 30, 2007:</td>
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<td>1,108,000</td>
<td>(re. $471,000)</td>
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<tr>
<td>PROTECTION AND ADVOCACY FOR PERSONS WITH TRAUMATIC BRAIN INJURY PROGRAM</td>
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<td>Special Revenue Funds - Federal / State Operations</td>
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<td>Federal Health and Human Services Fund - 265</td>
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<tr>
<td>By chapter 54, section 1, of the laws of 2008:</td>
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<td>Nonpersonal service ... 89,000</td>
<td>(re. $89,000)</td>
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<td>By chapter 54, section 1, of the laws of 2007:</td>
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<td>For the grant period June 1, 2007 to May 31, 2008:</td>
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<tr>
<td>Nonpersonal service ... 85,000</td>
<td>(re. $34,000)</td>
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COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

STATE OPERATIONS AND AID TO LOCALITIES - REAPPROPRIATIONS 2009-10

1 PROTECTION AND ADVOCACY HELP AMERICA VOTE ACT PROGRAM

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

4 By chapter 54, section 1, of the laws of 2008:
5 Nonpersonal service ... 181,000 ......................... (re. $181,000)

6 By chapter 54, section 1, of the laws of 2007:
7 For the grant period October 1, 2006 to September 30, 2007:
8 Nonpersonal service ... 179,000 ......................... (re. $87,000)

13 PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM

14 Special Revenue Funds - Federal / State Operations
15 Federal Department of Education Fund - 267

18 By chapter 54, section 1, of the laws of 2008:
19 Personal service ... 137,000 ......................... (re. $137,000)
20 Nonpersonal service ... 704,000 ......................... (re. $704,000)
21 Fringe benefits ... 62,000 ......................... (re. $62,000)
22 Indirect costs ... 11,000 ......................... (re. $11,000)

24 By chapter 54, section 1, of the laws of 2007:
25 For the grant period October 1, 2007 to September 30, 2008:
26 Nonpersonal service ... 645,000 ......................... (re. $550,000)

28 TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES PROGRAM

30 Special Revenue Funds - Federal / State Operations
31 Federal Department of Education Fund - 267
32 1031-OT-Education Account

34 By chapter 54, section 1, of the laws of 2008:
35 For services and expenses related to TRAID including for contract for
36 the delivery of direct services to persons utilizing regional technol­
37 ogy centers or other entities funded through the TRAID project
38 pursuant to chapter 58 of the laws of 2005 ................
39 845,000 ......................... (re. $731,000)

41 By chapter 54, section 1, of the laws of 2007:
42 For services and expenses related to TRAID including for contract for
43 the delivery of direct services to persons utilizing regional technol­
44 ogy centers or other entities funded through the TRAID project
45 pursuant to chapter 58 of the laws of 2005.
46 For the grant period October 1, 2007 to September 30, 2008 .........
47 483,000 ......................... (re. $479,000)

49 Total reappropriations for state operations and aid to
50 localities ........................................... 12,537,000

51 =============
§ 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.
By chapter 54, section 2, of the laws of 2002:
For expenses related to spinal cord injury research pursuant to chap-
ter 338 of the laws of 1998 ... 13,500,000 ........ (re. $13,500,000)

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

By chapter 54, section 1, of the laws of 1997, as amended by chapter 54,
section 2, of the laws of 2002:
For advances to Roswell Park cancer institute account, the Helen Hayes
hospital account, the New York city veterans' home account, the New
York state home for veterans and their dependents at Oxford account,
New York state home for veterans in the lower-Hudson Valley account,
and the Western New York veterans' home account. Notwithstanding any
existing provision of law, amounts from this appropriation may be
made available only upon request of the commissioner of the depart-
ment of health and issuance of a certificate of approval by the
director of the budget. No moneys may be allocated from this appro-
piation 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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