

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>			
09-100-046-4215-002	4215-100-010000-12	Salaries and Wages	(1,553)
09-100-046-4215-003	4215-100-010000-2	Materials and Supplies	(34)
09-100-046-4215-004	4215-100-010000-3	Services Other Than Personal	(91)
<i>Total Appropriation, Office of Vital Statistics and Registration</i>			1,678

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>			
09-100-046-4220-002	4220-100-020000-12	Salaries and Wages	(1,030)
09-100-046-4220-003	4220-100-020000-2	Materials and Supplies	(83)
09-100-046-4220-004	4220-100-020000-3	Services Other Than Personal	(79)
09-100-046-4220-005	4220-100-020000-4	Maintenance and Fixed Charges	(9)
<i>Special Purpose:</i>			
09-100-046-4220-219	4220-100-020010-5	WIC Farmers Market Program	(87)
09-100-046-4220-408	4220-100-020120-5	Breast Cancer Public Awareness Campaign	(90)
09-100-046-4220-310	4220-100-020530-5	Identification System for Children's Health and Disabilities	(300)
09-100-046-4220-484	4220-100-021060-5	Autism Registry	(500)
09-100-046-4220-485	4220-100-021090-5	Governor's Council for Medical Research and Treatment of Autism ..	(500)
09-100-046-4220-286	4220-100-021120-5	Public Awareness Campaign for Black Infant Mortality	(500)
<i>Subtotal Appropriation, Direct State Services</i>			3,178

<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
09-100-046-4220-074	4220-140-020020-61	Family Planning Services	(7,749)
09-100-046-4220-075	4220-140-020030-61	Hemophilia Services	(1,208)
09-100-046-4220-079	4220-140-020090-61	Special Health Services for Handicapped Children	(2,441)
09-100-046-4220-080	4220-140-020100-61	Chronic Renal Disease Services	(498)
09-100-046-4220-081	4220-140-020110-61	Pharmaceutical Services for Adults With Cystic Fibrosis	(368)
09-100-046-4220-082	4220-140-020140-61	Birth Defects Registry	(34)
09-491-046-4220-011	4220-493-020150-61	Statewide Birth Defects Registry (CRFG)	(529)
09-100-046-4220-287	4220-140-020300-61	Community Provider Cost of Living Adjustment, Family Health Services	(3,925)
09-100-046-4220-315	4220-140-020410-61	Maternal and Child Health Services	(5,930)
09-100-046-4220-087	4220-140-020890-61	Lead Poisoning Program	(957)
09-100-046-4220-091	4220-140-020960-61	Poison Control Center	(569)
09-100-046-4220-460	4220-140-021040-61	Early Childhood Intervention Program	(100,104)
09-100-046-4220-098	4220-140-021240-61	Cleft Palate Programs	(707)
09-100-046-4220-335	4220-140-021260-61	Tourette Syndrome Association of New Jersey	(1,250)
09-100-046-4220-461	4220-140-021340-61	Cancer Screening - Early Detection and Education Program	(5,853)
09-100-046-4220-103	4220-140-021410-61	SIDS Assistance Act	(214)
09-100-046-4220-104	4220-140-021460-61	Services to Victims of Huntington's Disease	(323)
09-100-046-4220-462	4220-140-021920-61	Postpartum Education Campaign	(2,500)
09-100-046-4220-463	4220-140-021930-61	Postpartum Screening	(2,000)
09-100-046-4220-459	4220-140-024020-61	New Jersey Council on Physical Fitness and Sports	(50)
09-100-046-4220-433	4220-140-024140-61	Federally Qualified Health Centers - Services to Family Care Clients	(5,000)
09-100-046-4220-479	4220-140-024150-61	Federally Qualified Health Centers - Services to the Homeless	(500)
<i>Subtotal Appropriation, Grants-in-Aid</i>			142,709
<i>Total Appropriation, Division of Family Health Services</i>			145,887
<i>(From General Fund)</i>			145,358
<i>(From Casino Revenue Fund)</i>			529

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 21. HEALTH SERVICES

Language -- Direct State Services - General Fund

09-100-046-4220-483 4220-472-021000 Receipts deposited in the Autism Medical Research and Treatment Fund are appropriated for the Governor's Council for Medical Research and Treatment of Infantile Autism, subject to the approval of the Director of the Division of Budget and Accounting.

