

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH

21. HEALTH SERVICES

4215. OFFICE OF VITAL STATISTICS AND REGISTRATION

01. VITAL STATISTICS

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4215-002	4215-100-010000-12	Salaries and Wages	(960)
05-100-046-4215-003	4215-100-010000-2	Materials and Supplies	(34)
05-100-046-4215-004	4215-100-010000-3	Services Other Than Personal	(91)
<i>Total Appropriation, Office of Vital Statistics and Registration</i>			1,085

4220. DIVISION OF FAMILY HEALTH SERVICES

02. FAMILY HEALTH SERVICES

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4220-002	4220-100-020000-12	Salaries and Wages	(871)
05-100-046-4220-003	4220-100-020000-2	Materials and Supplies	(83)
05-100-046-4220-004	4220-100-020000-3	Services Other Than Personal	(80)
05-100-046-4220-005	4220-100-020000-4	Maintenance and Fixed Charges	(9)
<i>Special Purpose:</i>			
05-100-046-4220-219	4220-100-020010-5	WIC Farmers Market Program	(87)
05-100-046-4220-435	4220-100-020060-5	Women's Health Awareness	(5,000)
05-100-046-4220-408	4220-100-020120-5	Breast Cancer Public Awareness Campaign	(90)
05-100-046-4220-310	4220-100-020530-5	Identification System for Children's Health and Disabilities	(300)
05-100-046-4220-286	4220-100-021120-5	Public Awareness Campaign for Black Infant Mortality	(500)
05-100-046-4220-329	4220-100-021340-5	Cancer Screening - Early Detection and Education Program	(5,400)
<i>Subtotal Appropriation, Direct State Services</i>			12,420

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
05-100-046-4220-074	4220-140-020020-61	Family Planning Services	(4,300)
05-100-046-4220-075	4220-140-020030-61	Hemophilia Services	(1,033)
05-100-046-4220-079	4220-140-020090-61	Special Health Services for Handicapped Children	(2,059)
05-100-046-4220-080	4220-140-020100-61	Chronic Renal Disease Services	(430)
05-100-046-4220-081	4220-140-020110-61	Pharmaceutical Services for Adults With Cystic Fibrosis	(308)
05-100-046-4220-082	4220-140-020140-61	Birth Defects Registry	(25)
05-491-046-4220-011	4220-493-020150-61	Statewide Birth Defects Registry (CRFG)	(500)
05-100-046-4220-287	4220-140-020300-61	Cost-of-Living Adjustment, Family Health Services	(6,072)
05-100-046-4220-315	4220-140-020410-61	Maternal and Child Health Services	(3,403)
05-100-046-4220-436	4220-140-020870-61	Lead Testing Kits for Expectant Mothers	(1,000)
05-100-046-4220-087	4220-140-020890-61	Lead Poisoning Program	(795)
05-100-046-4220-091	4220-140-020960-61	Poison Control Center	(490)
05-100-046-4220-098	4220-140-021240-61	Cleft Palate Programs	(610)
05-100-046-4220-335	4220-140-021260-61	Tourette Syndrome Association of New Jersey	(1,250)
05-100-046-4220-103	4220-140-021410-61	SIDS Assistance Act	(185)
05-100-046-4220-104	4220-140-021460-61	Services to Victims of Huntington's Disease	(280)
05-100-046-4220-414	4220-140-021550-61	St. Barnabas Medical Center	(250)
05-100-046-4220-458	4220-140-021910-61	Stroke Centers	(3,000)
05-100-046-4220-298	4220-140-022040-61	Camden Optometric Eye Center	(300)
05-100-046-4220-459	4220-140-024020-61	New Jersey Council on Physical Fitness and Sports	(50)
<i>Subtotal Appropriation, Grants-in-Aid</i>			26,340

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>State Aid</u>	(thousands of dollars)
05-100-046-4220-110	4220-150-021040-60	Early Childhood Intervention Program	(52,946)
<i>Subtotal Appropriation, State Aid</i>			52,946
<i>Total Appropriation, Division of Family Health Services</i>			91,706
<i>(From General Fund)</i>			91,206
<i>(From Casino Revenue Fund)</i>			500

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 21. HEALTH SERVICES

4230. DIVISION OF EPIDEMIOLOGY, ENVIRONMENTAL AND OCCUPATIONAL HEALTH 03. PUBLIC HEALTH PROTECTION SERVICES

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4230-002	4230-100-030000-12	Salaries and Wages	(6,493)
05-100-046-4230-003	4230-100-030000-2	Materials and Supplies	(1,404)
05-100-046-4230-004	4230-100-030000-3	Services Other Than Personal	(416)
05-100-046-4230-005	4230-100-030000-4	Maintenance and Fixed Charges	(69)
<i>Special Purpose:</i>			
05-100-046-4230-403	4230-100-030130-5	Cardiovascular Program	(2,000)
05-100-046-4230-357	4230-100-030180-5	New Jersey Domestic Security Preparedness	(1,450)
05-100-046-4230-364	4230-100-030190-5	Medical Emergency Disaster Preparedness for Bioterrorism	(4,000)
05-100-046-4230-282	4230-100-030250-5	Cancer Registry	(400)
05-100-046-4230-374	4230-100-030260-5	Cancer Investigation and Education	(500)
05-100-046-4230-389	4230-100-030280-5	Implementation of Comprehensive Cancer Control Program	(1,500)
05-100-046-4230-376	4230-100-030420-5	Emergency Medical Services for Children	(50)
05-100-046-4230-410	4230-100-030450-5	School Based Programs and Youth Anti-Tobacco	(7,000)
05-100-046-4230-411	4230-100-030460-5	Anti-Smoking Program	(4,000)
05-100-046-4230-028	4230-100-030900-5	New Jersey State Commission on Cancer Research	(1,000)
05-100-046-4230-047	4230-100-031650-5	Medical Waste Management Program	(720)
05-100-046-4230-404	4230-100-031660-5	Animal Welfare	(200)
05-100-046-4230-078	4230-101-034500-5	Worker and Community Right to Know Program	(2,074)
05-100-046-4230-335	4230-100-035950-5	New Jersey Coalition to Promote Cancer Prevention, Early Detection & Treatment	(200)
Subtotal Appropriation, Direct State Services			33,476

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
05-100-046-4230-080	4230-140-030010-61	Tuberculosis Services	(1,304)
05-100-046-4230-290	4230-140-030300-61	Cost of Living Adjustment, Public Health Protection	(246)
05-100-046-4230-305	4230-140-030410-61	Immunization Services	(795)
05-100-046-4230-101	4230-140-031580-61	AIDS Communicable Disease Control	(424)
05-100-046-4230-365	4230-140-031610-61	Garden State Cancer Center	(1,000)
05-100-046-4230-369	4230-140-031620-61	Cancer Institute of New Jersey	(36,000)
05-100-046-4230-405	4230-140-031640-61	St. Barnabas Medical Center - Cancer Center	(3,250)
05-100-046-4230-421	4230-140-031680-61	Hackensack Medical Center Stem Cell Research Institute	(900)
05-100-046-4230-422	4230-140-031690-61	New Jersey Collaborating Center for Nursing	(345)
05-100-046-4230-105	4230-141-034500-61	Worker and Community Right to Know	(281)
Subtotal Appropriation, Grants-in-Aid			44,545

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>State Aid</u>	(thousands of dollars)
05-100-046-4230-307	4230-150-031030-60	Public Health Priority Funding	(2,400)
Subtotal Appropriation, State Aid			2,400
<i>Total Appropriation, Division of Epidemiology, Environmental and Occupational Health ...</i>			80,421

4245. DIVISION OF AIDS PREVENTION AND CONTROL 12. AIDS SERVICES

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4245-001	4245-100-120000-12	Salaries and Wages	(1,625)
05-100-046-4245-002	4245-100-120000-2	Materials and Supplies	(78)
05-100-046-4245-003	4245-100-120000-3	Services Other Than Personal	(135)
05-100-046-4245-004	4245-100-120000-4	Maintenance and Fixed Charges	(12)
Subtotal Appropriation, Direct State Services			1,850

