

# **HEALTH & MENTAL HYGIENE**

**By Agency**



## OFFICE FOR THE AGING

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
<b>STATE OPERATIONS</b>				
General Fund	2,748,400	2,473,600	2,473,600	0
Special Revenue-Other	250,000	250,000	250,000	0
Special Revenue-Federal	11,252,000	10,987,000	10,987,000	0
Enterprise	100,000	100,000	100,000	0
<b>Total for STATE OPERATIONS</b>	<b>14,350,400</b>	<b>13,810,600</b>	<b>13,810,600</b>	<b>0</b>
<b>AID TO LOCALITIES</b>				
General Fund	111,163,000	109,454,000	113,333,500	3,879,500
Special Revenue-Other	980,000	980,000	980,000	0
Special Revenue-Federal	116,985,000	113,985,000	113,985,000	0
<b>Total for AID TO LOCALITIES</b>	<b>229,128,000</b>	<b>224,419,000</b>	<b>228,298,500</b>	<b>3,879,500</b>

### LEGISLATIVE ACTION

The Legislature appropriates \$242,109,100 on an All Funds basis, an increase of \$3,879,500 over the Executive Budget submission.

#### **Legislative Reductions**

The Legislature eliminates \$1,550,000 in proposed funding related to a new Local Competitive Grant Program.

#### **Legislative Changes**

The Legislature restores \$3,800,000 in funding for a long term care point of entry initiative, also known as NY-Connects, and transfers funding for the program from the Department of Health to the Office for the Aging.

The Legislature provides a 50 percent restoration for eleven aging programs eliminated in the Executive Budget, including:

- Congregate Services Initiative (\$403,000);
- Elderly Abuse Education and Outreach (\$245,000);
- Retired and Senior Volunteer Program (\$216,500);
- Community Empowerment Initiative (\$122,500);
- Enriched Social Adult Day Centers (\$122,500);
- EAC/Nassau Respite (\$118,500);
- Regional Caregiver Centers for Excellence (\$115,000);
- Foster Grandparent Program (\$98,000);

- NY Foundation Home Sharing (\$86,000);
- Long Term Care Senior Respite (\$71,000); and
- Patients' Rights Hotline (\$31,500).

## Article VII

The Legislature denies an Executive proposal to create a Local Competitive Grant Program.

The Legislature advances Article VII language to extend the Enriched Social Adult Day Program for three years.

## Legislative Additions

The Legislature provides funding for the following:

<b>PROGRAM</b>	<b>APPROPRIATION</b>
NYCONNECTS	\$3,800,000
CONGREGATE SERVICES INITIATIVE (CSI)	\$403,000
ELDERLY ABUSE EDUCATION, OUTREACH AND SUPPORT PROGRAM	\$245,000
RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP)	\$216,500
ENRICHED SOCIAL MODEL ADULT DAY PROGRAM	\$122,500
COMMUNITY EMPOWERMENT INITIATIVE	\$122,500
EAC/NASSAU SENIOR RESPITE PROGRAM	\$118,500
REGIONAL CAREGIVER CENTERS FOR EXCELLENCE	\$115,000
FOSTER GRANDPARENT PROGRAM	\$98,000
NY FOUNDATION HOME SHARING	\$86,000
LONG-TERM SENIOR RESPITE PROGRAM	\$71,000
PATIENT'S RIGHTS HOTLINE AND ADVOCACY PROJECT	\$31,500

## DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

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	<b>Adjusted Appropriation 2010-11</b>	<b>Executive Request 2011-12</b>	<b>Legislative Appropriation 2011-12</b>	<b>Change</b>
<b>STATE OPERATIONS</b>				
Special Revenue-Federal	4,750,000	4,750,000	4,750,000	0
Enterprise	10,000	10,000	10,000	0
<b>Total for STATE OPERATIONS</b>	<b>4,760,000</b>	<b>4,760,000</b>	<b>4,760,000</b>	<b>0</b>

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### LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.