Language -- Grants-In-Aid - General Fund

09-100-046-4220-074 4220-140-020020-61 Of the amounts hereinabove appropriated for Family Planning Services, \$2,500,000 shall be appropriated to the Office of Maternal and Child Health in the Department of Health and Senior Services for family planning.

09-100-046-4220-460 4220-140-021040-61 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.

09-100-046-4220-461 4220-140-021340-61 Of the amount hereinabove appropriated for Cancer Screening - Early Detection and Education Program, an amount may be transferred to Direct State Services in the Department of Health and Senior Services to cover administrative costs of the program, subject to the approval of the Director of the Division of Budget and Accounting.

4220-760-020000-61 There is appropriated \$570,000 from the Alcohol Education, Rehabilitation and Enforcement Fund to fund the Fetal Alcohol Syndrome Program.

09-100-046-4220-460 4220-140-021040-61 Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Early Childhood Intervention Program shall be conditioned on the Early Childhood Intervention Program's family cost sharing program involving a progressive charge for each hour of direct services provided to the child and/or the child's family in accordance with the child's Individualized Family Service Plan, based upon household size and gross income as set forth in the New Jersey Early Intervention System Family Cost Participation Handbook (June 2008).

09-100-046-4220-479 4220-140-024150-61 The Commissioner shall allocate the amount hereinabove appropriated for Federally Qualified Health Care Centers - Services to the Homeless to provide not less than \$50,000 to each of the five centers that received State funds in the preceding fiscal year for serving the homeless, and in allocating funds in excess of that amount to each center shall consider factors including, but not limited to, the number, type and location of available services, the growth in health care visits, and the availability of extended hours and specialty care services.

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

<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
09-100-046-4230-002	4230-100-030000-12	Salaries and Wages	(7,011)
09-100-046-4230-003	4230-100-030000-2	Materials and Supplies	(1,404)
09-100-046-4230-004	4230-100-030000-3	Services Other Than Personal	(392)
09-100-046-4230-005	4230-100-030000-4	Maintenance and Fixed Charges	(69)
<i>Special Purpose:</i>			
09-100-046-4230-357	4230-100-030180-5	New Jersey Domestic Security Preparedness	(1,450)
09-100-046-4230-282	4230-100-030250-5	Cancer Registry	(400)
09-100-046-4230-374	4230-100-030260-5	Cancer Investigation and Education	(500)
09-100-046-4230-376	4230-100-030420-5	Emergency Medical Services for Children	(50)
09-100-046-4230-410	4230-100-030450-5	School Based Programs and Youth Anti-Smoking	(6,600)
09-100-046-4230-411	4230-100-030460-5	Anti-Smoking Programs	(2,000)
09-100-046-4230-028	4230-100-030900-5	New Jersey State Commission on Cancer Research	(1,000)
09-100-046-4230-404	4230-100-031660-5	Animal Welfare	(150)
09-100-046-4230-078	4230-101-034500-5	Worker and Community Right to Know	(2,367)
09-100-046-4230-335	4230-100-035950-5	New Jersey Coalition to Promote Cancer Prevention, Early Detection & Treatment	(200)
Subtotal Appropriation, Direct State Services			23,593

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>Grants-in-Aid</u>	(thousands of dollars)
09-100-046-4230-080	4230-140-030010-61	Tuberculosis Services	(1,707)
09-100-046-4230-434	4230-140-030280-61	Implementation of Comprehensive Cancer Control Program	(1,500)
09-100-046-4230-290	4230-140-030300-61	Community Provider Cost of Living Adjustment, Public Health Protection	(141)
09-100-046-4230-305	4230-140-030410-61	Immunization Services	(922)
09-100-046-4230-470	4230-140-030600-61	Hospital Asset Transformation Program - Debt Service	(12,500)
09-100-046-4230-101	4230-140-031580-61	AIDS Communicable Disease Control	(493)
09-100-046-4230-369	4230-140-031620-61	Cancer Institute of New Jersey	(20,000)
09-100-046-4230-392	4230-140-031630-61	Cancer Institute of New Jersey, South Jersey Program - Debt Service	(6,000)
09-100-046-4230-439	4230-140-031635-61	Cancer Research	(17,000)
09-100-046-4230-105	4230-141-034500-61	Worker and Community Right to Know	(281)
Subtotal Appropriation, Grants-in-Aid			60,544
<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>State Aid</u>	(thousands of dollars)
09-100-046-4230-307	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>			86,537