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH

21. HEALTH SERVICES

4245. DIVISION OF AIDS PREVENTION AND CONTROL

12. AIDS SERVICES

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
05-100-046-4245-132	4245-140-120300-61	Cost of Living Adjustment, AIDS Services	(1,443)
05-100-046-4245-056	4245-140-120800-61	AIDS Grants	(19,012)
05-100-046-4245-158	4245-140-120850-61	Rapid AIDS Testing	(3,000)
05-100-046-4245-159	4245-140-120860-61	AIDS Drug Distribution Program	(11,700)
Subtotal Appropriation, Grants-in-Aid			35,155
<i>Total Appropriation, Division of AIDS Prevention and Control</i>			37,005

4280. DIVISION OF PUBLIC HEALTH AND ENVIRONMENTAL LABORATORIES

08. LABORATORY SERVICES

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4280-002	4280-100-080000-12	Salaries and Wages	(4,322)
05-100-046-4280-003	4280-100-080000-2	Materials and Supplies	(630)
05-100-046-4280-004	4280-100-080000-3	Services Other Than Personal	(242)
05-100-046-4280-005	4280-100-080000-4	Maintenance and Fixed Charges	(63)
<i>Special Purpose:</i>			
05-100-046-4280-067	4280-100-080180-5	New Jersey Domestic Security Preparedness	(1,800)
05-100-046-4280-066	4280-100-080390-5	West Nile Virus - Laboratory	(640)
<i>Total Appropriation, Division of Public Health and Environmental Laboratories</i>			7,697
<i>Total Appropriation, Health Services</i>			217,914
<i>(From General Fund)</i>			217,414
<i>(From Casino Revenue Fund)</i>			500

Language — Direct State Services — General Fund

	4220-783-027830-5	The unexpended balance, as of June 30, 2004, in the New Jersey Emergency Medical Service Helicopter Response Program account is appropriated.
	4230-416-034160-0	
05-100-046-4230-385	4230-461-030050-5	Notwithstanding the provisions of any other law to the contrary, there is appropriated from the "Emergency Medical Technician Training Fund" \$79,000 for Emergency Medical Services and \$125,000 for the First Response EMT Cardiac Training Program.
05-100-046-4230-386	4230-461-030510-5	
	4230-417-034730-5	In addition to the amount appropriated above for Emergency Medical Services for Children, \$150,000 is appropriated from the hospital and other health care initiatives account, established pursuant to section 12 of P.L.1992, c.160 (C.26:2H-18.62), for the same purpose.
05-100-046-4230-028	4230-100-030900-5	The amount hereinabove for the New Jersey State Commission on Cancer Research is charged to the Cancer Research Fund pursuant to section 5 of P.L.1982, c.40 (C.54:40A-37.1).
05-100-046-4230-028	4230-100-030900-5	The unexpended balance, as of June 30, 2004, in the New Jersey State Commission on Cancer Research account is appropriated.
05-100-046-4230-028	4230-100-030900-5	Amounts deposited in the "New Jersey Breast Cancer Research Fund" from the gross income tax check-offs pursuant to the provisions of P.L.1995, c.26 (C.54A:9-25.7 et al.) are appropriated to the New Jersey State Commission on Cancer Research for breast cancer research projects, subject to the approval of the Director of the Division of Budget and Accounting.
05-100-046-4230-047	4230-100-031650-5	The unexpended balance, as of June 30, 2004, in the Comprehensive Regulated Medical Waste Management Act account, together with any receipts received by the Department of Health and Senior Services pursuant to the provisions of the "Comprehensive Regulated Medical Waste Management Act," P.L.1989, c.34 (C.13:1E-48.1 et seq.), is appropriated.
05-100-046-4230-078	4230-101-034500-5	Notwithstanding the provisions of the "Worker and Community Right to Know Act," P.L.1983, c.315 (C.34:5A-1 et seq.), the amount hereinabove for the Worker and Community Right to Know account is payable out of the Worker and Community Right to Know Fund, and the receipts in excess of the amount anticipated, not to exceed \$763,000, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.
05-100-046-4230-105	4230-141-034500-61	
05-100-046-4230-371	4230-444-030190-5	Receipts derived from the agency surcharge on vehicle rentals pursuant to section 54 of P.L. 2002, c.34 (C.App.A:9-78), not to exceed \$7,500,000, are appropriated for the Medical Emergency Disaster Preparedness for Bioterrorism program and shall be deposited into a dedicated account, the expenditure of which shall be subject to the approval of the Director of the Division of Budget and Accounting.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 21. HEALTH SERVICES

Language — Direct State Services – General Fund

05-100-046-4230-410	4230-100-030450-5	Notwithstanding the provisions of any law to the contrary, the amounts appropriated hereinabove for the two anti-smoking programs (School Based Programs and Youth Anti-Smoking, and Anti-Smoking Programs) shall be charged to the proceeds of the increase in the cigarette tax, established pursuant to P.L. 2002, c.33.
05-100-046-4230-411	4230-100-030460-5	
05-100-046-4230-410	4230-100-030450-5	Notwithstanding the provisions of section 4 of P.L. 1997, c.264 (C.26:2H-18.58g), \$11,000,000 is appropriated for anti-smoking programs (School Based Programs and Youth Anti-Smoking, and Anti-Smoking Programs).
05-100-046-4230-411	4230-100-030460-5	
05-100-046-4230-410	4230-100-030450-5	In order to permit flexibility in the handling of the various appropriations for anti-tobacco initiative accounts hereinabove, funds may be transferred to and from the following items of appropriations: School Based Programs and Youth Anti-Smoking, and Anti-Smoking Programs. Such transfers are subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.
05-100-046-4230-411	4230-100-030460-5	
	4280-100-080000-0	The Director of the Division of Budget and Accounting is empowered to transfer or credit appropriations to the Department of Health and Senior Services for diagnostic laboratory services provided to any other agency or department; provided further, however, that funds have been appropriated or allocated to such agency or department for the purpose of purchasing these services.
	4280-100-080000-0	Receipts from fees established by the Commissioner of Health and Senior Services for licensing of clinical laboratories, pursuant to P.L.1975, c.166 (C.45:9-42.26 et seq.), and blood banks, pursuant to P.L.1963, c. 33 (C.26:2A-2 et seq.), are appropriated. Receipts from licenses, permits, fines, penalties and fees collected by the Department of Health and Senior Services in Health Services, in excess of those anticipated, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Language — Grants-In-Aid – General Fund

05-100-046-4220-202	4220-417-024690-61	An amount not to exceed \$1,830,000 is appropriated to the Department of Health and Senior Services from the hospital and other health care initiatives account, established pursuant to section 12 of P.L.1992, c.160 (C.26:2H-18.62), to fund the Infant Mortality Reduction Program.
	4220-760-020000-61	There is appropriated \$570,000 from the Alcohol Education, Rehabilitation and Enforcement Fund to fund the Fetal Alcohol Syndrome Program.
05-100-046-4230-306	4230-140-031590-61	Such sums as are necessary for a grant, loan or loans to the Coriell Institute for Medical Research – New Jersey Cord Blood Resource Center are appropriated, subject to the approval of the Director of the Division of Budget and Accounting. The Commissioner of Health and Senior Services shall issue such a grant or loans upon the Coriell Institute's execution of an agreement with any qualified New Jersey-based entities as determined appropriate by the Commissioner for the purpose of establishing a Statewide New Jersey Allogenic Cord Blood Bank. Grant or loan funds shall be used solely for the collection and long-term storage of cord blood samples and for research directed at the growth of stem cells in such samples. The collection and storage of cord blood samples shall occur in New Jersey and shall be done on a not-for-profit basis. Funds loaned pursuant to this appropriation shall be loaned on an interest-free basis and shall be repaid under terms to be determined by the Commissioner.
05-100-046-4230-369	4230-140-031620-61	From the amount appropriated hereinabove for the Cancer Institute of New Jersey, \$250,000 shall be provided to the Ovarian Cancer Research Fund, \$9,000,000 shall be provided to the Cancer Institute of New Jersey, South Jersey Program to be used by Cooper University Hospital, an affiliate of the Cancer Institute of New Jersey, to develop a cancer treatment program for southern New Jersey to be located in Voorhees, with the participation of UMDNJ – Robert Wood Johnson Medical School – Camden and the UMDNJ – School of Osteopathic Medicine – Stratford, and \$9,000,000 shall be provided to the UMDNJ in Newark for its cancer program.
05-100-046-4230-382	4230-416-034160-61	There are appropriated from the New Jersey Emergency Medical Service Helicopter Response Program Fund, established pursuant to section 2 of P.L.1992, c.87 (C.26:2K-36.1), such sums as are necessary to pay the reasonable and necessary expenses of the operation of the New Jersey Emergency Medical Service Helicopter Response Program, established pursuant to P.L.1986, c.106 (C.26:2K-35 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.
05-100-046-4245-159	4245-140-120860-61	Notwithstanding any law to the contrary, the Commissioner of the Department of Health and Senior Services shall establish guidelines to develop a formulary for the AIDS Drug Distribution Program subject to the requirements of the federal Ryan White Care Act and its amendments.
05-100-046-4245-056	4245-140-120800-61	Of the amount appropriated hereinabove for AIDS Grants, an amount not to exceed \$2,000,000, may be transferred to Direct State Services in the Department of Health and Senior Services to provide education and public awareness of HIV and AIDS prevention and treatment programs, subject to the approval of the Director of the Division of Budget and Accounting.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 21. HEALTH SERVICES