## DEPARTMENT OF HEALTH

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
<b>STATE OPERATIONS</b>				
General Fund	284,576,500	244,615,000	244,615,000	0
Special Revenue-Other	540,291,587	518,938,100	525,738,100	6,800,000
Special Revenue-Federal	1,335,200,200	1,480,570,000	1,480,570,000	0
Enterprise	10,000	0	0	0
<b>Total for STATE OPERATIONS</b>	<b>2,160,078,287</b>	<b>2,244,123,100</b>	<b>2,250,923,100</b>	<b>6,800,000</b>
<b>AID TO LOCALITIES</b>				
General Fund	12,555,033,940	29,713,714,290	30,209,356,815	495,642,525
Special Revenue-Other	6,621,672,850	12,677,165,300	12,623,573,800	(53,591,500)
Special Revenue-Federal	36,703,876,000	61,105,414,000	61,888,904,000	783,490,000
<b>Total for AID TO LOCALITIES</b>	<b>55,880,582,790</b>	<b>103,496,293,590</b>	<b>104,721,834,615</b>	<b>1,225,541,025</b>
<b>CAPITAL PROJECTS</b>				
Capital Projects Fund	232,600,000	15,600,000	15,600,000	0
Capital Projects Fund - Advances	108,000,000	0	0	0
Federal Capital Projects Fund	157,183,000	74,833,000	74,833,000	0
<b>Total for CAPITAL PROJECTS</b>	<b>497,783,000</b>	<b>90,433,000</b>	<b>90,433,000</b>	<b>0</b>

### LEGISLATIVE ACTION

The Legislature provides for \$107,063,190,715 on an All Funds basis, an increase of \$1,232,341,025 over the Executive Budget. The budget appropriates funding for the Medicaid program in a two-year interval, and limits year-to-year spending increases in Medicaid to the 10-year rolling average of the medical component of the Consumer Price Index.

#### **Legislative Reductions**

The Legislature reduces funding for the Tobacco Use, Prevention and Control Program by \$17,000,000.

The Legislature reduces funding for the Medical Indemnity Fund by \$13,000,000, commensurate with the enacted budget language on medical malpractice that eliminates the proposed cap on non-economic damage awards.

The Legislature delays the implementation of Patient Centered Medical Homes, resulting in State share savings of \$8,500,000.

The Legislature rejects the creation of a Local Competitive Grant Program and the \$7,743,000 appropriation associated with the recommendation. Instead the Legislature discretely appropriates funding for various public health programs at 50 percent of SFY 2010-11 levels.

The Legislature rejects the creation of a Public Health Services Corps and the \$1,000,000 appropriation associated with the recommendation.

The Legislature also achieves \$46,500,000 in cash savings through reductions to the Health Efficiency and Affordability Law for New Yorkers (HEAL-NY) program, long term care assessment centers and the Commissioner's emergency assistance distribution pool.

## **Legislative Changes**

The Legislature restores \$120,500,000 in Medicaid State funds to reject the Executive's recommendation to place a \$250,000 limit on non-economic damages.

The Legislature restores \$30,300,000 in State share support to reject the elimination of "prescriber prevails" in Medicaid fee-for-service.

The Legislature restores \$28,300,000 in Medicaid State funds to reject the elimination of spousal refusal provisions.

The Legislature restores \$22,300,000 to the Elderly Pharmaceutical Insurance Coverage Program to maintain premium assistance for lower income senior citizens.

The Legislature restores \$7,760,000 for Roswell Park Cancer Institute.

The Legislature restores \$6,800,000 in State Operations funding for the Veterans' Homes in New York City, Montrose, Batavia and Oxford.

The Legislature rejects the proposed 10 percent reimbursement reduction in Early Intervention rates. Instead the Legislature enacts a five percent reduction and restores \$5,550,000. The Legislature rejects a proposal to require direct Medicaid billing for certain Early Intervention providers and restores \$500,000 to maintain current billing practices.