Language -- Direct State Services - General Fund

09-100-046-4230-382	4220-783-027830-5 4230-416-034160	The unexpended balance at the end of the preceding fiscal year in the New Jersey Emergency Medical Service Helicopter Response Program account is appropriated.
09-100-046-4230-376	4230-100-030420-5	In addition to the amounts appropriated hereinabove, notwithstanding the provisions of any law or regulation to the contrary, there is appropriated \$150,000 from the "Emergency Medical Technician Training Fund" to fund the Emergency Medical Services for Children Program.
09-100-046-4230-385	4230-461-030050-5	Notwithstanding the provisions of any law or regulation 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.
09-100-046-4230-386	4230-461-030510-5	
09-100-046-4230-028	4230-100-030900-5	The amount hereinabove appropriated 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).
09-100-046-4230-028	4230-100-030900-5	The unexpended balance at the end of the preceding fiscal year in the New Jersey State Commission on Cancer Research account is appropriated.
09-100-046-4230-028	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.
09-100-046-4230-078	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 appropriated for the Worker and Community Right to Know account is payable from the "Worker and Community Right to Know Fund," and the receipts in excess of the amount anticipated, not to exceed \$764,000, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.
09-100-046-4230-105	4230-141-034500-61	
09-100-046-4230-371	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 \$4,722,000, 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.
09-100-046-4230-410	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.
09-100-046-4230-411	4230-100-030460-5	

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 21. HEALTH SERVICES

Language -- Grants-In-Aid - General Fund

09-100-046-4230-434	4230-140-030280-61	Of the amount hereinabove appropriated for the Implementation of Comprehensive Cancer Control Program, an amount may be transferred to Direct State Services in the Department of Health and Senior Services to cover administrative costs of the program and to the corresponding program in Family Health Services in the Department of Health and Senior Services for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.
09-100-046-4230-369	4230-140-031620-61	From the amount hereinabove appropriated for the Cancer Institute of New Jersey, \$250,000 is appropriated to the Ovarian Cancer Research Fund.
09-100-046-4230-382	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.
09-100-046-4230-470	4230-140-030600-61	There are appropriated such additional sums as are required to pay all amounts due from the State pursuant to any contract entered into between the State Treasurer and the New Jersey Health Care Facilities Financing Authority pursuant to section 6 of P.L.2000, c.98 (C.26:2I-7.1) in connection with the Hospital Asset Transformation program.
09-100-046-4230-447	4230-140-030330-61	Notwithstanding the provisions of any law or regulation to the contrary, any additional federal disproportionate share hospital matching funds received as a result of the conversion to a municipal hospital known as Hoboken University Medical Center are appropriated for the Hoboken University Medical Center in an amount to be determined by the Division of Medical Assistance and Health Services, subject to the approval of the Director of the Division of Budget and Accounting.
09-100-046-4230-439	4230-140-031635-61	From the amount hereinabove appropriated to Cancer Research, an amount up to \$17,000,000 is appropriated for competitive grants to be made by the New Jersey Commission on Cancer Research, for cancer research, treatment and prevention, provided that the award of such grant funds are: 1) made in consultation with the New Jersey Department of Health and Senior Services; 2) the notice of grant availability is published in the New Jersey Register; 3) not more than 5% of the total amount hereinabove appropriated may be transferred to various accounts as required, including Direct State Services accounts, and is appropriated for a comprehensive scientific peer review process, subject to the Director of the Division of Budget and Accounting; 4) expended within this state and benefit New Jersey residents; and 5) the Department of Health and Senior Services shall execute the grant agreements and the New Jersey Commission on Cancer Research shall oversee and administer the grant agreements. No funds hereinabove appropriated to the Department of Health and Senior Services shall be used for the Medical Waste Management Program. The Department of Health and Senior Services and the Department of Environmental Protection shall establish a transition plan to ensure provisions of the "Comprehensive Regulated Medical Waste Management Act," P.L.1989, c.34 (C.13:1E-48.1 et al.) are met.
09-100-046-4230-439	4230-140-031635-61	The unexpended balance at the end of the preceding fiscal year in the Cancer Research account is appropriated.
09-100-046-4230-369	4230-140-031620-61	Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Cancer Institute of New Jersey (CINJ) shall be conditioned upon the following provision: no funds shall be expended except to support CINJ's infrastructure necessary to support cancer research, prevention and treatment.
09-100-046-4230-392	4230-140-031630-61	The unexpended balance at the end of the preceding fiscal year in the Cancer Institute of New Jersey Research, South Jersey Program - Debt Service account and any unexpended balance from preceding fiscal years that are transferred to the program are appropriated to the program for cancer-related capital equipment, design, engineering and construction expenses.