Language — State Aid — General Fund

05-100-046-4220-110	4220-150-021040-60	In addition to the amount hereinabove, receipts from the federal Medicaid (Title XIX) program for handicapped infants are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.
05-100-046-4230-307	4230-150-031030-60	The capitation is set not to exceed 40 cents for the year ending June 30, 2005 for the purposes prescribed in P.L.1966, c.36 (C.26:2F-1 et seq.).
05-100-046-4230-307	4230-150-031030-60	Notwithstanding any provision of law to the contrary, the amount appropriated hereinabove for the Public Health Priority Funding shall not be allocated to county health departments.

20. PHYSICAL AND MENTAL HEALTH 22. HEALTH PLANNING AND EVALUATION

4260. DIVISION OF LONG TERM CARE SYSTEMS DEVELOPMENT & QUALITY ASSURANCE 06. LONG TERM CARE SYSTEMS

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4260-002	4260-100-060000-12	Salaries and Wages	(1,706)
05-100-046-4260-003	4260-100-060000-2	Materials and Supplies	(56)
05-100-046-4260-004	4260-100-060000-3	Services Other Than Personal	(155)
05-100-046-4260-005	4260-100-060000-4	Maintenance and Fixed Charges	(53)
<i>Special Purpose:</i>			
05-100-046-4260-080	4260-100-060010-5	Nursing Home Background Checks/Nursing Aide Certification Program	(979)
<i>Total Appropriation, Division of Long Term Care Systems Development & Quality Assurance</i>			2,949

4270. DIVISION OF HEALTH CARE SYSTEMS ANALYSIS 07. HEALTH CARE SYSTEMS ANALYSIS

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4270-001	4270-100-070000-12	Salaries and Wages	(2,081)
05-100-046-4270-090	4270-100-071000-2	Materials and Supplies	(4)
05-100-046-4270-091	4270-100-071000-3	Services Other Than Personal	(24)
05-100-046-4270-092	4270-100-071000-4	Maintenance and Fixed Charges	(16)
Subtotal Appropriation, Direct State Services			2,125

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
05-100-046-4270-077	4270-140-070020-61	Health Care Subsidy Fund Payments	(280,725)
05-100-046-4270-126	4270-140-070050-61	Hospital Assistance Grants	(20,000)
05-100-046-4270-129	4270-140-074140-61	Federally Qualified Health Centers – Services to FamilyCare Clients	(10,000)
Subtotal Appropriation, Grants-in-Aid			310,725
<i>Total Appropriation, Division of Health Care Systems Analysis</i>			312,850
<i>Total Appropriation, Health Planning and Evaluation</i>			315,799

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 22. HEALTH PLANNING AND EVALUATION

Language — Direct State Services – General Fund

Receipts from licenses, permits, fines, penalties and fees collected by the Department of Health and Senior Services in Health Planning and Evaluation, in excess of those anticipated, are appropriated subject to a plan approved by the Director of the Division of Budget and Accounting.

<p>05-100-046-4270-088 4270-100-070070-5</p> <p>4260-101-060480-0 4260-451-064540-0 4260-454-064510-0</p> <p>4260-446-064460-0 4270-449-074490-0</p>	<p>In addition to the amounts appropriated hereinabove, \$1,000,000 is appropriated for the Implementation of Statewide Health Information Network, from the hospital and other health care initiatives account, established pursuant to section 12 of P.L.1992, c.160 (C.26:2H-18.62) for establishing HIPAA compliance. Of this amount, \$250,000 shall be allocated to Thomas A. Edison State College.</p> <p>Available funds are appropriated to the "Health Care Facilities Improvement Fund" to provide available resources in an emergency situation at a health care facility, as defined by the Commissioner of Health and Senior Services, or for closure of a health care facility, subject to the approval of the Director of the Division of Budget and Accounting.</p> <p>Receipts derived from fees charged for processing Certificate of Need applications, and the unexpended balances of such receipts as of June 30, 2004, are appropriated for the cost of this program, subject to the approval of the Director of the Division of Budget and Accounting.</p>
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Language — Grants-In-Aid – General Fund

<p>05-100-046-4270-077 4270-140-070020-61</p> <p>05-100-046-4270-077 4270-140-070020-61</p> <p>05-100-046-4270-077 4270-140-070020-61 05-100-046-4270-126 4270-140-070050-61</p> <p>05-100-046-4270-126 4270-140-070050-61</p> <p>05-100-046-4270-077 4270-140-070020-61</p>	<p>There are appropriated such sums as are necessary to pay prior-year obligations of programs within the Health Care Subsidy Fund, subject to the approval of the Director of the Division of Budget and Accounting.</p> <p>Notwithstanding the provisions of any other law to the contrary, \$6,000,000 of the amount hereinabove for the Health Care Subsidy Fund payments account is appropriated from the Admission Charge Hospital Assessment revenue item.</p> <p>Notwithstanding the provisions of any law to the contrary, the amounts appropriated hereinabove for Health Care Subsidy Fund Payments and Hospital Assistance Grants shall be charged to the proceeds of the increase in the cigarette tax, pursuant to the passage of enabling legislation, and to the proceeds of the Second Referral Debt Collection-Hospitals revenue item.</p> <p>The amount appropriated hereinabove for the Hospital Assistance Fund shall be distributed as grants as follows: Saint Mary's Hospital, Hoboken, \$500,000; Palisades General Hospital, \$3,750,000; Cooper University Hospital, \$3,000,000; Hackensack University Medical Center, \$1,000,000; Cathedral Health Care System, \$1,000,000; Saint Barnabas Health Care System, \$3,000,000; East Orange General Hospital, \$2,000,000; Solaris Hospital System, \$4,000,000; Our Lady of Lourdes, Willingboro, \$750,000; CentraState Health Care System, \$1,000,000.</p> <p>Notwithstanding any provision of law to the contrary, in fiscal year 2005 reimbursed documented charity care shall be priced at the Medicaid rate for calendar year 2002 as published by the Department of Health and Senior Services in September 2003; except that the total amount distributed in fiscal year 2005 shall not exceed \$583,400,000, and if the charity care payments to hospitals pursuant to P.L. , c. (C.)(now pending before the Legislature as Senate Bill No.1214 or Assembly Bill No.2406 of 2004) result in any remainder, the Commissioner of Health and Senior Services shall prorate and distribute the remainder in accordance with the methodology provided pursuant to P.L. , c. (C.) (now pending before the Legislature as Senate Bill No.1214 or Assembly Bill No.2406 of 2004).</p>
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20. PHYSICAL AND MENTAL HEALTH 25. HEALTH ADMINISTRATION

4210. DIVISION OF MANAGEMENT AND ADMINISTRATION 99. ADMINISTRATION AND SUPPORT SERVICES

<u>NJCS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
		<i>Personal Services:</i>	
05-100-046-4210-008	4210-100-990000-12	Salaries and Wages	(2,468)
05-100-046-4210-009	4210-100-990000-2	Materials and Supplies	(49)
05-100-046-4210-010	4210-100-990000-3	Services Other Than Personal	(587)
		<i>Special Purpose:</i>	
05-100-046-4210-100	4210-100-990010-5	Office of Minority and Multicultural Health	(1,500)
05-100-046-4210-015	4210-100-990030-5	Affirmative Action and Equal Employment Opportunity	(84)
		<i>Total Appropriation, Division of Management and Administration</i>	<u>4,688</u>
		<i>Total Appropriation, Health Administration</i>	<u>4,688</u>