The Legislature shifts a portion of the appropriations for Family Planning and Emergency Contraception to Medicaid in order to take advantage of enhanced Federal reimbursement and achieves \$7,000,000 in annual State share savings as a result of this action.

The Legislature adds \$4,800,000 in State share support to reject increased co-payments for Medicaid and Family Health Plus. The Legislature further provides \$2,700,000 in State share support to reject the imposition of co-payments on Child Health Plus recipients.

The Legislature adds \$2,400,000 in State share support to modify the geographic boundaries for certain Federally Qualified Health Centers.

The Legislature adds \$800,000 in State funds to exempt pediatric nursing homes from the suspension of the Trend Factor.

The Legislature restores \$300,000 for the Adelphi University Breast Cancer Support Program.

The Legislature provides a 50 percent restoration for various priority health programs eliminated in the Executive Budget.

## **Article VII**

### **Part A - Public Health Programs**

The Legislature:

- amends the proposal to eliminate Medicare Part D Premium Assistance under the Elderly Pharmaceutical Insurance Program (EPIC) to instead restore premium assistance for lower income seniors. The Legislature accepts the Executive proposal to only provide coverage gap (doughnut hole) assistance and institute mandatory Part D enrollment for all EPIC participants, as well as eliminate the EPIC financial exemption, drug wrap coverage and co-payment assistance;
- amends the proposal to provide for a five percent across the board reduction to Early Intervention rates;
- accepts the proposal to eliminate reimbursement for optional services under the General Public Health Works program;
- amends the proposal to clarify the cost components of the methodology used to determine fees that support the Department of Health's oversight system for clinical laboratories and blood banks to include public posting of fees and to make language changes with regard to charges related to federal grants and patents;
- amends the proposal to authorize the Commissioner of Health to distribute funds available under the HEAL program through grants to general hospitals and nursing homes without a competitive bid or Request-for-Proposal (RFP) by adding notification language that is currently required when HEAL funds are disbursed without adhering to the State's procurement process;
- amends the proposal to extend the monetary penalties for violation of the Public Health Law for three years;
- enacts legislation to extend the Enriched Social Adult Day Services Demonstration program for three years;
- accepts the proposal to extend the ability for the Office of Professional Medical Conduct to use funds to support patient safety initiatives for two years; and
- amends the proposal to extend the streamlined process for contracting for the purchase of goods and services for State hospitals operated by the Department, and provides authorization for the Dormitory Authority to bundle Primary Care Development Corporation projects for four years.

### **Part B - Medicaid Cost Containment**

The Legislature accepts the Executive proposal to:

- authorize supplemental Medicaid payments for SUNY physicians, nurse practitioners, and physician assistants;
- require hospitals to submit additional data to the Department of Health for the purpose of calculating provider-specific disproportionate share hospital caps, in accordance with the federal requirements;
- authorize the continuation of Medicaid payments for nursing homes with discrete units for treating patients with Huntington disease; and
- allow prior year Medicaid payments to adult day health care providers treating patients with AIDS to be paid in SFY 2011-12.

### **Part C - Health Care Reform Act (HCRA)**

The Legislature:

- accepts the proposal to extend HCRA and a number of its financing components through March 31, 2014;
- accepts the proposal to extend the State's authority to transfer funds from HCRA to the General Fund for purposes related to subsidizing HEAL-NY capital grants and debt service costs through March 31, 2015;
- accepts the proposal to extend the Physician's Excess Medical Malpractice Program through June 30, 2014; and
- extend hospital indigent care payments through December 31, 2014 and reserve funds (\$36,000,000) each year through December 31, 2014 for distribution as high need adjustments.

