

HEALTH & MENTAL HYGIENE

**Summary of Recommended Appropriations
By Agency**

OFFICE FOR THE AGING

	Adjusted Appropriation 2007-08	Executive Request 2008-09	Legislative Appropriation 2008-09	Change
STATE OPERATIONS				
General Fund	3,366,000	3,221,000	3,271,000	50,000
Special Revenue-Other	300,000	300,000	300,000	0
Special Revenue-Federal	10,250,000	10,250,000	10,250,000	0
Enterprise	100,000	100,000	100,000	0
Total for STATE OPERATIONS	14,016,000	13,871,000	13,921,000	50,000
AID TO LOCALITIES				
General Fund	119,770,085	118,669,000	120,879,000	2,210,000
Special Revenue-Other	4,000,000	3,920,000	3,920,000	0
Special Revenue-Federal	107,600,000	107,600,000	107,600,000	0
Total for Agency	231,370,085	230,189,000	232,399,000	2,210,000
Grants In Aid	0	0	7,472,373	7,472,373
Total for AID TO LOCALITIES	231,370,085	230,189,000	239,871,373	9,682,373

LEGISLATIVE ACTION

The Legislature appropriates \$246,320,000 on an All Funds basis, a net increase of \$2,260,000 over the Executive budget submission. In addition, there is an appropriation of \$7,472,373 for other programs.

Legislative Reductions

The Legislature delays implementation of the Regional Caregiver Centers for Excellence until January 1, 2009 and reduces funding by \$475,000.

The Legislature delays implementation of the Enriched Social Adult Day Services demonstration project until January 1, 2009 and reduces funding by \$500,000.

The Legislature concurs with the Executive decision not to fund the Executive proposal of \$2,500,000 for the Targeted Expanded In-Home Services for the Elderly Program (EISEP).

Legislative Changes

The Legislature provides

- \$1,000,000 in additional funding to designated Area Agencies on Aging for transportation operating expenses related to serving the elderly.
- \$750,000 to support programs related to geriatric in-home medical care initiatives including in-home visits and consultations by physicians.

- \$260,000 to support additional grants to existing providers of social model adult day services pursuant to the following sub-schedule:
 - \$40,000 for the Chautauqua Adult Day Center;
 - \$50,000 for the Community Programs Center of Long Island;
 - \$85,000 for the Lutheran Family Centers of Brooklyn; and
 - \$85,000 for the Park Slope Geriatric Center.
- \$200,000 to support end of life care initiatives.
- \$50,000 to be sub allocated to the Department of Health for the Alzheimer’s Advisory Coordinating Council to review the impact of existing agency initiatives and to develop a comprehensive statewide policy for providing services to people with dementia and their families.

Article VII

The Legislature

- accepts language that establishes the Enriched Social Adult Day Services Demonstration Program to enable seniors to live in their community in order to deter or delay institutionalization.
- denies language to establish the Targeted Enhanced In-home Services for the Elderly Program (EISEP) demonstration program.
- accepts language that would extend the cost-of-living adjustment (COLA) through State Fiscal Year 2011-12.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
OPERATING SUPPORT FOR TRANSPORTATION RELATED EXPENSES	\$1,000,000
GERIATRIC IN-HOME MEDICAL INITIATIVES	\$750,000
ADULT DAY CARE - SOCIAL MODEL	\$260,000
END OF LIFE CARE INTITIATIVES	\$200,000
ALZHEIMER'S DISEASE COORDINATING COUNCIL	\$50,000

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL

	Adjusted Appropriation 2007-08	Executive Request 2008-09	Legislative Appropriation 2008-09	Change
STATE OPERATIONS				
Special Revenue-Federal	4,550,000	4,550,000	4,550,000	0
Enterprise	10,000	10,000	10,000	0
Total for STATE OPERATIONS	4,560,000	4,560,000	4,560,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

DEPARTMENT OF HEALTH

	Adjusted Appropriation 2007-08	Executive Request 2008-09	Legislative Appropriation 2008-09	Change
STATE OPERATIONS				
General Fund	228,166,000	259,672,800	259,672,800	0
Special Revenue-Other	585,260,500	553,733,200	552,913,200	(820,000)
Special Revenue-Federal	1,160,840,000	1,191,493,000	1,191,493,000	0
Enterprise	10,000	10,000	10,000	0
Total for STATE OPERATIONS	1,974,276,500	2,004,909,000	2,004,089,000	(820,000)
AID TO LOCALITIES				
General Fund	13,349,893,460	13,285,845,100	12,928,895,100	(356,950,000)
Special Revenue-Other	6,276,585,000	6,120,630,000	6,395,480,000	274,850,000
Special Revenue-Federal	27,968,484,000	27,381,860,000	27,610,522,000	228,662,000
Total for Agency	47,594,962,460	46,788,335,100	46,934,897,100	146,562,000
Total Contingency	1,771,200,000	1,771,200,000	1,771,200,000	0
Grants In Aid	0	0	9,128,860	9,128,860
Total for AID TO LOCALITIES	49,366,162,460	48,559,535,100	48,715,225,960	155,690,860
CAPITAL PROJECTS				
Capital Projects Fund	182,600,000	182,600,000	182,600,000	0
Capital Projects Fund - Advances	85,000,000	85,000,000	85,000,000	0
Federal Capital Projects Fund	36,812,000	9,980,000	9,980,000	0
Total for CAPITAL PROJECTS	304,412,000	277,580,000	277,580,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$49,216,566,100 for the Department of Health on an All Funds basis, a net increase of \$145,742,000 over the Executive budget submission. In addition, there is an appropriation of \$9,128,860 for other programs.

Legislative Reductions

The Legislature reduces spending by \$400,920,000 from the Executive proposed budget, which includes the following actions: a reduction of \$325,000,000 as a result of Medicaid spending re-estimates, \$75,000,000 of which is due to an expected increase in audit projections; a reduction of \$11,000,000 due to the denial of the Executive's proposed \$1 increase in the dispensing fee paid to pharmacies; a reduction of \$33,100,000 resulting from a delay in hospital outpatient investments; a reduction of \$12,000,000 resulting from a delay in the implementation of the expansion of the Child Health Plus program; a reduction of \$820,000 due to the elimination of proposed spending related to clinical laboratories; and a reduction of \$19,000,000 in spending that would have been required had the Legislature accepted the Executive's proposed changes to the tax on premiums on certain health plans.

Legislative Changes

Public Health

The Legislature provides \$16,700,000 to partially restore the Executive's proposed elimination of the cost of living adjustment (COLA) for the Early Intervention (EI) program.