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES 4275. DIVISION OF SENIOR SERVICES 22. MEDICAL SERVICES FOR THE AGED

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4275-189	4275-100-220000-12	Salaries and Wages	(4,048)
05-100-046-4275-190	4275-100-220000-2	Materials and Supplies	(66)
05-100-046-4275-191	4275-100-220000-3	Services Other Than Personal	(800)
05-100-046-4275-192	4275-100-220000-4	Maintenance and Fixed Charges	(70)
<i>Special Purpose:</i>			
05-100-046-4275-249	4275-100-220020-5	Fiscal Agent – Medical Services for the Aged	(737)
05-100-046-4275-193	4275-100-220000-7	Additions, Improvements and Equipment	(12)
Subtotal Appropriation, Direct State Services			5,733
<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
<i>Grants-in-Aid</i>			
05-100-046-4275-285	4275-140-220080-61	Assisted Living Program	(23,540)
05-491-046-4275-051	4275-493-225000-61	Community Care Alternatives (CRFG)	(28,026)
05-100-046-4275-060	4275-140-225070-61	Payments for Medical Assistance Recipients – Nursing Homes	(680,917)
05-100-046-4275-247	4275-140-225220-61	Medical Day Care Services	(48,446)
05-100-046-4275-223	4275-140-225330-61	Medicaid High Occupancy – Nursing Homes	(9,000)
05-100-046-4275-297	4275-140-226000-61	ElderCare Initiatives	(19,877)
05-491-046-4275-072	4275-493-228880-61	Home Care Expansion (CRFG)	(235)
05-491-046-4275-073	4275-493-229990-61	Hearing Aid Assistance for the Aged and Disabled (CRFG)	(200)
Subtotal Appropriation, Grants-in-Aid			810,241
<i>Total Appropriation, Medical Services for the Aged</i>			815,974

24. PHARMACEUTICAL ASSISTANCE TO THE AGED AND DISABLED

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4275-194	4275-100-240000-12	Salaries and Wages	(3,861)
05-100-046-4275-195	4275-100-240000-2	Materials and Supplies	(83)
05-100-046-4275-196	4275-100-240000-3	Services Other Than Personal	(127)
05-100-046-4275-197	4275-100-240000-4	Maintenance and Fixed Charges	(339)
<i>Special Purpose:</i>			
05-100-046-4275-199	4275-100-245000-5	Payments to Fiscal Agent – PAA	(4,134)
05-100-046-4275-198	4275-100-240000-7	Additions, Improvements and Equipment	(16)
Subtotal Appropriation, Direct State Services			8,560
<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
<i>Grants-in-Aid</i>			
05-100-046-4275-087	4275-140-245010-61	Pharmaceutical Assistance to the Aged – Claims	(29,835)
05-100-046-4275-281	4275-140-245040-61	Pharmaceutical Assistance to the Aged and Disabled – Claims	(100,238)
05-491-046-4275-059	4275-493-245040-61	Pharmaceutical Assistance to the Aged and Disabled – Claims (CRFG)	(284,130)
05-100-046-4275-330	4275-140-245050-61	Senior Gold Prescription Assistance Program	(24,947)
Subtotal Appropriation, Grants-in-Aid			439,150
<i>Total Appropriation, Pharmaceutical Assistance to the Aged and Disabled</i>			447,710

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES 55. PROGRAMS FOR THE AGED

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4275-208	4275-100-550000-12	Salaries and Wages	(242)
05-491-046-4275-066	4275-491-550000-12	Salaries and Wages (CRFD)	(658)
05-491-046-4275-066	4275-491-550000-19	Employee Benefits (CRFD)	(138)
05-100-046-4275-209	4275-100-550000-2	Materials and Supplies	(6)
05-491-046-4275-067	4275-491-550000-2	Materials and Supplies (CRFD)	(14)
05-100-046-4275-210	4275-100-550000-3	Services Other Than Personal	(70)
05-491-046-4275-068	4275-491-550000-3	Services Other Than Personal (CRFD)	(47)
05-100-046-4275-211	4275-100-550000-4	Maintenance and Fixed Charges	(1)
05-491-046-4275-267	4275-491-550000-4	Maintenance and Fixed Charges (CRFD)	(2)
<i>Special Purpose:</i>			
05-100-046-4275-213	4275-100-555020-5	Federal Programs for the Aging (State Share)	(143)
05-491-046-4275-268	4275-491-550000-7	Additions, Improvements and Equipment (CRFD)	(12)
Subtotal Appropriation, Direct State Services			1,333

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
05-100-046-4275-303	4275-140-550030-61	Arthritis Quality of Life Initiative Act	(620)
05-100-046-4275-248	4275-140-550120-61	Purchase of Social Services	(8,673)
05-100-046-4275-324	4275-140-550130-61	ElderCare Advisory Commission Initiatives	(2,500)
05-100-046-4275-276	4275-140-550300-61	Cost-of-Living Adjustment, Senior Services	(1,164)
05-100-046-4275-254	4275-140-550930-61	Alzheimer's Disease Program	(775)
05-491-046-4275-081	4275-493-551200-61	Demonstration Adult Day Care Center Program-Alzheimer's Disease (CRFG)	(2,632)
05-100-046-4275-226	4275-140-554500-61	Adult Protective Services	(845)
05-491-046-4275-076	4275-493-554500-61	Adult Protective Services (CRFG)	(1,780)
05-491-046-4275-077	4275-493-554520-61	Senior Citizen Housing-Safe Housing and Transportation (CRFG)	(1,668)
05-100-046-4275-355	4275-140-554525-61	NJ Caring for Caregivers Initiative	(2,000)
05-491-046-4275-082	4275-493-555010-61	Respite Care for the Elderly (CRFG)	(5,359)
05-491-046-4275-078	4275-493-555030-61	Congregate Housing Support Services (CRFG)	(1,938)
05-491-046-4275-080	4275-493-559360-61	Home Delivered Meals Expansion (CRFG)	(985)
Subtotal Appropriation, Grants-in-Aid			30,939

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>State Aid</u>	(thousands of dollars)
05-100-046-4275-227	4275-150-551540-60	County Offices on Aging	(2,832)
05-100-046-4275-228	4275-150-551550-60	Older Americans Act-State Share	(4,276)
Subtotal Appropriation, State Aid			7,108
<i>Total Appropriation, Programs for the Aged</i>			39,380

56. OFFICE OF THE OMBUDSMAN

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4275-214	4275-100-560000-12	Salaries and Wages	(773)
05-100-046-4275-215	4275-100-560000-2	Materials and Supplies	(7)
05-100-046-4275-216	4275-100-560000-3	Services Other Than Personal	(33)
05-100-046-4275-217	4275-100-560000-4	Maintenance and Fixed Charges	(13)
<i>Total Appropriation, Office of the Ombudsman</i>			826

46. HEALTH AND SENIOR SERVICES

**20. PHYSICAL AND MENTAL HEALTH
26. SENIOR SERVICES
57. OFFICE OF THE PUBLIC GUARDIAN**

<i>NJCFS Account No.</i>	<i>IPB Account No.</i>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
05-100-046-4275-218	4275-100-570000-12	Salaries and Wages	(498)
05-100-046-4275-219	4275-100-570000-2	Materials and Supplies	(8)
05-100-046-4275-220	4275-100-570000-3	Services Other Than Personal	(148)
05-100-046-4275-221	4275-100-570000-4	Maintenance and Fixed Charges	(27)
<i>Total Appropriation, Office of the Public Guardian</i>			<i>681</i>
<i>Total Appropriation, Division of Senior Services</i>			<i>1,304,571</i>
<i>(From General Fund)</i>			<i>976,747</i>
<i>(From Casino Revenue Fund)</i>			<i>327,824</i>
<i>Total Appropriation, Senior Services</i>			<i>1,304,571</i>
<i>(From General Fund)</i>			<i>976,747</i>
<i>(From Casino Revenue Fund)</i>			<i>327,824</i>

Language — Direct State Services – General Fund

When any action by a county welfare agency, whether alone or in combination with the Division of Medical Assistance and Health Services in the Department of Human Services or the Department of Health and Senior Services, results in a recovery of improperly granted medical assistance, the Division of Medical Assistance and Health Services or the Department of Health and Senior Services may reimburse the county welfare agency in the amount of 25% of the gross recovery.