Language -- State Aid - General Fund

09-100-046-4230-307	4230-150-031030-60	The capitation for Public Health Priority Funding is set not to exceed \$0.40 for the fiscal year ending June 30, 2009 for the purposes prescribed in P.L.1966, c.36 (C.26:2F-1 et seq.).
09-100-046-4230-307	4230-150-031030-60	Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Public Health Priority Funding shall not be allocated to county health departments.

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>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
09-100-046-4245-001	4245-100-120000-12	Salaries and Wages	(1,768)
09-100-046-4245-002	4245-100-120000-2	Materials and Supplies	(78)
09-100-046-4245-003	4245-100-120000-3	Services Other Than Personal	(133)
09-100-046-4245-004	4245-100-120000-4	Maintenance and Fixed Charges	(12)
Subtotal Appropriation, Direct State Services			1,991
<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
09-100-046-4245-132	4245-140-120300-61	Community Provider Cost of Living Adjustment, AIDS Services	(1,609)
09-100-046-4245-056	4245-140-120800-61	AIDS Grants	(20,307)
09-100-046-4245-158	4245-140-120850-61	Rapid AIDS Testing	(4,200)
09-100-046-4245-159	4245-140-120860-61	AIDS Drug Distribution Program	(4,700)
Subtotal Appropriation, Grants-in-Aid			30,816
<i>Total Appropriation, Division of AIDS Prevention and Control</i>			<i>32,807</i>

Language -- Grants-In-Aid - General Fund

09-100-046-4245-159	4245-140-120860-61	Notwithstanding the provisions of any law or regulation to the contrary, in order to maximize prescription drug coverage under the Medicare Part D program established pursuant to the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003," the amount hereinabove appropriated for the AIDS Drug Distribution Program (ADDP) shall be designated as the authorized representative for the purposes of coordinating benefits with the Medicare Part D program, including enrollment and appeals of coverage determinations. ADDP is authorized to represent program beneficiaries in the pursuit of such coverage. ADDP representation shall not result in any additional financial liability on behalf of such program beneficiaries and shall include, but need not be limited to, the following actions: application for the premium and cost-sharing subsidies on behalf of eligible program beneficiaries; pursuit of appeals, grievances, or coverage determinations; and facilitated enrollment in a prescription drug plan or Medicare Advantage Prescription Drug plan. If any beneficiary declines enrollment in any Medicare Part D plan, that beneficiary shall be barred from all benefits of the ADDP Program.
09-100-046-4245-159	4245-140-120860-61	Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated to the AIDS Drug Distribution Program (ADDP) is conditioned upon the Department of Health and Senior Services coordinating the benefits of ADDP with the prescription drug benefits of the Medicare Part D program established pursuant to the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" as the primary payer. The ADDP benefit and reimbursement shall only be available to cover the beneficiary cost share to in-network pharmacies and for deductible and coverage gap costs, as determined by the Commissioner of Health and Senior Services, associated with enrollment in Medicare Part D for ADDP beneficiaries, and for Medicare Part D premium costs for ADDP beneficiaries.
09-100-046-4245-159	4245-140-120860-61	Notwithstanding the provisions of any law or regulation to the contrary, effective January 1, 2006, no funds appropriated in the AIDS Drug Distribution Program (ADDP) account, shall be available as payment as an ADDP benefit to any pharmacy that is not enrolled as a participating pharmacy in a pharmacy network under the Medicare Part D program established pursuant to the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003."
09-100-046-4245-159	4245-140-120860-61	Commencing with the start of the fiscal year, and consistent with the requirements of the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" (MMA), no funds hereinabove appropriated from the AIDS Drug Distribution Program (ADDP) account shall be expended for any individual enrolled in the ADDP program unless the individual provides all data necessary to enroll the individual in the Medicare Part D program established pursuant to the MMA, including data required for the subsidy assistance, as outlined by the Centers for Medicare and Medicaid Services.
09-100-046-4245-001	4245-100-120000-12	In order to permit flexibility in the handling of appropriations, amounts may be transferred to and from the various items of appropriation within the AIDS Services program classification 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.
09-100-046-4245-002	4245-100-120000-2	
09-100-046-4245-003	4245-100-120000-3	
09-100-046-4245-004	4245-100-120000-4	
09-100-046-4245-132	4245-140-120300-61	
09-100-046-4245-056	4245-140-120800-61	
09-100-046-4245-158	4245-140-120850-61	
09-100-046-4245-159	4245-140-120860-61	The unexpended balance at the end of the preceding fiscal year in the AIDS Drug Distribution Program account is appropriated, 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