The Legislature provides \$1,175,000 in additional funding in the AIDS Institute for AIDS-related programs, including:

- \$575,000 for Community Service Programs (CSP);
- \$575,000 for Multi-Service Agencies (MSA); and
- \$25,000 for the New York Aids Coalition.

The Legislature provides an additional \$25,363,000 in the Center for Community Health for public health programs, including:

- \$3,000,000 for Health Information Technology;
- \$2,048,300 for Health and Social Services Sexuality Related Programs;
- \$1,000,000 for Infertility Services;
- \$1,000,000 for Northern Regional Federally Qualified Community Health Centers;
- \$1,000,000 for the American Red Cross;
- \$750,000 for Village Care of New York, Inc;
- \$675,000 for Family planning;
- \$675,000 for School health clinics;
- \$600,000 for Universal Primary Care Center;
- \$575,000 for AIDS Testing and Prevention Initiatives;
- \$540,000 for Chernobyl Thyroid Cancer Screening Pilot Project;
- \$525,000 for the Primary Care Development Corporation;
- \$500,000 for Taconic IPA - Electronic Prescribing and Electronic Medical Records in the Hudson Valley;
- \$500,000 for Putnam Hospital Center;
- \$500,000 for Good Samaritan Hospital;
- \$500,000 for the NY Wellness Program;
- \$500,000 for the Academic Health Centers Consortium;
- \$500,000 for St. Luke's Cornwall Hospital;
- \$500,000 for Saratoga Hospital Foundation;
- \$496,700 for American Red Cross;
- \$400,000 for Northeast Health Electronic Medical Records;
- \$375,000 for the Health and Social Services Sexuality Related Programs Domestic Violence Network;
- \$350,000 for the Schenectady Health Care Practitioner Volunteer Program;
- \$300,000 for the Alzheimer's Community Assistance Program;
- \$300,000 for Catskill Regional Medical Center;
- \$300,000 for Comprehensive Care Centers for Eating Disorders;
- \$300,000 for Elizabethtown Hospital;
- \$300,000 for Alice Hyde Medical Center;
- \$300,000 for North Country Health Care Providers, LLC;
- \$250,000 for the NYU Mobile Dental Clinic;
- \$250,000 for Potsdam-Canton Hospital;
- \$250,000 for Arnot Ogden Medical Center;
- \$250,000 for the Alzheimer's Association;
- \$250,000 for North Shore/LIJ Health System - Huntington Hospital;
- \$250,000 for the Children's Annex - Autism Support Center;
- \$230,000 for Rome Hospital;

- \$225,000 for the Medical Homes Demonstration Program;
- \$200,000 for Ellenville Regional Hospital;
- \$200,000 for the Primary Care Physician Training Program;
- \$200,000 for North Shore/LIJ Health System - Returning Veteran's Program;
- \$200,000 for Health Information Technology for Nursing Homes;
- \$200,000 for the Brain Trauma Foundation;
- \$200,000 for the Rhoneix Pilot Program at Wadsworth Laboratory;
- \$200,000 for Glens Falls Hospital;
- \$160,000 for the NYS Ovarian Cancer Hotline;
- \$150,000 for Northeast Health GPS Tracking Device for Home Care Services;
- \$150,000 for the Latino Commission on AIDS;
- \$150,000 for the Nyack Hospital Foundation;
- \$135,000 for the Center for Healthcare Access;
- \$134,000 for Legal Services for NYC;
- \$134,000 for the Legal Aid Society;
- \$125,000 for Perinatal care networks;
- \$125,000 for the Research Foundation of SUNY/HIV Center for Women and Children at SUNY Downstate;
- \$125,000 for Catskill Area Hospice;
- \$125,000 for Cortland Regional Medical Center;
- \$110,000 for Westchester Regional EMS;
- \$100,000 for the Health Care Based Literacy Program;
- \$100,000 for Services for Individuals with amyotrophic lateral sclerosis (ALS);
- \$100,000 for Alzheimer's Disease Assistance Centers (ADAC);
- \$100,000 for the Coalition of Institutionalized Aged and Disabled;
- \$100,000 for the Lymphatic Research Foundation;
- \$100,000 for the Long Island Health Network;
- \$100,000 for the Arthritis Foundation;
- \$100,000 for the Community Blood Services for Orange County Bloodmobile;
- \$50,000 for Huntington's Disease centers;
- \$50,000 for the NYS Breast Cancer Network;
- \$50,000 for the School Based Health Coalition;
- \$50,000 for RotaCare;
- \$50,000 for the Coalition for Community Well Being; and
- \$25,000 for the Organ Donor Network.

The Legislature provides an additional 4,550,000 in the Office of Long Term Care, including:

- \$2,750,000 for the Quality Incentive Payment Program (QUIP); and
- \$1,800,000 for Adult Home Air Conditioning.

Medical Assistance (Medicaid) Program and the Health Care Reform Act (HCRA)

Hospitals and Ambulatory Care

The Legislature accepts the Executive's proposal to update the base year by which rates are calculated from 1981 to 2005 over a period of four years, but eliminates technical language that would have established a new reimbursement methodology to specifically modify Graduate Medical Education (GME) funding, eliminate hospital workforce recruitment and retention funding, eliminate the wage equalization factor (WEF), and eliminate hospital rate appeals. The Legislature also requires the Commissioner of Health and the Chairs of the Senate and Assembly Health Committees to convene a technical advisory committee to assist in the creation of a new methodology for providing hospital inpatient reimbursement. The Commissioner of Health will be required to issue a report by November 1, 2008, detailing all of the findings and including recommendations for a new methodology to be proposed as part of the SFY 2009-10 Executive Budget.

Effective December 1, 2008, and for the next four years, an amount determined annually by the Legislature would be redirected from inpatient reimbursement to support an increase in reimbursement for outpatient services. To support these changes, the Legislature restores \$35,000,000, including: \$3,200,000 related to delaying the implementation of the proposed changes from July 1, 2008 to December 1, 2008; \$12,000,000 for public hospital recruitment and retention funding; and \$19,800,000 for non-public hospital recruitment and retention funding.

The Legislature restores \$32,100,000 and delays the reduction of the inpatient rates paid for detoxification services until December 1, 2008 and phases this rate reduction in over a four year period. The Legislature also restores \$3,000,000 to reject the Executive's proposal to eliminate the specialty Medicaid rates paid to hospitals for psychiatric services.