Notwithstanding the provisions of any other State law to the contrary, any third party, as defined in subsection m. of section 3 of P.L.1968, c.413 (C.30:4D-3), writing health, casualty or malpractice insurance policies in the State or covering residents of this State, shall enter into an agreement with the Department of Health and Senior Services to permit and assist the matching of the Department of Health and Senior Services' program eligibility and/or adjudication claims files against that third party's eligibility and/or adjudicated claims files for the purpose of the coordination of benefits, utilizing, if necessary, social security numbers as common identifiers.

05-100-046-4275-199	4275-100-245000-5	The unexpended balances as of June 30, 2004 in the Payments to Fiscal Agent – PAA account are appropriated.
	4275-100-280000-0	Such sums as may be necessary, not to exceed \$1,591,000, may be credited from the Energy Assistance program account in the Board of Public Utilities to the Lifeline program account and shall be applied in accordance with a Memorandum of Understanding between the President of the Board of Public Utilities and the Commissioner of Health and Senior Services, subject to the approval of the Director of the Division of Budget and Accounting.
	4275-421-574210-0	Receipts from the Office of the Public Guardian for Elderly Adults are appropriated.

Language — Grants-In-Aid – General Fund

05-100-046-4275-060	4275-140-225070-61	The amounts hereinabove appropriated for Payments for Medical Assistance Recipients — Nursing Homes are available for the payment of obligations applicable to prior fiscal years.
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In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of medical services, amounts may be transferred to and from the various items of appropriation within the General Medical Services program classification in the Division of Medical Assistance and Health Services in the Department of Human Services and the Medical Services for the Aged program classification in Senior Services in the Department of Health and Senior Services, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

All funds recovered pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.) and P.L.1975, c.194 (C.30:4D-20 et seq.) during the fiscal year ending June 30, 2005 are appropriated for payments to providers in the same program class from which the recovery originated.

Notwithstanding the provisions of any other law to the contrary, a sufficient portion of receipts generated or savings realized in the Medical Services for the Aged Grants-In-Aid accounts from initiatives included in the fiscal year 2005 annual appropriations act may be transferred to administration accounts to fund costs incurred in realizing these additional receipts or savings, subject to the approval of the Director of the Division of Budget and Accounting.

05-100-046-4275-060	4275-140-225070-61	The Division of Medical Assistance and Health Services in the Department of Human Services and the Department of Health and Senior Services, subject to federal approval, shall implement policies that would limit the ability of persons who have the financial ability to provide for their own long-term care needs to manipulate current Medicaid rules to avoid payment for that care. The Division of Medical Assistance and Health Services and the Department of Health and Senior Services shall require, in the case of a married individual requiring long-term care services, that the portion of the couple's resources which are not protected for the needs of the community spouse be used solely for the purchase of long-term care services.
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46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language — Grants-In-Aid – General Fund

05-100-046-4275-060	4275-140-225070-61	Such sums as may be necessary are appropriated from enhanced audit recoveries obtained by the Department of Health and Senior Services to fund the costs of enhanced audit recovery efforts of the department within the Medical Services for the Aged program classification, subject to the approval of the Director of the Division of Budget and Accounting.
05-100-046-4275-060	4275-140-225070-61	Notwithstanding the provisions of any other law to the contrary, effective July 1, 2004, reimbursement for nursing facility services, which are funded hereinabove in the Payments for Medical Assistance Recipients – Nursing Homes account, shall be 90% of the per diem rate when a Medicaid beneficiary is hospitalized. These payments shall be limited to the first 10 days of the hospitalization. Medicaid reimbursement for nursing facility services shall be discontinued beyond the 10th day of the hospitalization.
05-100-046-4275-223	4275-140-225330-61	The funds appropriated hereinabove for Payments for Medical Assistance Recipients – Medicaid High Occupancy – Nursing Homes shall be distributed for patient services among those nursing homes where the Medicaid patient day occupancy level is at or above 75%. Each such facility shall receive its distribution through a prospective per diem rate adjustment according to the following formula: $E = A \text{ Medicaid days} / T \text{ Medicaid days} \times F$; where E is the entitlement for a specific nursing home resulting from this allocation; A Medicaid days is an individual nursing home's reported Medicaid days on June 30, 2004; T Medicaid days is the total reported Medicaid days for all affected nursing homes; and F is the total amount of State and federal funds to be distributed. No nursing home shall receive a total allocation greater than the amount lost, due to adjustments in Medicaid reimbursement methodology, which became effective April 1, 1995. Any balances remaining undistributed, from the abovementioned amount, shall be deposited in a reserve account in the General Fund.
05-100-046-4275-087	4275-140-245010-61	The amounts hereinabove appropriated for payments for the Pharmaceutical Assistance to the Aged and Disabled program, P.L.1975, c.194 (C.30:4D-20 et seq.), and the Senior Gold Prescription Discount Program, P.L.2001, c.96 (C.30:4D-43 et seq.), are available for the payment of obligations applicable to prior fiscal years.
05-100-046-4275-281	4275-140-245040-61	
05-100-046-4275-330	4275-140-245050-61	
05-100-046-4275-087	4275-140-245010-61	Benefits provided under the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program, P.L.1975, c.194 (C.30:4D-20 et seq.), and the Senior Gold Prescription Discount Program, P.L.2001, c.96 (C.30:4D-43 et seq.), shall be the last resource benefits, notwithstanding any provisions contained in contracts, wills, agreements or other instruments. Any provision in a contract of insurance, will, trust agreement or other instrument which reduces or excludes coverage or payment to an individual because of that individual's eligibility for, or receipt of PAAD or Senior Gold Prescription Discount Program benefits shall be void, and no PAAD and Senior Gold Prescription Discount Program payments shall be made as a result of any such provision.
05-100-046-4275-281	4275-140-245040-61	
05-100-046-4275-330	4275-140-245050-61	
05-100-046-4275-087	4275-140-245010-61	Of the amount appropriated hereinabove in the Pharmaceutical Assistance to the Aged and Disabled – Claims program, notwithstanding the provisions of section 3 of P.L.1975, c.194 (C.30:4D-22) to the contrary, the copayment in the Pharmaceutical Assistance to the Aged and Disabled program shall be \$5.00.
05-100-046-4275-281	4275-140-245040-61	
05-100-046-4275-087	4275-140-245010-61	Notwithstanding the provisions of any other law or regulation to the contrary, effective July 1, 2004, each prescription order dispensed in the Pharmaceutical Assistance to the Aged and Disabled program and the Senior Gold Prescription Discount Program for Maximum Allowable Cost (MAC) drugs, which are appropriated hereinabove in the Pharmaceutical Assistance to the Aged and Disabled – Claims program and Senior Gold Prescription Discount Program, shall state "Brand Medically Necessary" in the prescriber's own handwriting if the prescriber determines that it is necessary to override generic substitution of drugs, and each prescription order shall follow the requirements of P.L.1977, c.240 (C.24:6E-1 et seq.).
05-100-046-4275-281	4275-140-245040-61	
05-100-046-4275-330	4275-140-245050-61	
05-100-046-4275-087	4275-140-245010-61	Notwithstanding the provisions of any other law or regulation to the contrary, effective July 1, 2003, no State funds are appropriated for a Drug Utilization Review Council in the Department of Health and Senior Services and therefore the functions of the Council shall cease.
05-100-046-4275-281	4275-140-245040-61	
05-100-046-4275-330	4275-140-245050-61	
05-100-046-4275-087	4275-140-245010-61	Notwithstanding the provisions of any other law to the contrary, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program, pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.), and the Senior Gold Prescription Discount Program, pursuant to P.L.2001, c.96 (C.30:4D-43 et seq.), shall be expended unless participating pharmaceutical manufacturing companies execute contracts with the Department of Health and Senior Services, through the Department of Human Services, providing for the payment of rebates to the State. Furthermore, rebates from pharmaceutical manufacturing companies for prescriptions purchased by the PAAD program and the Senior Gold Prescription Discount Program shall continue during the fiscal year 2005, provided that the manufacturer's rebates for the Senior Gold Prescription Discount Program shall apply only to the amount paid by the State under the Senior Gold Prescription Discount Program. All revenues from such rebates during the fiscal year ending June 30, 2005 are appropriated for the PAAD program and the Senior Gold Prescription Discount Program.
05-100-046-4275-281	4275-140-245040-61	
05-100-046-4275-330	4275-140-245050-61	