### **Part D - Prior Year Cost Containment Extensions**

The Legislature:

- amends the proposal to extend various prior year cost containment initiatives through March 31, 2013;
- accepts the proposal to extend authorization for bad debt and charity care allowances for certified home health agencies through June 30, 2013;
- accepts the proposal to exclude Medicare from capital cost reimbursement;
- accepts the proposal to extend the requirement that nursing homes, hospitals, certified home health care and long term home health care providers maximize Medicare revenues through February 1, 2013;
- amends the proposal to extend certain income and benefit expansions relating to Child Health Plus and facilitated enrollment until July 1, 2014;
- amends the proposal to extend authorization for partially capitated managed care plans to provide primary care and preventive services to Medicaid recipients as well as HIV special needs plans until March 31, 2016;
- accepts the proposal to extend authorization for the Commissioner of Health to establish utilization thresholds for Medicaid services through July 1, 2014;
- amends the proposal to extend authorization for the Medicaid program to cover Medicaid Managed Care (MMC) premiums for the six-month period beginning with enrollment in a MMC plan until March 31, 2016;
- amends the proposal to extend the Medicaid managed care program until March 31, 2016; and
- amends the proposal to extend Medicaid co-payments until March 31, 2015.

### **Part H - Medicaid Redesign**

The Legislature:

- amends the proposal to exempt pediatric nursing homes from the two-year elimination of the Medicaid trend factor;

- accepts the proposal to implement utilization controls on Certified Home Health Agencies (CHHAs) through provider-specific annual spending caps;
- amends the proposal to implement a CHHA episodic payment system, based on 60-day episodes of care and adjusted by regional wages and case mix, to limit implementation of such payment system to three years;
- accepts the proposal to include prescription drug coverage in Medicaid Managed Care (MMC);
- accepts the proposal to authorize the Commissioner to conduct studies to determine actual medical care costs, including expenses for special education and special transportation, incurred by public school districts and state operated/supported schools;
- amends the proposal to authorize the Commissioner to discontinue reimbursement of equity in the capital component of proprietary nursing homes rates;
- enacts legislation to enable hospitals sponsored by public benefit corporations to provide increased payments to certain managed care providers and physicians;
- amends the proposal to preserve the “prescriber prevails” provision under Medicaid Fee-for-Service (FFS);
- amends the proposal to eliminate statutory Medicaid pharmacy reimbursement and dispensing fees, to require 60-day notification should the Commissioner seek to modify reimbursement or dispensing fees;
- accepts the proposal to authorize the Commissioner to negotiate rebates directly with pharmaceutical manufacturers;
- accepts the proposal that would make various changes to the Pharmacy and Therapeutics Committee (P&TC);
- accepts the proposal to discontinue the State-only Medicaid wrap around coverage for Part D pharmaceuticals;
- accepts the proposal to repeal provisions that exempt atypical anti-psychotics, antidepressants, immunosuppressants and anti-retrovirals from prior authorization requirements;
- accepts the proposal to limit payments for enteral formula, prescription footwear and compression stockings to certain medically necessary circumstances, and authorizes the Commissioner to require prior authorization for more than four opioid prescriptions in a 30 day period;
- accepts the proposal to authorize implementation of behavioral health utilization thresholds, and establishes limits for physical therapy, occupational therapy, speech therapy and pathology services for adults who are not developmentally disabled;
- accepts the proposal to eliminate the nursing adjustment for home care services provided by a certified home health agency (CHHA) or a long term home health care program (LTHHCP) to individuals diagnosed with acquired immune deficiency syndrome (AIDS);
- accepts the proposal to expand access to Medicaid coverage for smoking cessation beyond pregnant women and youth between 10 and 20 years of age;
- enacts the proposal to de-link workers’ compensation rates from hospital Medicaid reimbursement rates;
- amends the proposal to establish living wage requirements for home and community-based long term care providers for Long Island, Westchester and New York City;