The Legislature accepts the Executive's proposed investments in primary and ambulatory care provided by hospital based outpatient departments, emergency departments, and clinics, but delays the implementation of these investments from July 1, 2008 to December 1, 2008 for hospitals and from January 1, 2009 to March 1, 2009 for clinics. This delay results in a State savings of \$33,100,000 for SFY 2008-09. The Legislature also accepts the implementation of an ambulatory patient group (APG) method of reimbursement for hospital and clinic outpatient services to be implemented with these new investments. The Legislature accepts the Executive's proposed increase in the rates paid to physicians and other investments in various primary care service enhancements.

The Legislature rejects the Executive's proposal to phase-in a new methodology for providing funds to hospitals for bad debt and charity care, and instead implements a two year demonstration program, under which 10 percent of the \$847,000,000 in bad debt and charity care funding will be distributed based on the number of indigent patients served instead of cost reports.

The Legislature accepts the Executive's proposal to provide \$15,600,000 in funding in SFY 2008-09 for the "Doctors Across New York" program, but rejects the proposed dedication of additional Graduate Medical Education (GME) pool funding in subsequent fiscal years. This initiative would support a variety of programs, including: ambulatory training for residency programs in community based settings; the physician loan repayment program; enhanced funding to community based centers to attract and retain physicians in underserved communities; enhanced funding to expand diversity in Medicine; and increased funding for the Area Health Education Centers (AHEC). The Legislature also requires the Department of Health (DOH) to conduct a study on the possible inclusion of other health care professionals and alternative funding sources in the outyears.

The Legislature restores \$400,000 related to workforce recruitment and retention funding for Diagnostic and Treatment Centers and \$4,912,000 in transition and information technology funding for community health centers.

Nursing Homes

The Legislature restores \$85,000,000 to provide a full restoration of the prior year nursing home rebasing transition funding. The Legislature also includes \$15,000,000 in State funds to support nursing home recruitment and retention activities.

Other Long Term Care

The Legislature provides \$25,000,000 in State funds to reject the following proposals: reducing the allowable amount for reimbursement for administrative and general costs for certified home health agencies and long term home health care programs; reducing the certified home health agency rate cap from 110 percent to 100 percent of the group average rate; and freezing the base year at 2005 for certified home health agencies. The Legislature also provides \$8,000,000 for a restoration of the rural home care program and \$4,000,000 related to the rejection of a personal care utilization demonstration program for New York City.

Pharmacy

The Legislature provides an additional \$8,250,000 to the Medicaid program and \$1,750,000 to the Elderly Pharmaceutical Insurance Coverage (EPIC) program for partial restoration of the Executive's proposed reduction in reimbursement to pharmacies. The restoration provides for the reimbursement of brand name drugs at Average Wholesale Price (AWP) minus 16.25 percent instead of AWP minus 17 percent as had been proposed by the Executive. The Legislature also maintains specialized HIV/AIDS only pharmacies at AWP minus 12 percent for brand name and generic drugs. These additions are offset by a reduction of \$9,000,000 in the Medicaid program and a reduction of \$2,000,000 in the EPIC program related to the rejection of the proposed \$1 increase in the dispensing fee paid to pharmacies. The Legislature also rejects the Executive's proposal to include anti-depressants in the Preferred Drug Program (PDP) and restores \$5,000,000 to the Medicaid program.

The Legislature rejects proposed changes to the EPIC program related to prior authorization for prescriptions not covered by Medicare Part D. Instead, the Legislature also requires the EPIC program to pursue appeals on behalf of the individuals who have had their prescriptions denied by Medicare Part D. The Legislature restores \$2,600,000 to effectuate these actions.

The Legislature establishes a prescription drug discount program, which will be available to all individuals who meet the EPIC income eligibility criteria and are between the ages of 50 – 64 or who are considered disabled under the Medicare standard. Participation in this program would be voluntary for pharmacies and drug manufacturers, and the program would offer discounts on drug purchases that are not covered by private insurance or other public coverage.

Managed Care

The Legislature restores \$12,000,000 to reject the proposed increase in Child Health Plus premiums. The Legislature also rejects the proposal to move the rate setting process for CHP from the Department of Insurance (DOI) to DOH.

The Legislature accepts \$34,000,000 in savings related to the Executive's proposals that would reduce premium increases for the Family Health Plus (FHP) and Medicaid Managed Care programs by one half of a percentage point; reduce the premium increases for the Managed Long Term Care program by 50 percent; reduce premiums for FHP and Medicaid Managed Care related to facilitated enrollment; expand the mandatory enrollment of SSI recipients into managed care plans; and amend the definition of severe and persistent mental illness (SPMI) which would increase the number of mentally ill individuals eligible for mandatory enrollment into the Medicaid Managed Care.

Transportation

The Legislature restores \$10,000,000 related to the rejection of transportation broker contracts for non-emergency transportation services and \$3,000,000 for a restoration of the supplemental emergency transportation rate.

Revenue Actions

The Legislature accepts \$70,000,000 of the proposed \$190,000,000 increase in the Covered Lives Assessment resulting in an increase in the total annual assessment from \$850,000,000 to \$920,000,000.

Capital

The Legislature accepts the Executive's proposal to continue the Health Care Efficiency and Affordability Law for New Yorkers (HEAL NY) program and advances the final annual \$250,000,000 installment of the total \$1,000,000,000 available over the four year life of the program.

Article VII

Part A – Public Health Programs

The Enacted Budget contains language that:

- decreases pharmacy reimbursement for the Elderly Pharmaceutical Insurance Coverage (EPIC) program from Average Wholesale Price (AWP) less 14 percent, to AWP less 16.25 percent for brand name drugs, instead of AWP less 17 percent as proposed by the Executive;
- requires the DOH to conduct a study on the feasibility and cost effectiveness of a program to make childhood immunizations available to children and adolescents without charge;
- provides reimbursement for certain expenses of members of the Coordinating Council for Services Related to Alzheimer's Disease and Other Dementia;
- clarifies the term "municipality" for purposes of State reimbursement for public health emergencies under Article 6 of the Public Health Law;
- authorizes Professional Medical Account funding of physician profiling for a period of two years;
- limits pharmacy reimbursement for generic drugs under the EPIC program to the lower of: the federal upper limit, if applicable; the estimated acquisition cost of the drug; the state maximum acquisition cost; the pharmacy's usual and customary price;
- creates a three-tiered set of penalties for violations of the Public Health Law or DOH regulation and increases civil penalties for violations and willful violations of health law or regulations from \$2,000 to \$10,000 and authorizes the Comptroller to deposit amounts collected in the Patient Safety Center account;
- transfers the Adolescent Pregnancy Prevention Program from the Office of Children and Family Services to DOH;
- creates the Enriched Social Adult Day Services Demonstration Project;
- clarifies BMI statutory provisions to specify that BMI surveys conducted by DOH will be based on data recorded on school physical forms;
- requires the EPIC program to cover the generic version of a drug when it is available;
- requires the EPIC program to pursue reimbursement from the Medicare Part D program for denials; and
- requires the AIDS Advisory Council to prepare a report on the potential for developing an AIDS research initiative.