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language — Grants-In-Aid – General Fund

05-100-046-4275-087 4275-140-245010-61
05-100-046-4275-281 4275-140-245040-61
05-100-046-4275-330 4275-140-245050-61

Notwithstanding the provisions of any other law or regulation to the contrary, effective July 1, 2004 consistent with the notice provisions of 42 CFR 447.205 where applicable, no funds appropriated in the Pharmaceutical Assistance to the Aged and Disabled program classification and the Senior Gold Prescription Assistance Program account shall be expended except under the following conditions: (a) reimbursement for prescription drugs, shall be based on the Average Wholesale Price less a 12.5% discount; (b) the current prescription drug dispensing fee structure set as a variable rate of \$3.73 to \$4.07 in effect on June 30, 2004 shall remain in effect through fiscal year 2005, including the current increments for patient consultation, impact allowances and allowances for 24-hour emergency services; and (c) multisource generic and single source brand name drugs shall be dispensed without prior authorization but multisource brand name drugs shall require prior authorization issued by the Department of Health and Senior Services or its authorizing agent, however, a 10-day supply of the multisource brand name drug shall be dispensed pending receipt of prior authorization. Certain multisource brand name drugs with a narrow therapeutic index, other drugs recommended by the Drug Utilization Review Board or brand name drugs with a lower cost per unit than the generic may be excluded from prior authorization by the Department of Health and Senior Services.

05-100-046-4275-087 4275-140-245010-61
05-100-046-4275-281 4275-140-245040-61
05-100-046-4275-330 4275-140-245050-61

Notwithstanding the provisions of any other law to the contrary, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled program and the Senior Gold Prescription Discount Program shall be used to pay for quantities of erectile dysfunction therapy medication in excess of four treatments per month. Moreover, payment will only be provided if the diagnosis of erectile dysfunction is written on the prescription form and the treatment is provided to males over the age of 18 years.

05-100-046-4275-087 4275-140-245010-61
05-100-046-4275-281 4275-140-245040-61
05-100-046-4275-330 4275-140-245050-61

In addition to the amount hereinabove, there are appropriated from the General Fund and available federal matching funds such additional sums as may be required for the payment of claims, credits and rebates, subject to the approval of the Director of the Division of Budget and Accounting.

05-100-046-4275-087 4275-140-245010-61
05-100-046-4275-281 4275-140-245040-61
05-100-046-4275-330 4275-140-245050-61

Notwithstanding the provisions of any other law to the contrary, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program and the Senior Gold Prescription Discount Program are available to pharmacies that have not submitted an application to enroll as an approved medical supplier in the Medicare program, unless they already are an approved Medicare medical supplier. Pharmacies will not be required to bill Medicare directly, but must agree to allow PAAD to bill Medicare on their behalf by completing and submitting an electronic data interchange (EDI) form to PAAD. Beneficiaries are responsible for the applicable PAAD or Senior Gold Prescription Discount Program copayment.

05-100-046-4275-087 4275-140-245010-61
05-100-046-4275-281 4275-140-245040-61
05-100-046-4275-330 4275-140-245050-61

Notwithstanding the provisions of any other law to the contrary, the Commissioner of Health and Senior Services shall establish a retrospective Polypharmacy drug utilization review program to study the efficacy, necessity and safety of prescriptions in excess of 10 per month per PAAD or Senior Gold Prescription Discount Program client and shall approve or disallow future payments for clients whose prescriptions exceed 10 per client per month if the prescriptions have been proven inefficient, unnecessary or unsafe.

05-100-046-4275-087 4275-140-245010-61
05-100-046-4275-281 4275-140-245040-61
05-100-046-4275-330 4275-140-245050-61

Notwithstanding the provisions of any law or regulation to the contrary, the Department of Health and Senior Services shall have the authority to establish a voluntary prescription drug mail-order program. The mail-order program may waive, discount or rebate the beneficiary copay and mail-order pharmacy providers may dispense up to a 90-day supply on prescription refills with the voluntary participation of the beneficiary, subject to the approval of the Commissioner of Health and Senior Services and the Director of the Division of Budget and Accounting.

05-100-046-4275-087 4275-140-245010-61
05-100-046-4275-281 4275-140-245040-61
05-100-046-4275-330 4275-140-245050-61

At any point during the year, and notwithstanding the provisions of any other law or regulation to the contrary, subject to the approval of a plan by the Commissioner of Health and Senior Services, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled program, pursuant to P.L. 1975, c.194 (C.30:4D-20 et seq.), or the Senior Gold Prescription Discount program, pursuant to P.L. 2001, c.96 (C.30:4D-43 et seq.), shall be expended unless participating pharmaceutical manufacturing companies execute contracts with the Department of Health and Senior Services, through the Department of Human Services, providing for the payment of rebates to the State on the same basis as provided for in section 1927 (a) through (c) of the federal Social Security Act, 42 U.S.C.s.1396r-8(a)-(c).

05-100-046-4275-087 4275-140-245010-61
05-100-046-4275-281 4275-140-245040-61
05-100-046-4275-330 4275-140-245050-61

Notwithstanding the provisions of any law or regulation to the contrary, from the amount appropriated hereinabove for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program and Senior Gold Prescription Discount Program, the Commissioner of Health and Senior Services shall establish a disease management program to improve the quality of care for beneficiaries and reduce costs in the PAAD program and Senior Gold Prescription Discount Program.

05-100-046-4275-330 4275-140-245050-61

From the amount appropriated hereinabove for the Senior Gold Prescription Discount Program, an amount not to exceed \$3,850,000 may be transferred to various accounts as required, including Direct State Services accounts, subject to the approval of the Director of the Division of Budget and Accounting.

05-100-046-4275-060 4275-140-225070-61

Notwithstanding the provisions of any other law to the contrary and subject to the notice provisions of 42 CFR 447.205, for rates implemented on or after July 1, 2000, target occupancy as determined pursuant to N.J.A.C.10:63-3.16 shall not apply to those facilities receiving enhanced rates of reimbursement pursuant to N.J.A.C.10:63-2.21. The per diem amounts for all other expenses of the enhanced rates shall be based upon reasonable base period costs divided by actual base period patient days, but no less than 85% of licensed bed days shall be used.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language — Grants-In-Aid – General Fund

05-100-046-4275-285 4275-140-220080-61
05-100-046-4275-060 4275-140-225070-61
05-100-046-4275-247 4275-140-225220-61
05-100-046-4275-223 4275-140-225330-61
05-100-046-4275-297 4275-140-226000-61
05-100-046-4275-303 4275-140-550030-61
05-100-046-4275-248 4275-140-550120-61
05-100-046-4275-324 4275-140-550130-61
05-100-046-4275-276 4275-140-550300-61
05-100-046-4275-254 4275-140-550930-61
05-100-046-4275-226 4275-140-554500-61
05-100-046-4275-355 4275-140-554525-61

In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of medical services, amounts may be transferred between the various items of appropriation within the Medical Services for the Aged, and Programs for the Aged program classifications to ensure the continuity of long-term care support services for beneficiaries receiving services within the Medical Services for the Aged program classification in the Division of Senior Services in the Department of Health and Senior Services, subject to the approval of the Director of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

05-100-046-4275-247 4275-140-225220-61

Notwithstanding the provisions of any law or regulation to the contrary, effective July 1, 2004, reimbursement for pediatric and adult day health services, including services provided in nursing home-based, hospital-based, and freestanding facilities, as appropriated hereinabove in the Medical Day Care Services account, shall be limited to the rates in effect in FY 2004.