4280. DIVISION OF PUBLIC HEALTH AND ENVIRONMENTAL LABORATORIES

08. LABORATORY SERVICES

<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
09-100-046-4280-002	4280-100-080000-12	Salaries and Wages	(5,192)
09-100-046-4280-003	4280-100-080000-2	Materials and Supplies	(630)
09-100-046-4280-004	4280-100-080000-3	Services Other Than Personal	(242)
09-100-046-4280-005	4280-100-080000-4	Maintenance and Fixed Charges	(63)
<i>Special Purpose:</i>			
09-100-046-4280-067	4280-100-080180-5	New Jersey Domestic Security Preparedness	(1,800)
<i>Total Appropriation, Division of Public Health and Environmental Laboratories</i>			7,927

Language -- Direct State Services - General Fund

09-100-046-4280-002	4280-100-080000	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 that funds have been appropriated or allocated to such agency or department for the purpose of purchasing these services.
09-100-046-4280-003		
09-100-046-4280-004		
09-100-046-4280-005		
09-100-046-4280-070		
09-100-046-4280-002	4280-100-080000	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.
09-100-046-4280-003		
09-100-046-4280-004		
09-100-046-4280-005		
09-100-046-4280-070		
<i>Total Appropriation, Health Services</i>		274,836
<i>(From General Fund)</i>		274,307
<i>(From Casino Revenue Fund)</i>		529

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 Services, in excess of those anticipated, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

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>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
09-100-046-4260-002	4260-100-060000-12	Salaries and Wages	(3,634)
09-100-046-4260-003	4260-100-060000-2	Materials and Supplies	(58)
09-100-046-4260-004	4260-100-060000-3	Services Other Than Personal	(364)
09-100-046-4260-005	4260-100-060000-4	Maintenance and Fixed Charges	(90)
<i>Special Purpose:</i>			
09-100-046-4260-080	4260-100-060010-5	Nursing Home Background Checks/Nursing Aide Certification Program	(979)
09-100-046-4260-099	4260-100-060090-5	Implement Patient Safety Act	(400)
09-100-046-4260-064	4260-100-061000-7	Additions, Improvements and Equipment	(37)
<i>Total Appropriation, Division of Long Term Care Systems Development & Quality Assurance</i>			5,562