- amends the proposal to expand the current State-wide patient centered medical home program to more payers and to broaden participation;
- amends the proposal to establish regulations that would incorporate quality measures relating to potentially preventable conditions and unnecessary surgical procedures into hospital reimbursement rates;
- amends the proposal to coordinate care for high-cost chronic populations through the establishment of Health Homes;
- advances legislation to expand the Statewide Planning and Research Cooperative System;
- advances legislation to require the Department to make Medicaid waiver and plan amendments public;
- accepts the proposal to expand screening, brief intervention, and referral to treatment (SBIRT) for alcohol and drug use to other settings in addition to emergency rooms;
- amends the proposal to require persons 21 years of age or older in need of home and community-based long term care services to enroll in Medicaid managed long term care;
- amends the proposal to authorize the State to contract with regional behavioral health organizations (BHO) to coordinate care for Medicaid recipients with behavioral health diagnoses;
- amends the proposal to require hospitals, nursing homes, and assisted living residences to provide access to palliative care, including associated pain management services;
- amends the proposal to mitigate potential anti-trust issues to improve the health system through increased coordination, integration and collaboration;
- amends the proposal to establish a medical indemnity fund to provide for the future health needs of neurologically impaired infants, while removing the proposed cap on non-economic damage awards;
- accepts the proposal to establish a disregard for retirement assets to encourage participation in the Medicaid Buy-In for the Working Poor and Disabled;
- accepts the proposal to eliminate duplicative laboratory and hospital psychiatric surveillance activities;
- amends the proposal to clarify requirements pertaining to adverse event reporting by hospitals and diagnostic and treatment centers;
- amends the proposal to require participating Medicaid providers to utilize a verification organization to review services set forth in a claim prior to submission;
- accepts the proposal to limit Medicaid co-insurance for Medicare covered Part B services when the total co-insurance amount would exceed the amount Medicaid would have paid under a Medicaid rate;
- amends the proposal to authorize the establishment of Accountable Care Organization (ACO) demonstration project;
- accepts the proposal to extend the HCRA amnesty through December 31, 2011, and denies the extension of the HCRA surcharge to outpatient surgery and radiation physician services;
- accepts the proposal to limit bed hold payments to nursing homes that have at least 50 percent of eligible residents enrolled in Medicaid managed care;

- accepts the proposal to establish a housing disregard as an incentive to join Medicaid managed long term care plans;
- amends the proposal to require certain populations to enroll in Medicaid managed care;
- accepts the proposal to authorize the conversion of certain family planning benefits to the Medicaid program;
- accepts the proposal to limit Level I Personal Care services to eight hours per week;
- amends the proposal to implement a two percent across-the-board reduction in consultation with various health care providers. The new language limits the effective period to SFYs 2011-12 and 2012-13, and caps the aggregate value of such reductions at \$345 million for SFY 2011-12;
- amends the proposal to institute a cap on the Medicaid rate of growth based on 10 year rolling average of the health component of the Consumer Price Index, and limits the enforcement of such cap to SFYs 2011-12 and 2012-13;
- accepts the proposal to restrict the processing of nursing home rate appeals to \$50 million for each SFY, and extends the Commissioner's authority to negotiate agreements resolving multiple pending appeals;
- accepts the proposal to implement a cost-neutral nursing home rebasing plan until the implementation of a statewide pricing methodology, which would begin between October 1, 2011 and January 1, 2012. Industry-funded rebasing payments to homes adversely impacted by rebasing would begin prior to July 1, 2011; and
- enacts legislation to allow the Department to enter into a contract for the Early Innovator Grant under an expedited procurement process.

## Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
MEDICAID: HOSPITAL INPATIENT (FEDERAL)	\$416,750,000
MEDICAL MALPRACTICE REFORM	\$298,000,000
ADDITIONAL LONG TERM CARE APPROPRIATION AUTHORITY (SRO OFFSET)	\$200,900,000
FEDERAL MATCH FOR NON-INSTITUTIONAL AND OTHER MEDICAID SERVICES	\$126,040,000
NURSING HOME REBASING	\$109,501,000
MEDICAID: NURSING HOMES (FEDERAL)	\$105,100,000
MEDICAID: NON-INSTITUTIONAL LONG-TERM CARE (FEDERAL)	\$84,800,000
REJECT PROPOSAL TO ELIMINATE PRESCRIBER PREVAILS	\$59,500,000
FEDERAL MATCH FOR MEDICAID-PHARMACY RESTORATIONS	\$59,500,000
ELIMINATION OF SPOUSAL REFUSAL	\$56,600,000
EPIC RESTORATIONS	\$22,300,000
CO-PAYMENTS FOR MEDICAID AND FHP	\$14,400,000
RESTORE FUNDING FOR ROSWELL PARK CANCER INSTITUTE	\$7,760,000
EARLY INTERVENTION - MEDICAID	\$7,400,000
RESTORATIONS TO VETERANS' NURSING HOMES	\$6,800,000
AMEND DEFINITION OF "DOWNSTATE" FOR FEDERALLY QUALIFIED HEALTH CENTER (FQHC) REIMBURSEMENT	\$4,800,000
MEDICAID: NON-INSTITUTIONAL LONG TERM CARE	\$4,800,000
CHILD HEALTH INSURANCE CO-PAYMENT (FEDERAL)	\$3,500,000
CO-PAYMENTS FOR CHILD HEALTH PLUS (CHP)	\$2,700,000

PEDIATRIC NURSING HOMES - EXEMPTION FROM TREND ELIMINATION	\$2,600,000
EARLY INTERVENTION PROGRAM	\$2,500,000
SHIFT OF STATE FAMILY PLANNING GRANTS TO MEDICAID	\$2,000,000
AUDIT OF RESIDENT TEACHING PROGRAMS	\$1,250,000
FUNDING FOR IMPROVED ACCESS TO INFERTILITY SERVICES (HCRA)	\$1,100,000
FUNDING FOR IMPROVED ACCESS TO INFERTILITY SERVICES	\$923,500
MEDICAID COLLABORATIVE STUDIES	\$695,600
CARDIAC SERVICES	\$690,900
HEALTH PROMOTION INITIATIVES	\$570,000
ADELPHI UNIVERSITY BREAST CANCER HOTLINE & SUPPORT	\$300,000
MATERNITY AND EARLY CHILDHOOD FOUNDATION	\$299,500
PUBLIC MANAGEMENT LEADERS OF TOMORROW PROGRAM	\$277,000
OFFICE OF MINORITY HEALTH	\$266,000
BRAIN TRAUMA FOUNDATION	\$245,000
CENTER FOR HEALTH WORKFORCE STUDIES	\$196,000
PATIENT INFORMATION & QUALITY IMPROVEMENT	\$184,000
FALLS PREVENTION	\$150,000
RACIAL DISPARITY STUDY	\$147,500
COMPREHENSIVE CARE CENTERS FOR EATING DISORDERS	\$125,000
NEW YORK STATE DONOR REGISTRY AWARENESS CAMPAIGN	\$122,500
GATEWAY INSTITUTE - CUNY	\$110,000
RESTORE THE INTERM LEAD SAFE HOUSING PROGRAM	\$100,000
TICK-BORNE DISEASE PROGRAM	\$73,500
COST OF LIVING ADJUSTMENT FOR PUBLIC HEALTH PROGRAMS.	\$47,200
STATEWIDE HEALTH BROADCASTS	\$41,750
WINTHROP - LATINO OUTREACH PROGRAM	\$36,750
SAFE MOTHERHOOD INITIATIVE	\$36,750
LONG TERM CARE COMMUNITY COALITION	\$34,500
STATEWIDE MATERNAL MORTALITY REVIEW	\$33,125
OSTEOPOROSIS PREVENTION	\$32,500
MINORITY MALE WELLNESS/SCREENING PROGRAM	\$26,950
PUBLIC HEALTH GENOMICS	\$25,000
SUDDEN INFANT DEATH SYNDROME CENTERS	\$19,500
UPSTATE MEDICAL - SUNY (MINORITY PARTICIPATION IN EDUCATION)	\$19,500
OFFICE OF MINORITY HEALTH COLA	\$14,500