05-100-046-4275-247 4275-140-225220-61

Notwithstanding the provisions of any law to the contrary, effective January 1, 2005, no payment for Medicaid Adult or Pediatric Medical Day Care services, as appropriated hereinabove in the Medical Day Care Services account, shall be provided unless the services are prior authorized by professional staff designated by the Department of Health and Senior Services.

05-100-046-4275-285 4275-140-220080-61
05-100-046-4275-060 4275-140-225070-61

From the amount appropriated for the Payments for Medical Assistance Recipients – Nursing Homes account, funds shall be made available to supplement the Assisted Living Program account in order to increase the number of Assisted Living (AL) services slots, subject to the approval of the Director of the Division of Budget and Accounting.

05-100-046-4275-060 4275-140-225070-61

From the amount appropriated hereinabove for Payments for Medical Assistance Recipients – Nursing Homes, the Commissioner of Health and Senior Services shall increase the reasonableness limit for total nursing care up to 120% of the median costs in the Medicaid nursing home rate-setting system during State fiscal year 2005.

05-100-046-4275-354 4275-140-280030-61
05-100-046-4275-224 4275-140-280900-61

The amounts appropriated hereinabove, not to exceed \$70,840,000 for payments for the Lifeline Credit and Tenants' Assistance programs are available to the Department of Health and Senior Services to fund the payments associated with the Lifeline Credit and Tenants' Assistance programs in accordance with a Memorandum of Understanding between the President of the Board of Public Utilities and the Commissioner of Health and Senior Services, subject to the approval of the Director of the Division of Budget and Accounting.

Language — Grants-In-Aid – Casino Revenue Fund

05-491-046-4275-051 4275-493-225000-61
05-491-046-4275-072 4275-493-228880-61
05-491-046-4275-073 4275-493-229990-61
05-491-046-4275-059 4275-493-245040-61

In addition to the amount hereinabove, there are appropriated from the Casino Revenue Fund and available federal matching funds such additional sums as may be required for the payment of claims, credits and rebates, subject to the approval of the Director of the Division of Budget and Accounting.

05-491-046-4275-051 4275-493-225000-61
05-491-046-4275-072 4275-493-228880-61
05-491-046-4275-073 4275-493-229990-61
05-491-046-4275-059 4275-493-245040-61

All funds recovered under P.L.1968, c.413 (C.30:4D-1 et seq.) and P.L.1975, c.194 (C.30:4D-20 et seq.), during the fiscal year ending June 30, 2005, are appropriated for payments to providers in the same program class from which the recovery originated.

05-491-046-4275-051 4275-493-225000-61
05-491-046-4275-072 4275-493-228880-61
05-491-046-4275-073 4275-493-229990-61

In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of medical services, amounts may be transferred to and from the various items of appropriation within the Medical Services for the Aged program classification, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

05-491-046-4275-051 4275-493-225000-61
05-491-046-4275-072 4275-493-228880-61
05-491-046-4275-073 4275-493-229990-61

For the purposes of account balance maintenance, all object accounts in the Medical Services for the Aged program classification shall be considered as one object. This will allow timely payment of claims to providers of medical services, but ensure that no overspending will occur in the program classification.

05-491-046-4275-051 4275-493-225000-61
05-491-046-4275-072 4275-493-228880-61

Notwithstanding the provisions of P.L.1988, c.92 (C.30:4E-5 et seq.) to the contrary, funds appropriated for the Home Care Expansion Program (HCEP) shall be paid only for individuals enrolled in the program as of June 30, 1996 who are not eligible for the Community Care Program for the Elderly and Disabled or alternative programs, and only for so long as those individuals require services covered by the HCEP. Individuals enrolled in the HCEP as of June 30, 1996 and eligible for the Community Care Program for the Elderly and Disabled, may apply to be enrolled in that program.

05-491-046-4275-051 4275-493-225000-61
05-491-046-4275-072 4275-493-228880-61
05-491-046-4275-073 4275-493-229990-61
05-491-046-4275-059 4275-493-245040-61

Notwithstanding the provisions of any other law to the contrary, a sufficient portion of receipts generated or savings realized in Casino Revenue Fund Medical Services for the Aged or Pharmaceutical Assistance to the Aged and Disabled Grants-In-Aid accounts from initiatives included in the fiscal year 2005 annual appropriations act may be transferred to administration accounts to fund costs incurred in realizing these additional receipts or savings, subject to the approval of the Director of the Division of Budget and Accounting.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language — Grants-In-Aid – Casino Revenue Fund

- 05-491-046-4275-059 4275-493-245040-61 The amounts hereinabove appropriated for payments for the Pharmaceutical Assistance to the Aged and Disabled program, P.L.1975, c.194 (C.30:4D-20 et seq.), are available for the payment of obligations applicable to prior fiscal years.
- 05-491-046-4275-059 4275-493-245040-61 Benefits provided under the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program, P.L.1975, c.194 (C.30:4D-20 et seq.), shall be the last resource benefits, notwithstanding any provision contained in contracts, wills, agreements or other instruments. Any provision in a contract of insurance, will, trust agreement or other instrument which reduces or excludes coverage or payment to an individual because of that individual's eligibility for or receipt of PAAD benefits shall be void, and no PAAD payments shall be made as a result of any such provision.
- 05-491-046-4275-059 4275-493-245040-61 Of the amount appropriated hereinabove in the Pharmaceutical Assistance to the Aged and Disabled – Claims program, notwithstanding the provisions of section 3 of P.L.1975, c.194 (C.30:4D-22) to the contrary, the copayment in the Pharmaceutical Assistance to the Aged and Disabled program shall be \$5.00.
- 05-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any other law or regulation to the contrary, effective July 1, 2004, each prescription order dispensed in the Pharmaceutical Assistance to the Aged and Disabled program and the Senior Gold Prescription Discount Program for Maximum Allowable Cost (MAC) drugs, which are appropriated hereinabove in the Pharmaceutical Assistance to the Aged and Disabled – Claims program and Senior Gold Prescription Discount Program, shall state "Brand Medically Necessary" in the prescriber's own handwriting if the prescriber determines that it is necessary to override generic substitution of drugs, and each prescription order shall follow the requirements of P.L.1977, c.240 (C.24:6E-1 et seq.).
- 05-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any other law or regulation to the contrary, effective July 1, 2003, no State funds are appropriated for a Drug Utilization Review Council in the Department of Health and Senior Services and therefore the functions of the Council shall cease.
- 05-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any other law to the contrary, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program, pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.), shall be expended unless participating pharmaceutical manufacturing companies execute contracts with the Department of Health and Senior Services, through the Department of Human Services, providing for the payment of rebates to the State. Furthermore, rebates from pharmaceutical manufacturing companies for prescriptions purchased by the PAAD program and the Senior Gold Prescription Discount Program shall continue during the fiscal year 2005, provided that the manufacturer's rebates for the Senior Gold Prescription Discount Program shall apply only to the amount paid by the State under the Senior Gold Prescription Discount program. All revenues from such rebates during the fiscal year ending June 30, 2005 are appropriated for the PAAD program and the Senior Gold Prescription Discount Program.
- 05-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any other law or regulation to the contrary, effective July 1, 2004, consistent with the notice provisions of 42 CFR 447.205 where applicable, no funds appropriated in the Pharmaceutical Assistance to the Aged and Disabled program classification and the Senior Gold Prescription Assistance Program account shall be expended except under the following conditions: (a) reimbursement for prescription drugs, shall be based on the Average Wholesale Price less a 12.5% discount; (b) the current prescription drug dispensing fee structure set as a variable rate of \$3.73 to \$4.07 in effect on June 30, 2004, shall remain in effect through fiscal year 2005, including the current increments for patient consultation, impact allowances and allowances for 24-hour emergency services; and (c) multisource generic and single source brand name drugs shall be dispensed without prior authorization but multisource brand name drugs shall require prior authorization issued by the Department of Health and Senior Services or its authorizing agent, however, a 10-day supply of the multisource brand name drug shall be dispensed pending receipt of prior authorization. Certain multisource brand name drugs with a narrow therapeutic index, other drugs recommended by the Drug Utilization Review Board or brand name drugs with a lower cost per unit than the generic may be excluded from prior authorization by the Department of Health and Senior Services.
- 05-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any other law to the contrary, no funds appropriated for the Pharmaceutical Assistance to the Aged and the Disabled program shall be used to pay for quantities of erectile dysfunction therapy medication in excess of four treatments per month. Moreover, payment will only be provided if the diagnosis of erectile dysfunction is written on the prescription form and the treatment is provided to males over the age of 18 years.
- 05-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any other law to the contrary, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program are available to pharmacies that have not submitted an application to enroll as an approved medical supplier in the Medicare program, unless they already are an approved Medicare medical supplier. Pharmacies will not be required to bill Medicare directly, but must agree to allow PAAD to bill Medicare on their behalf by completing and submitting an electronic data interchange (EDI) form to PAAD. Beneficiaries are responsible for the applicable PAAD copayment.
- 05-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any law or regulation to the contrary, the Commissioner of Health and Senior Services shall establish a retrospective Polypharmacy drug utilization review program to study the efficacy, necessity and safety of prescriptions in excess of 10 per month per PAAD or Senior Gold Prescription Discount Program client and shall approve or disallow future payments for clients whose prescriptions exceed 10 per client per month if the prescriptions have been proven inefficient, unnecessary or unsafe.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language — Grants-In-Aid – Casino Revenue Fund