Language -- Direct State Services - General Fund

4260-101-060480-0	There are appropriated such sums as are required 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.	
4260-451-064540-0		
4260-454-064510-0		
09-100-046-4260-045	4260-446-064460	Receipts derived from fees charged for processing Certificate of Need applications and the unexpended balances at the end of the preceding fiscal year of such receipts are appropriated for the cost of this program, subject to the approval of the Director of the Division of Budget and Accounting.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH
22. HEALTH PLANNING AND EVALUATION
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>			
09-100-046-4270-001	4270-100-070000-12	Salaries and Wages	(2,415)
09-100-046-4270-002	4270-100-070000-2	Materials and Supplies	(15)
09-100-046-4270-003	4270-100-070000-3	Services Other Than Personal	(142)
09-100-046-4270-004	4270-100-070000-4	Maintenance and Fixed Charges	(110)
Subtotal Appropriation, Direct State Services			2,682
<u>NJCFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
09-100-046-4270-077	4270-140-070020-61	Health Care Subsidy Fund Payments	(129,962)
Subtotal Appropriation, Grants-in-Aid			129,962
<i>Total Appropriation, Division of Health Care Systems Analysis</i>			<i>132,644</i>

Language -- Grants-In-Aid - General Fund

09-100-046-4270-077	4270-140-070020-61	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.
09-100-046-4270-077	4270-140-070020-61	Notwithstanding the provisions of any law or regulation 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.
09-100-046-4270-077	4270-140-070020-61	Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for Health Care Subsidy Fund Payments shall be charged to the revenues derived from the \$0.35 increase in the cigarette tax rate imposed pursuant to P.L.2004, c.67.
09-100-046-4270-077	4270-140-070020-61	In addition to the amounts hereinabove appropriated for Health Care Subsidy Fund Payments, \$1,000,000 is appropriated to the Health Care Subsidy Fund Payments account 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).
09-100-046-4270-077	4270-140-070020-61	Of the amounts hereinabove appropriated for Health Care Subsidy Fund Payments, \$5,000,000 shall be appropriated to the NJ FamilyCare program in the Department of Human Services to provide health care for uninsured children.
09-100-046-4270-077	4270-140-070020-61	Notwithstanding the provisions of any law or regulation to the contrary, all revenues collected from the tax on cosmetic medical procedures pursuant to P.L.2004, c.53 (C.54:32E-1) shall be deposited in the Health Care Subsidy Fund established pursuant to section 8 of P.L.1992, c.160 (C.26:2H-18.58).
09-100-046-4270-077	4270-140-070020-61	An amount not to exceed \$2,000,000 is appropriated to the Department of Health and Senior Services from the Health Care Subsidy Fund Payments account to fund the Infant Mortality Reduction Program and an amount not to exceed \$2,000,000 is appropriated to the Department of Health and Senior Services from the Health Care Subsidy Fund Payments account to fund the Primary Care Physician and Dentist Loan Redemption Program.
09-100-046-4270-077	4270-140-070020-61	Notwithstanding the provisions of any law or regulation to the contrary, as a condition of the receipt of any monies hereunder by an acute care hospital that is requesting an advance of Charity Care/Medicaid or payments from the "Health Care Facilities Improvement Fund" or any payments over and above this Act, the hospital shall comply with a request by the Commissioner of the Department of Health and Senior Services for a review of its finances and operations to ensure that access to health care is maintained and public funds are utilized for their intended purpose, the cost of such review to be borne by the acute care hospital, and shall comply with any financial and operational performance requirements imposed by the Commissioner as deemed necessary as a result of the review.