The Enacted Budget denies language contained in the Executive proposal that:

- increases the EPIC dispensing fee paid to pharmacies for generic drugs and brand name drugs on the preferred drug list;
- establishes a new limited laboratory certificate of registration process for facilities performing only waived tests, state-waived tests and microscopy procedures and exempts these laboratories from having to be licensed or certified as a clinical laboratory practitioner under the Education Law;

- establishes a certificate of qualification process for clinical laboratory specialists within DOH;
- creates a Masters of Science degree program in the field of laboratory science within the Wadsworth Center; and
- expands the Public Health Management Leaders of Tomorrow program to accredited schools of public health and public health programs at public and private universities.

Part B – Health Care Reform Act (HCRA)

The Enacted Budget contains language that:

- extends the date of expiration for certain provisions of the HCRA program, including hospital HCRA surcharges, Medicaid inpatient hospital reimbursement methodology, and the covered lives assessment through December 31, 2011;
- extends and modifies Health Care Initiatives (HCI) pool allocations and Tobacco Control and Insurance Initiatives (TCII) pool allocations through March 31, 2011;
- extends the Pay for Performance Demonstration Program through March 31, 2011;
- extends the State's authority to transfer funds from HCRA to subsidize HEAL NY spending, capital grants and debt service costs;
- extends the authorization for hospital admission billing required for timely facility payments through March 31, 2011;
- extends the authorization for the Ambulatory Care Reimbursement pilot which provides the State with authority to set various reimbursement rates through March 31, 2011;
- extends the authorization for inpatient and ambulatory surgery case based rates through March 31, 2011;
- extends the Council on Health Care Financing through March 31, 2011;
- extends the authorization for the covered lives assessment amounts through March 31, 2011 and increases the assessment by \$70,000,000;
- extends Graduate Medical Education (GME) funding through March 31, 2011 and amends a variety of GME related definitions;
- extends rate adjustments for upstate hospitals that meet certain targeted Medicaid discharge percentages;
- extends enrollment in the Individual Subsidy Program through March 31, 2011;
- extends funding for the Rural Health Network Development grant program and the Rural Health Care Access Development program through March 31, 2011;
- makes technical changes to the Nursing Home Recruitment and Retention program language to include inadvertently omitted provisions;
- extends the Hospital Workforce Recruitment and Retention program through March 31, 2011;

- extends the Clinic Workforce Recruitment and Retention program through March 31, 2011;
- extends the Upstate Personal Care Workforce Recruitment and Retention program through March 31, 2011;
- extends the Home Care Workforce Recruitment and Retention program through March 31, 2011;
- extends the Physician's Excess Medical Malpractice program through March 31, 2011;
- extends the Bad Debt and Charity Care program through March 31, 2011;
- provides an alternative distribution methodology for indigent care reimbursement;
- extends the Health Insurance Continuation Demonstration program for entertainment industry employees and displaced workers through March 31, 2011.
- extends through March 31, 2011, funding for non-public hospitals in New York City, related to the provision of foreign language assistance;
- authorizes the expansion of the Child Health Plus program, to expand eligibility from 250 percent to 400 percent of the Federal Poverty Level and provides that such expansion will be funded by the State;
- requires providers and third-party payors to submit federal tax ID numbers to the Department of Health for administrative purposes;
- authorizes the Commissioner of Health to waive payment of interest and penalties in certain instances where amounts owed are paid in full within sixty days;
- provides a process in which certain delinquent amounts for HCRA surcharges and assessments are deemed final and not subject to further revision;
- provides that third party payors using monthly reporting for the Covered Lives Assessment must use this method throughout the calendar year;
- provides a replacement enforcement mechanism for indigent care payments to address federal concerns; and
- codifies the authorization for the Commissioner of Health to charge a fee to nursing home companies for inspection, regulation, supervision and audit and imposes a statutory amount not to exceed two-tenths of one percent of the mortgage loan.

The Enacted Budget denies language contained in the Executive proposal that:

- modifies Child Health Plus (CHP) premium amounts; and
- provides DOH with exclusive authority over the CHP rate setting process.

Part C - The Medical Assistance (Medicaid) Program

The Enacted Budget contains language that:

- carves out Family Health Plus pharmacy costs from the benefit package and reimburses pharmacy costs under fee-for-service Medicaid;

- decreases pharmacy reimbursement for the Medicaid program from Average Wholesale Price (AWP) less 14 percent, to AWP less 16.25 percent for brand name drugs, instead of AWP less 17 percent as proposed by the Executive;
- authorizes the implementation of a specialty pharmacy program and a medication therapy management pilot program;
- allows drugs to be included in both the Preferred Drug Program (PDP) and Clinical Drug Review Program (CDRP);
- reduces co-pays charged for brand name drugs on the Preferred Drug List by \$2.00, from \$3.00 to \$1.00;
- limits Medicaid pharmacy reimbursement for generic drugs to the lower of: the federal upper limit, if applicable; the estimated acquisition cost of the drug; the state maximum acquisition cost; the pharmacy's usual and customary price;
- decreases the inflationary trend cost increase for hospitals, nursing homes, home health care and personal care by 35 percent;
- provides for a technical advisory committee to examine data and develop new methodologies for hospital inpatient reimbursement reform and phases-in this reform over four years;
- modifies reimbursement rates for detoxification services provided by a general hospital beginning December 1, 2008, to be phased-in over 4 years;
- amends the definition of "itemized bill" so that hospital bills will include ancillary patient services;
- establishes a new reimbursement methodology for general hospital and non-hospital outpatient services;
- allows federally qualified health clinics (FQHCs) to choose between the existing and the new outpatient reimbursement system;
- authorizes State funding for adult day health care services provided to persons with AIDS or other HIV-related illnesses in case federal funding is not available;
- continues authorization for rate adjustments related to rural home care;
- removes certain service exceptions from utilization review;
- provides Medicaid reimbursement to providers for diabetes and asthma self-management education;
- allows the Commissioner of Health to establish Medicaid rates of payment for early and continuous prenatal care;
- authorizes the Nurse-Family Partnership program to improve the health of first-time pregnant women and their children;
- directs DOH to study the Prenatal Care Assistance Program;
- continues supplemental funding for emergency medical transportation services;
- authorizes the State to directly enroll recipients in public health insurance programs;