## MEDICAID INSPECTOR GENERAL, OFFICE OF THE

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
<b>STATE OPERATIONS</b>				
General Fund	33,274,000	29,577,000	29,577,000	0
Special Revenue-Other	4,083,000	3,700,000	3,700,000	0
Special Revenue-Federal	50,804,000	47,076,000	47,076,000	0
<b>Total for STATE OPERATIONS</b>	<b>88,161,000</b>	<b>80,353,000</b>	<b>80,353,000</b>	<b>0</b>

### LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.



## DEPARTMENT OF MENTAL HYGIENE

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	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
<b>STATE OPERATIONS</b>				
Special Revenue-Other	600,000,000	600,000,000	600,000,000	0
<b>Total for STATE OPERATIONS</b>	<b>600,000,000</b>	<b>600,000,000</b>	<b>600,000,000</b>	<b>0</b>

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### LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.



# OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
<b>STATE OPERATIONS</b>				
Special Revenue-Other	123,905,000	112,483,400	112,483,400	0
Special Revenue-Federal	6,805,000	6,530,000	6,530,000	0
<b>Total for STATE OPERATIONS</b>	<b>130,710,000</b>	<b>119,013,400</b>	<b>119,013,400</b>	<b>0</b>
<b>AID TO LOCALITIES</b>				
General Fund	39,000,000	36,878,500	36,878,500	0
Special Revenue-Other	298,479,000	282,242,500	282,242,500	0
Special Revenue-Federal	139,755,000	135,000,000	135,000,000	0
<b>Total for AID TO LOCALITIES</b>	<b>477,234,000</b>	<b>454,121,000</b>	<b>454,121,000</b>	<b>0</b>
<b>CAPITAL PROJECTS</b>				
Capital Projects Fund	10,888,000	9,560,000	9,560,000	0
Mental Hygiene Capital Improvement Fund-389	98,046,000	88,046,000	88,046,000	0
<b>Total for CAPITAL PROJECTS</b>	<b>108,934,000</b>	<b>97,606,000</b>	<b>97,606,000</b>	<b>0</b>

## LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

### Legislative Changes

The Legislature includes appropriation language to specify that \$14,703,672 of the \$42,552,000 that supports the continuation of prior year contracts for entities providing services for problem gambling and chemical dependency prevention and treatment services is available to the New York City Department of Education.

### Article VII

The Legislature accepts an Executive proposal to eliminate the human services cost of living adjustment (COLA) for State Fiscal Year (SFY) 2011-12 and to extend the COLA for an additional year, through March 31, 2015.



## OFFICE OF MENTAL HEALTH

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
<b>STATE OPERATIONS</b>				
General Fund	800,000	800,000	800,000	0
Special Revenue-Other	2,141,991,000	2,037,172,000	2,037,172,000	0
Special Revenue-Federal	2,038,000	2,038,000	2,038,000	0
Enterprise	8,606,000	8,606,000	8,606,000	0
Internal Service Fund	2,810,000	2,610,000	2,610,000	0
<b>Total for STATE OPERATIONS</b>	<b>2,156,245,000</b>	<b>2,051,226,000</b>	<b>2,051,226,000</b>	<b>0</b>
<b>AID TO LOCALITIES</b>				
General Fund	420,982,000	420,982,000	420,982,000	0
Special Revenue-Other	807,394,000	826,038,000	826,038,000	0
Special Revenue-Federal	46,807,000	51,414,000	51,414,000	0
<b>Total for AID TO LOCALITIES</b>	<b>1,275,183,000</b>	<b>1,298,434,000</b>	<b>1,298,434,000</b>	<b>0</b>
<b>CAPITAL PROJECTS</b>				
Capital Projects Fund	37,600,000	37,600,000	37,600,000	0
Mental Hygiene Capital Improvement Fund-389	196,691,000	183,274,000	183,274,000	0
<b>Total for CAPITAL PROJECTS</b>	<b>234,291,000</b>	<b>220,874,000</b>	<b>220,874,000</b>	<b>0</b>

### LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

#### **Legislative Changes**

The Legislature amends appropriation language to establish criteria and to extend notification periods for closures, mergers, and consolidations of State-operated mental health facilities.