05-491-046-4275-059	4275-493-245040-61	Notwithstanding the provisions of any law or regulation to the contrary, the Department of Health and Senior Services shall have the authority to establish a voluntary prescription drug mail-order program. The mail-order program may waive, discount or rebate the beneficiary copay and mail-order pharmacy providers may dispense up to a 90-day supply on prescription refills with the voluntary participation of the beneficiary, subject to the approval of the Commissioner of Health and Senior Services and the Director of the Division of Budget and Accounting.
05-491-046-4275-059	4275-493-245040-61	At any point during the year, and notwithstanding the provisions of any other law or regulation to the contrary, subject to the approval of a plan by the Commissioner of Health and Senior Services, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled program, pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.), or the Senior Gold Prescription Discount Program, pursuant to P.L.2001, c.96 (C.30:4D-43 et seq.), shall be expended unless participating pharmaceutical manufacturing companies execute contracts with the Department of Health and Senior Services, through the Department of Human Services, providing for the payment of rebates to the State on the same basis as provided for in section 1927 (a) through (c) of the federal Social Security Act, 42 U.S.C. s.1396r-8(a)-(c).
05-491-046-4275-059	4275-493-245040-61	Notwithstanding the provisions of any law or regulation to the contrary, from the amount appropriated hereinabove for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program, the Commissioner of Health and Senior Services shall establish a disease management program to improve the quality of care for beneficiaries and reduce costs in the PAAD program.
05-491-046-4275-081	4275-493-551200-61	Notwithstanding the provisions of section 2 of P.L.1988, c.114 (C.26:2M-10) to the contrary, private for-profit agencies shall be eligible grantees for funding from the Demonstration Adult Day Care Center Program – Alzheimer's Disease account.
05-491-046-4275-082	4275-493-555010-61	Notwithstanding the provisions of any other law to the contrary, of the amount appropriated hereinabove for the Respite Care for the Elderly (CRF) account, \$700,000 shall be charged to the Casino Simulcasting Fund.

Total Appropriation, Department of Health and Senior Services	1,842,972
Totals by Category:	
Direct State Services	83,423
Grants-In-Aid	1,697,095
State Aid	62,454
Totals by Fund:	
General Fund	1,514,648
Casino Revenue Fund	328,324

46. HEALTH AND SENIOR SERVICES

DEPARTMENT OF HEALTH AND SENIOR SERVICES

Language — Direct State Services – General Fund

Notwithstanding the provisions of any other law to the contrary, there is appropriated to the Department of Health and Senior Services from the Health Care Subsidy Fund, established pursuant to section 8 of P.L.1992, c.160 (C.26:2H-18.58), to continue to fund programs established pursuant to section 25 of P.L.1991, c.187 (C.26:2H-18.47), section 30 of P.L. 1997, c.192 and section 15 of P.L.1998, c.43, through the hospital and other health care initiatives account established pursuant to section 12 of P.L. 1992, c.160 (C.26:2H-18.62). However, available funding shall first provide for the Community Care Program for the Elderly and Disabled, the expansion of Medicaid to 185% of poverty and the Infant Mortality Reduction Program. Of the funds remaining, \$11,000,000 is available for payments to federally qualified health centers. Any remaining available funds may be used to increase payments to federally qualified health centers and to fund programs established pursuant to section 25 of P.L.1991, c.187 (C.26:2H-18.47), section 30 of P.L.1997, c.192 and section 15 of P.L.1998, c.43, as determined by the Commissioner of Health and Senior Services, subject to the approval of the Director of the Division of Budget and Accounting. Any unexpended balance as of June 30, 2004 in the Health Care Subsidy Fund received through the hospital and other health care initiatives account during fiscal year 2004 is appropriated.

Receipts from licenses, permits, fines, penalties and fees collected by the Department of Health and Senior Services, in excess of those anticipated, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 7 of P.L.1992, c.160 (C.26:2H-18.57) or any other law to the contrary, the first \$1,200,000 in per adjusted admission charge assessment revenues, attributable to \$10.00 per adjusted admission charge assessments made by the Department of Health and Senior Services, shall be anticipated as revenue in the General Fund available for health-related purposes. Furthermore, it is recommended that the remaining revenue attributable to this fee shall be available to carry out the provisions of section 7 of P.L. 1992, c.160 (C.26:2H-18.57), as determined by the Commissioner of Health and Senior Services, and subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any other law to the contrary, the State Treasurer shall transfer to the Health Care Subsidy Fund, established pursuant to section 8 of P.L. 1992, c.160 (C.26:2H-18.58), only those additional revenues generated from third party liability recoveries, excluding Medicaid, by the State arising from a review by the Director of the Division of Budget and Accounting of hospital payments reimbursed from the Health Care Subsidy Fund with service dates that are after the date of enactment of P.L.1996, c.29.

Notwithstanding the provisions of any other law to the contrary, the Commissioner of Health and Senior Services shall devise, at the commissioner's discretion, rules or guidelines that allocate reductions in health service grants to the extent possible toward administration, and not client services.

Any change in program eligibility criteria and increases in the types of services or rates paid for services to or on behalf of clients for all programs under the purview of the Department of Health and Senior Services, not mandated by federal law, shall first be approved by the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any other law to the contrary, fees, fines, penalties and assessments owed to the Department of Health and Senior Services shall be offset against payments due and owing from other appropriated funds.

In addition to the amount hereinabove, receipts from the federal Medicaid (Title XIX) program for health services-related programs throughout the Department of Health and Senior Services are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Language — Grants-In-Aid – General Fund

In order to permit flexibility in implementing the ElderCare Initiatives within the Medical Services for the Aged program classification, amounts may be transferred between Direct State Services and Grants-In-Aid accounts, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

In order to permit flexibility in implementing the ElderCare Advisory Commission Initiatives within the Programs for the Aged program classification, amounts may be transferred between Direct State Services and Grants-In-Aid accounts, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

There are appropriated such sums as are necessary to counties with Class II Governmental Nursing Facilities, effective July 1, 2004, to satisfy obligations incurred in connection with the Intergovernmental Transfer Program.

46. HEALTH AND SENIOR SERVICES

Language — State Aid – General Fund

Notwithstanding the provisions of any other law to the contrary, there are appropriated such amounts to the Department of Health and Senior Services, subject to the approval of the Director of the Division of Budget and Accounting, as are necessary to pay such supplemental payments in accordance with the Medicaid State Plan amendments to any participating governmental entity for certain Class II Governmental Nursing Facilities. There are appropriated to the Department of Health and Senior Services and the Department of the Treasury such additional sums as are necessary to pay costs incurred by the State Treasurer or any other State agency in connection with the execution and delivery of any agreements authorized under P.L.2000, c.28 (C.30:4D-19.2 et seq.), including the costs of professional services and attorneys, and other costs necessary to complete the intergovernmental transfer.

Such sums as may be necessary are appropriated or transferred from existing appropriations within the Department of Health and Senior Services for the purpose of promoting awareness to increase participation in programs that are administered by the departments, subject to the approval of the Director of the Division of Budget and Accounting.