- expands Medicaid coverage to foster children up to age 21;
- eliminates the asset test for the Medicare Savings Program;
- streamlines the enrollment and renewal processes under Medicaid, Family Health Plus and Child Health Plus by aligning the Medicaid and Family Health Plus resource rules;
- eliminates the requirement for drug and alcohol screenings as a condition of eligibility for Medicaid;
- provides for clinic transition assistance payments for electronic health records;
- allows DOH to request verification of income from the Department of Taxation and Finance in order to verify eligibility for certain programs;
- changes the district of fiscal responsibility for SSI to the county of placement;
- raises the income level for Medicaid eligibility for households of three or more family members with a member who is medically needy;
- clarifies that individuals in long term care do not get 12 months of continuous coverage;
- requires adults applying for assistance for children, to attest to household income if they provide their Social Security number;
- provides for FHP recipient notification of auto-assignment and allows auto-assigned recipients the opportunity to select the new plan;
- makes changes to asset transfer and spousal budgeting related to waiver services to conform with federal requirements;
- clarifies the limit on co-insurance payable to psychiatrists;
- contains a technical adjustment for nursing home assessment recoupment collections;
- extends, until March 31, 2009, the priority restoration payment to hospitals;
- requires continuous Medicaid coverage for a period ending on the last day of the calendar month succeeding the calendar month in which a recipient reports moving from one social services district to another;
- establishes a single Medicaid eligibility level for singles, childless couples and low-income families;
- extends authorization for a variety of health care programs that are currently set to expire;
- authorizes the Commissioner of Health to undertake recoveries and to contract with an entity to conduct activities relating to estate recovery actions;
- requires residential health care facilities to notify the DOH prior to the withdrawal of equity or transfer assets in excess of three percent;
- makes technical changes related to the wage equalization factor (WEF) for payments to nursing homes;
- establishes a Prescription Drug Assistance Program to facilitate access to prescription drugs for individuals between 50 and 64 years of age and individuals who are disabled;

- amends reporting requirements for GME to require each teaching general hospital and sponsoring institution to report on an annual basis an institutional GME budget reflecting all sources of GME revenue and expenditures;
- creates the GME Innovations Pool to provide funds for programs such as the Empire Clinical Research Investigator Program, ambulatory care training, physician loan repayment program, physician practice support, study of physician workforce and the diversity in medicine/post-baccalaureate program;
- extends allocations for the Area Health Education Center (AHEC) program;
- requires the Commissioner of Health to establish a loan repayment awards program, for primary care and other specialty physicians who agree to practice in underserved areas, and to conduct a study on the need for expansion of the physician loan repayment program to include other health care professionals; and
- provides an exception regarding the new GME Innovations Pool, stating that the State Comptroller, and not the HCRA pool administrator, will make such pool's payments.

The Enacted Budget denies language contained in the Executive proposal that:

- increases the Medicaid dispensing fee paid to pharmacies for generic drugs and brand name drugs on the preferred drug list;
- eliminates special rates for certain HIV pharmacies;
- eliminates the exemption for anti-depressants under the Preferred Drug Program;
- modifies the nursing home rebasing statute by eliminating retroactive payments;
- authorizes a personal care demonstration project in New York City;
- modifies Medicaid reimbursement rates for Certified Home Health Agencies (CHHA);
- reduces the Medicaid administrative and general (A&G) cap for certain CHHAs and Long Term Home Health Care Programs (LTHHCP);
- allows certain employers to offer a modified benefits package under the Family Health Plus (FHP) Buy-In Program;
- limits the ability of non-public residential health care facilities to transfer assets;
- authorizes transportation broker contracts for non-emergency transportation services;
- modifies adjustments for Medicaid rates of payment to financially disadvantaged nursing homes; and
- authorizes the Commissioner of Health to enter into agreements with other states to establish multi-state pharmacy purchasing pools.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
INCREASED GENERAL FUND MEDICAID OFFLOADS TO HCRA	\$265,000,000
MEDICAID ADDITIONAL FEDERAL FUNDS	\$228,662,000
RESTORE PRIOR YEAR NURSING HOME REBASING PAYMENT	\$85,000,000
DELAY MODIFICATION TO REIMBURSEMENT FOR DETOXIFICATION SERVICES UNTIL DECEMBER 1, 2009 AND PHASE-IN OVER FOUR YEARS	\$32,100,000
RESTORE WORKFORCE RECRUITMENT AND RETENTION PAYMENTS TO NON-PUBLIC HOSPITALS	\$19,800,000
RESTORE NURSING HOME WORKFORCE RECRUITMENT AND RETENTION	\$15,000,000
REJECT CHHA BASE YEAR FREEZE AND RESTORE COST CAP TO 110 PERCENT	\$13,000,000
REJECT CHANGES TO THE A&G CAP FOR CHHA'S AND LTHHCP'S	\$12,000,000
REJECT INCREASED COST-SHARING REQUIREMENTS UNDER THE CHILD HEALTH PLUS PROGRAM	\$12,000,000
RESTORE WORKFORCE RECRUITMENT AND RETENTION PAYMENTS TO PUBLIC HOSPITALS	\$12,000,000
REJECT TRANSPORTATION BROKER	\$10,000,000
PARTIALLY RESTORE MEDICAID PHARMACY REIMBURSEMENT	\$8,250,000
MEDICAID: HOME CARE RATE INCREASE	\$8,000,000
REJECT THE CREATION OF A PERSONAL CARE DEMONSTRATION PROGRAM FOR NYC	\$6,000,000
PDP: REJECT THE ELIMINATION OF THE EXEMPTION FOR ANTI-DEPRESSANTS	\$5,000,000
MEDICAID: CLINIC TRANSITION FUNDING	\$4,912,000
DELAY HOSPITAL REBASING	\$3,200,000
HEALTH INFORMATION TECHNOLOGY	\$3,000,000
MEDICAID: INCREASE AMBULANCE RATE	\$3,000,000
RESTORE SPECIALTY RATE FOR PSYCHIATRIC SERVICES	\$3,000,000
ADULT HOMES: QUIP	\$2,750,000
REJECT THE PRIOR-AUTHORIZATION REQUIREMENT FOR EPIC IF A DRUG IS DENIED BY MEDICARE PART D	\$2,600,000
HEALTH AND SOCIAL SERVICES SEXUALITY RELATED PROGRAMS	\$2,048,300
ADULT HOME AIR CONDITIONING	\$1,800,000
PARTIALLY RESTORE EPIC PHARMACY REIMBURSEMENT	\$1,750,000
FUNDING FOR IMPROVED ACCESS TO INFERTILITY SERVICES	\$1,000,000
NORTHERN REGIONAL FEDERALLY QUALIFIED HEALTH CENTERS	\$1,000,000
AMERICAN RED CROSS	\$1,000,000
VILLAGE CARE OF NEW YORK, INC.	\$750,000
SCHOOL BASED HEALTH CLINICS	\$675,000
FAMILY PLANNING SERVICES	\$675,000
UNIVERSAL PRIMARY CARE CENTER	\$600,000
AIDS: HIV/AIDS-COMMUNITY SERVICE PROGRAM (CSP)	\$575,000
AIDS: HIV/AIDS-MULTI SERVICE AGENCIES (MSA)	\$575,000
AIDS TESTING AND PREVENTION INITIATIVES	\$575,000
THYROID CANCER SCREENING PILOT PROJECT	\$540,000
PRIMARY CARE DEVELOPMENT INITIATIVES	\$525,000
NEW YORK STATE WELLNESS PROGRAM	\$500,000
ACADEMIC HEALTH CENTER CONSORTIUM	\$500,000
TACONIC IPA, INC. - ELECTRONIC PRESCRIBING AND ELECTRONIC MEDICAL RECORDS PROGRAM	\$500,000
PUTNAM HOSPITAL CENTER	\$500,000
GOOD SAMARITAN HOSPITAL	\$500,000
ST. LUKE'S CORNWALL HOSPITAL	\$500,000
SARATOGA HOSPITAL FOUNDATION	\$500,000
THE AMERICAN RED CROSS IN NEW YORK	\$496,700
NORTHEAST HEALTH ELECTRONIC MEDICAL RECORDS	\$400,000