#### **Article VII**

The Legislature amends the Executive proposal to close, merge and consolidate mental health facilities. Specifically, the Legislature:

- denies the proposal to permanently repeal the requirement that the Office of Mental Health (OMH) provide notification 12-months prior to any closures, consolidations or service reductions at facilities and programs operated by OMH. Instead, the Legislature authorizes a one-year suspension of the 12-month notification requirement for State Fiscal Year (SFY) 2011-12 only;

- limits consolidations and service reductions to an aggregate maximum of 600 beds in SFY 2011-12;
- requires OMH to provide 30 days notification when closing wards and 60 days notification prior to facility closures; and
- requires OMH to consider certain criteria prior to closing a ward or facility, including the services provided by the facility, the long-term needs of the service area, the availability of staffing, the capital needs of the facility, the proximity to other facilities, the anticipated savings, the availability of community services, and the impact on access to mental health services.

The Legislature accepts Executive proposals to:

- suspend, rather than terminate, Medicaid eligibility for individuals in Institutions for Mental Diseases;
- convert the Brooklyn Children’s Psychiatric Center from a children’s psychiatric hospital to a community-based program for children with serious emotional disturbances; and
- eliminate the human services cost of living adjustment (COLA) for State Fiscal Year (SFY) 2011-12 and to extend the COLA for an additional year, through March 31, 2015.

## OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
<b>STATE OPERATIONS</b>				
Special Revenue-Other	2,260,020,000	2,147,051,700	2,147,051,700	0
Special Revenue-Federal	751,000	751,000	751,000	0
Enterprise	2,668,000	2,668,000	2,668,000	0
Internal Service Fund	350,000	350,000	350,000	0
<b>Total for STATE OPERATIONS</b>	<b>2,263,789,000</b>	<b>2,150,820,700</b>	<b>2,150,820,700</b>	<b>0</b>
<b>AID TO LOCALITIES</b>				
General Fund	1,472,023,000	1,430,364,800	1,430,364,800	0
Special Revenue-Other	891,773,000	866,536,700	866,536,700	0
<b>Total for AID TO LOCALITIES</b>	<b>2,363,796,000</b>	<b>2,296,901,500</b>	<b>2,296,901,500</b>	<b>0</b>
<b>CAPITAL PROJECTS</b>				
Capital Projects Fund	57,025,000	62,140,000	62,140,000	0
Mental Hygiene Capital Improvement Fund-389	82,535,000	89,855,000	89,855,000	0
<b>Total for CAPITAL PROJECTS</b>	<b>139,560,000</b>	<b>151,995,000</b>	<b>151,995,000</b>	<b>0</b>

### LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

#### **Article VII**

The Legislature accepts the Executive Article VII proposal to eliminate the human services cost of living adjustment (COLA) for State Fiscal Year (SFY) 2011-12 and to extend the COLA for an additional year, through March 31, 2015.



# COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

	Adjusted Appropriation 2010-11	Executive Request 2011-12	Legislative Appropriation 2011-12	Change
<b>STATE OPERATIONS</b>				
General Fund	5,466,000	4,922,000	4,922,000	0
Special Revenue-Other	4,185,000	4,185,000	4,185,000	0
Special Revenue-Federal	8,345,000	8,345,000	8,345,000	0
Enterprise	45,000	45,000	45,000	0
<b>Total for STATE OPERATIONS</b>	<b>18,041,000</b>	<b>17,497,000</b>	<b>17,497,000</b>	<b>0</b>
<b>AID TO LOCALITIES</b>				
General Fund	170,000	170,000	170,000	0
Special Revenue-Other	478,000	478,000	478,000	0
<b>Total for AID TO LOCALITIES</b>	<b>648,000</b>	<b>648,000</b>	<b>648,000</b>	<b>0</b>

## LEGISLATIVE ACTION

The Legislature concurs with the Executive recommendation.