RESTORE WORKFORCE RECRUITMENT AND RETENTION FOR CLINICS	\$400,000
HEALTH AND SOCIAL SERVICES SEXUALITY RELATED PROGRAMS/DOMESTIC VIOLENCE NETWORK	\$375,000
SCHENECTADY HEALTH CARE PRACTITIONER VOLUNTEER PROGRAM	\$350,000
ALZHEIMER'S COMMUNITY ASSISTANCE PROGRAM	\$300,000
CATSKILL REGIONAL MEDICAL CENTER	\$300,000
COMPREHENSIVE CARE CENTERS FOR EATING DISORDERS	\$300,000
ELIZABETHTOWN HOSPITAL	\$300,000
ALICE HYDE MEDICAL CENTER	\$300,000
NORTH COUNTRY HEALTHCARE PROVIDERS LLC	\$300,000
NYU - MOBILE DENTAL CLINIC	\$250,000
CANTON-POTSDAM HOSPITAL	\$250,000
ARNOT OGDEN MEDICAL CENTER	\$250,000
ALZHEIMER'S ASSOCIATION	\$250,000
NORTH SHORE LIJ HUNTINGTON HOSPITAL	\$250,000
THE CHILDREN'S ANNEX - AUTISM SUPPORT CENTER	\$250,000
ROME HOSPITAL	\$230,000
MEDICAL HOME DEMONSTRATION PROGRAM	\$225,000
BRAIN TRAUMA FOUNDATION	\$200,000
ELLENVILLE REGIONAL HOSPITAL	\$200,000
PRIMARY CARE PHYSICIAN TRAINING PROGRAM	\$200,000
NORTH SHORE LIJ HEALTH SYSTEM - RETURNING VETERANS' PROGRAM	\$200,000
HEALTH INFORMATION TECHNOLOGY FOR NURSING HOMES	\$200,000
RHONEIX PILOT PROGRAM	\$200,000
GLENS FALLS HOSPITAL	\$200,000
STATEWIDE OVARIAN CANCER HOTLINE	\$160,000
NORTHEAST HEALTH GPS TRACKING DEVICES FOR HOME CARE SERVICES	\$150,000
LATINO COMMISSION ON AIDS	\$150,000
NYACK HOSPITAL FOUNDATION	\$150,000
CENTER FOR HEALTH CARE ACCESS	\$135,000
LEGAL AID SOCIETY OF NEW YORK CITY	\$134,000
LEGAL SERVICES FOR NEW YORK CITY	\$134,000
PERINATAL CARE NETWORKS	\$125,000
CATSKILL AREA HOSPICE AND PALLIATIVE CARE	\$125,000
CORTLAND REGIONAL MEDICAL CENTER	\$125,000
RESEARCH FOUNDATION OF SUNY - HIV CENTER FOR WOMEN AND CHILDREN AT SUNY DOWNSTATE	\$125,000
WESTCHESTER REGIONAL EMERGENCY SERVICES	\$110,000
SERVICES FOR INDIVIDUALS WITH ALS	\$100,000
ALZHEIMER'S DISEASE ASSISTANCE CENTERS (ADAC)	\$100,000
COALITION OF INSTITUTIONALIZED AGED AND DISABLED	\$100,000
HEALTH BASED LITERACY PROGRAM	\$100,000
LONG ISLAND HEALTH NETWORKS	\$100,000
STATEWIDE ARTHRITIS FOUNDATION	\$100,000
LYMPHATIC RESEARCH FOUNDATION	\$100,000
COMMUNITY BLOOD SERVICES FOR ORANGE COUNTY BLOODMOBILE	\$100,000
BREAST CANCER - SUPPORT AND EDUCATION SERVICES	\$50,000
HUNTINGTON'S DISEASE CENTERS	\$50,000
ROTACARE	\$50,000
COALITION FOR COMMUNITY WELL BEING	\$50,000
SCHOOL BASED HEALTH COALITION	\$50,000
AIDS: NEW YORK AIDS COALITION - ADDITIONAL FUNDING	\$25,000
ORGAN DONOR NETWORK	\$25,000

MEDICAID INSPECTOR GENERAL, OFFICE OF THE

	Adjusted Appropriation 2007-08	Executive Request 2008-09	Legislative Appropriation 2008-09	Change
STATE OPERATIONS				
General Fund	32,052,000	34,044,000	34,044,000	0
Special Revenue-Other	5,257,000	5,185,000	5,185,000	0
Special Revenue-Federal	60,686,000	50,610,000	50,610,000	0
Total for STATE OPERATIONS	97,995,000	89,839,000	89,839,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.

Article VII

The Legislature denies the legislation proposed by the Executive that would:

- require the Attorney General to provide the Office of the Medicaid Inspector General (OMIG) copies of complaints and evidence related to False Claims actions;
- allow the OMIG to impose civil penalties for the intentional misappropriation of Medicaid funds; and
- allow the OMIG access to tax returns and other tax information in the possession or control of the Commissioner of Health.

DEPARTMENT OF MENTAL HYGIENE

	Adjusted Appropriation 2007-08	Executive Request 2008-09	Legislative Appropriation 2008-09	Change
STATE OPERATIONS				
General Fund	(150,000,000)	0	0	0
Special Revenue-Other	150,000,000	683,179,000	833,179,000	150,000,000
Total for STATE OPERATIONS	0	683,179,000	833,179,000	150,000,000

LEGISLATIVE ACTION

At the request of the Executive, \$150,000,000 in additional appropriation authority related to employee fringe benefits was accepted by the Legislature.

The Legislature provides funding for the following:

PROGRAM

EMPLOYEE FRINGE BENEFITS

APPROPRIATION

\$150,000,000

OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

	Adjusted Appropriation 2007-08	Executive Request 2008-09	Legislative Appropriation 2008-09	Change
STATE OPERATIONS				
Special Revenue-Other	55,538,000	128,834,000	128,834,000	0
Special Revenue-Federal	6,445,000	6,445,000	6,445,000	0
Total for STATE OPERATIONS	61,983,000	135,279,000	135,279,000	0
AID TO LOCALITIES				
General Fund	145,337,000	149,105,000	149,950,000	845,000
Special Revenue-Other	194,694,000	227,862,000	227,862,000	0
Special Revenue-Federal	135,468,000	135,473,000	135,473,000	0
Total for Agency	475,499,000	512,440,000	513,285,000	845,000
Grants In Aid	0	0	1,464,250	1,464,250
Total for AID TO LOCALITIES	475,499,000	512,440,000	514,749,250	2,309,250
CAPITAL PROJECTS				
Capital Projects Fund	11,260,000	9,290,000	9,290,000	0
Mental Hygiene Capital Improvement Fund-389	108,346,000	112,046,000	112,046,000	0
Total for CAPITAL PROJECTS	119,606,000	121,336,000	121,336,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$769,900,000 on an All Funds basis, a net increase of \$845,000 over the Executive Budget recommendation. In addition, there is an appropriation of \$1,464,250 for other programs.

Legislative Changes

The Legislature provides support to several local chemical dependence treatment and prevention programs including:

- \$300,000 to Our Lady of Lourdes Memorial Hospital, Inc;
- \$200,000 to Alcohol and Drug Dependency Services, Inc;
- \$125,000 to North Country Behavioral Network, Inc;
- \$120,000 to New York Council on Problem Gambling;
- \$75,000 to Cattaraugus County Council on Alcoholism and Substance Abuse; and
- \$25,000 to the Institute for Professional Development in the Addictions.

Article VII

The Legislature approves the legislation proposed by the Executive that would extend the cost-of-living adjustment (COLA) through State Fiscal Year 2011-12 and change the COLA process to improve the predictability of the COLA in future years for fiscal planning purposes.

The Legislature approves the legislation proposed by the Executive that would give the Office of Alcoholism and Substance Abuse Services permanent responsibility for overseeing and funding compulsive gambling programs.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
OUR LADY OF LOURDES MEMORIAL HOSPITAL, INC	\$300,000
ALCOHOL AND DRUG DEPENDENCY SERVICES, INC	\$200,000
NORTH COUNTRY BEHAVIORAL NETWORK, INC.	\$125,000
NEW YORK COUNCIL ON PROBLEM GAMBLING	\$120,000
CATTARAUGUS COUNTY COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE	\$75,000
INSTITUTE FOR PROFESSIONAL DEVELOPMENT IN THE ADDICTIONS	\$25,000

OFFICE OF MENTAL HEALTH

	Adjusted Appropriation 2007-08	Executive Request 2008-09	Legislative Appropriation 2008-09	Change
STATE OPERATIONS				
Special Revenue-Other	561,776,000	1,923,385,000	1,924,885,000	1,500,000
Special Revenue-Federal	1,358,000	1,358,000	1,358,000	0
Enterprise	8,514,000	8,514,000	8,514,000	0
Internal Service Fund	2,620,000	2,620,000	2,620,000	0
Total for Agency	574,268,000	1,935,877,000	1,937,377,000	1,500,000
Grants In Aid	0	0	400,000	400,000
Total for STATE OPERATIONS	574,268,000	1,935,877,000	1,937,777,000	1,900,000
AID TO LOCALITIES				
General Fund	496,387,000	561,584,000	563,504,000	1,920,000
Special Revenue-Other	540,680,000	681,746,000	681,746,000	0
Special Revenue-Federal	37,834,000	44,626,000	44,626,000	0
Total for Agency	1,074,901,000	1,287,956,000	1,289,876,000	1,920,000
Grants In Aid	0	0	1,172,652	1,172,652
Total for AID TO LOCALITIES	1,074,901,000	1,287,956,000	1,291,048,652	3,092,652
CAPITAL PROJECTS				
Capital Projects Fund	43,010,000	43,010,000	43,010,000	0
Mental Hygiene Capital Improvement Fund-389	603,042,000	403,812,000	403,812,000	0
Total for CAPITAL PROJECTS	646,052,000	446,822,000	446,822,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$3,674,075,000 on an All Funds basis, a net increase of \$3,420,000 over the Executive budget submission. In addition, there is an appropriation of \$1,572,652 for other programs.

Legislative Changes

In the Adult Services Program, the Legislature provides \$300,000 for an employee health care enhancement program that would either establish health care benefits or reduce employee out-of-pocket health related expenses for direct care mental health workers. The Legislature adds \$250,000 for the training and education of social workers and other mental health professionals in the assessment and treatment of mental health disorders specific to returning veterans and their families. The Legislature also provides support for various community mental health programs, including: \$300,000 for Relief Resources, Inc; \$150,000 for Farm Net; \$150,000 for Hospital Audiences, Inc; \$100,000 for the Mental Health Association in Rockland County; \$70,000 for the Mental Health Association in Orange County; and \$50,000 for Occupations, Inc.

In the Children and Youth Services Program, the Legislature restores \$300,000 for services and expenses related to an increase in the medical assistance reimbursement rate for children's day treatment providers. The Legislature also provides \$100,000 for the North Country Children's Mental Health Initiative and \$150,000 for OHEL Children's Home and Family Services.

In the Research in Mental Illness Program the Legislature provides \$1,000,000 for services and expenses associated with the addition of ten research positions and \$500,000 for lab equipment at the Nathan S. Kline Institute for Psychiatric Research.

Article VII

The Legislature approves the legislation proposed by the Executive that would extend the cost-of-living adjustment (COLA) through State Fiscal Year 2011-12 and change the COLA process to improve the predictability of the COLA in future years for fiscal planning purposes.

The Legislature approves the legislation proposed by the Executive that would extend the authorization of the Comprehensive Psychiatric Emergency Program (CPEP) until July 1, 2012.

The Legislature approves the legislation proposed by the Executive that would authorize the Office of Mental Health (OMH) to participate with the State Housing Finance Agency (HFA) and Division of Housing and Community Renewal (DHCR) in financing integrated housing development by voluntary agencies.

The Legislature approves the legislation proposed by the Executive that would enable Medicaid to reimburse providers the higher of either the Medicare co-pay or up to the Medicaid rate for outpatient programs licensed by the Office of Mental Health for the Medicaid/Medicare crossover population.

The Legislature denies the legislation proposed by the Executive that would not have recognized mental health outpatient services provided by general hospitals, dually licensed under Article 28 of the Public Health Law and Article 31 of the Mental Hygiene Law, as specialized services under Section 2807 of the Public Health Law.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
NATHAN KLINE INSTITUTE FOR PSYCHIATRIC RESEARCH	\$1,500,000
HEALTH CARE ENHANCEMENT FOR DIRECT CARE WORKERS	\$300,000
RELIEF RESOURCES, INC.	\$300,000
CHILDREN'S DAY TREATMENT ENHANCED MEDICAID PAYMENTS	\$300,000
SOCIAL WORKER TRAINING IN VETERANS' PTSD	\$250,000
HOSPITAL AUDIENCES, INC.	\$150,000
FARM NET	\$150,000
OHEL CHILDREN'S HOME AND FAMILY SERVICES	\$150,000
MENTAL HEALTH ASSOCIATION IN ROCKLAND COUNTY	\$100,000
NORTH COUNTRY CHILDREN'S MENTAL HEALTH	\$100,000
MENTAL HEALTH ASSOCIATION IN ORANGE COUNTY	\$70,000
OCCUPATIONS, INC.	\$50,000

OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

	Adjusted Appropriation 2007-08	Executive Request 2008-09	Legislative Appropriation 2008-09	Change
STATE OPERATIONS				
Special Revenue-Other	986,804,000	2,008,509,000	2,008,509,000	0
Special Revenue-Federal	3,495,000	630,000	630,000	0
Enterprise	2,406,000	2,456,000	2,456,000	0
Internal Service Fund	350,000	350,000	350,000	0
Total for STATE OPERATIONS	993,055,000	2,011,945,000	2,011,945,000	0
AID TO LOCALITIES				
General Fund	1,380,877,500	1,422,917,440	1,428,072,440	5,155,000
Special Revenue-Other	691,381,000	827,345,360	827,345,360	0
Total for Agency	2,072,258,500	2,250,262,800	2,255,417,800	5,155,000
Grants In Aid	0	0	3,684,000	3,684,000
Total for AID TO LOCALITIES	2,072,258,500	2,250,262,800	2,259,101,800	8,839,000
CAPITAL PROJECTS				
Capital Projects Fund	61,515,000	69,965,000	69,965,000	0
Mental Hygiene Capital Improvement Fund-389	76,840,000	122,455,000	122,455,000	0
Total for CAPITAL PROJECTS	138,355,000	192,420,000	192,420,000	0

LEGISLATIVE ACTION

The Legislature appropriates \$4,459,782,800 on an All Funds basis, a net increase of \$5,155,000 over the Executive Budget recommendation. In addition, there is an appropriation of \$3,684,000 for other programs.

Legislative Changes

In the Community Services Program, the Legislature restores \$4 million of the Executive's proposed \$4.7 million reduction in rates for voluntary providers of services to persons with mental retardation and developmental disabilities.

The Legislature provides support for various community programs including: \$300,000 for Camp Anne; \$150,000 for the Epilepsy Foundation of Southern New York; \$150,000 for Quality Services for the Autism Community; \$100,000 for the Families and Children's Service of the Capital Region, Inc; \$75,000 for the Cerebral Palsy and Handicapped Children's Association of Chemung County; \$50,000 for the Rockland County Association of Learning Disabled; \$50,000 for Camp Wildwood; \$50,000 for the Cerebral Palsy Association of New York State-Camp Jened; and \$50,000 for the Epilepsy Foundation of Western New York.

The Legislature also supports several Local Respite Programs, including: \$100,000 for ACHIEVE; \$35,000 for the Chenango County ARC; \$25,000 for the Epilepsy Foundation of Rochester, Syracuse and Binghamton; and \$20,000 for the Handicapped Children's Association of Southern New York.

Article VII

The Legislature approves the legislation proposed by the Executive that would extend the cost-of-living adjustment (COLA) through State Fiscal Year 2011-12 and change the COLA process to improve the predictability of the COLA in future years for fiscal planning purposes.

Legislative Additions

The Legislature provides funding for the following:

PROGRAM	APPROPRIATION
RESTORATION OF PROVIDER REIMBURSEMENT RATE	\$4,000,000
CAMP ANN	\$300,000
EPILEPSY FOUNDATION OF SOUTHERN NY	\$150,000
QUALITY SERVICES FOR THE AUTISM COMMUNITY	\$150,000
FAMILIES AND CHILDREN SERVICES OF CAPITAL REGION	\$100,000
BROOME-TIOGA ARC (ACHIEVE)	\$100,000
CEREBRAL PALSY AND HANDICAPPED CHILDREN'S ASSOCIATION OF CHEMUNG COUNTY	\$75,000
CEREBRAL PALSY ASSOCIATIONS OF NYS-JENED RECREATIONAL VILLAGE	\$50,000
EPILEPSY FOUNDATION OF WESTERN NEW YORK	\$50,000
ROCKLAND COUNTY ASSOCIATION OF LEARNING DISABLED	\$50,000
CAMP WILDWOOD	\$50,000
CHENANGO COUNTY ARC	\$35,000
EPILEPSY FOUNDATION OF ROCHESTER, SYRACUSE AND BINGHAMTON	\$25,000
HANDICAPPED CHILDREN'S ASSOCIATION OF SOUTHERN NEW YORK	\$20,000

COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES

	Adjusted Appropriation 2007-08	Executive Request 2008-09	Legislative Appropriation 2008-09	Change
STATE OPERATIONS				
General Fund	4,316,000	5,188,000	5,188,000	0
Special Revenue-Other	3,775,000	3,656,000	3,656,000	0
Special Revenue-Federal	6,990,000	7,260,000	7,260,000	0
Enterprise	45,000	45,000	45,000	0
Total for STATE OPERATIONS	15,126,000	16,149,000	16,149,000	0
AID TO LOCALITIES				
General Fund	293,000	293,000	293,000	0
Special Revenue-Other	478,000	478,000	478,000	0
Total for AID TO LOCALITIES	771,000	771,000	771,000	0

LEGISLATIVE ACTION

The Legislature concurs with the Executive's recommendation.