46. HEALTH AND SENIOR SERVICES

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

Language -- Grants-In-Aid - General Fund

09-100-046-4270-077 4270-140-070020-61

Notwithstanding the provisions of any law or regulation to the contrary, the appropriation for Health Care Subsidy Fund Payments shall be conditioned upon the following provisions: (1) in State Fiscal Year (SFY) 2009, Charity Care subsidies shall be calculated pursuant to section 3 of P.L.2004, c.113 (C.26:2H-18.59i), except that: (2) in paragraph (1) of subsection b., source data used shall be from calendar year 2007 for Charity Care Claims data and total revenue, and for Acute Care Hospital Cost Report total revenue as defined by Form E4, Line 1, Column E data according to Department of Health and Senior Services (DHSS) advance submission request dated March 14, 2008, and source data used shall be from calendar year 2006 for Medicare Cost Report data; (3) for eligible hospitals that failed to submit Acute Care Hospital Cost Report total revenue as defined by Form E4, Line 1, Column E data according to DHSS advance submission request dated March 14, 2008, in paragraph (1) of subsection b. source data from calendar year 2006 shall be used for Charity Care Claims total revenue and for Acute Care Hospital Cost Report total revenue as defined by Form E4, Line 1, Column E; (4) each eligible hospital shall be assigned to one of three groups or tiers based on their initial RCCP as calculated in paragraph (1) of subsection b. with Tier 1 hospitals having an initial RCCP greater than 8%, Tier 2 hospitals having an initial RCCP less than Tier 1 and greater than 3.6% and Tier 3 hospitals having an initial RCCP less than Tier 2; (5) the hospital-specific subsidy initially calculated in accordance of subsections a. and b. for each eligible hospital shall be reduced by 5% for Tier 1 hospitals, 37% for Tier 2 hospitals and 100% for Tier 3 hospitals; (6) for each eligible hospital the difference shall be calculated between its initial calculated SFY 2009 charity care subsidy and its total SFY 2008 charity care allocation; (7) if an eligible hospital's initial calculated SFY 2009 charity care subsidy is more than its total State fiscal year 2008 amount and it has been assigned to Tier 1 or Tier 2, the hospital-specific subsidy calculation for each eligible hospital shall be its total State fiscal year 2008 amount plus 20% of the difference calculated above; (8) if an eligible hospital's initial calculated SFY 2009 charity care subsidy is less than its total SFY 2008 amount and it has been assigned to Tier 1 or Tier 2, the hospital-specific subsidy calculation for each eligible hospital shall be its total SFY 2008 amount minus 40% of the difference calculated above; (9) if an eligible hospital's initial calculated SFY 2009 charity care subsidy is more than its total SFY 2008 amount and it has been assigned to Tier 1 or Tier 2, an amount equal to 4% of the difference calculated above for each eligible hospital shall be assigned to a redistribution pool designated for Tier 1 hospitals; (10) if the hospital-specific SFY 2009 subsidy calculated thus far for an eligible hospital assigned to Tier 2 is calculated to be more than 50 percent of its documented charity care for calendar year 2007, the hospital-specific subsidy for each hospital shall be reduced to 50 percent of its documented charity care and the total amount reduced shall be assigned to a redistribution pool designated for Tier 1 hospitals; (11) if an eligible hospital's SFY 2009 subsidy calculated thus far is less than its total SFY 2008 amount and it has been assigned to Tier 1, that hospital shall participate in the redistribution pool designated for Tier 1 hospitals; (12) the total of all amounts assigned to the redistribution pool designated for Tier 1 hospitals shall be distributed to Tier 1 hospitals identified as participating in the redistribution pool; (13) the amount redistributed to each participating Tier 1 hospital shall be equal to the percentage calculated as the difference calculated above for that hospital divided by the total of all the differences calculated above for all Tier 1 hospitals participating in the redistribution pool, and multiplied by the total of all amounts assigned to the redistribution pool designated for Tier 1 hospitals; (14) the amount redistributed to each hospital identified as participating in the redistribution pool designated for Tier 1 shall be added to each hospital's hospital-specific subsidy calculation; (15) if the hospital-specific subsidy calculated thus far for an eligible hospital assigned to Tier 1 is calculated to be less than 60 percent of its documented charity care for calendar year 2007, the hospital-specific subsidy for each hospital shall be increased to 60 percent of its documented charity care; (16) if the hospital-specific subsidy calculated thus far for an eligible hospital assigned to Tier 1 is calculated to be more than 100 percent of its documented charity care for calendar year 2007, the hospital-specific subsidy for each hospital shall be reduced to 100 percent of its documented charity care; (17) if the hospital-specific subsidy calculated thus far for an eligible hospital assigned to Tier 3 is calculated to be less than 10 percent of its documented charity care for calendar year 2007, the hospital-specific subsidy for each hospital shall be increased to 10 percent of its documented charity care. The resulting number will constitute each eligible hospital's SFY 2009 Charity Care subsidy allocation. A proportionate reduction will be applied to all hospitals if necessary such that the SFY 2009 Charity Care subsidy allocation for all hospitals totaled shall not exceed \$605,000,000.

09-100-046-4270-077 4270-140-070020-61

Of the amount hereinabove appropriated for Health Care Subsidy Fund Payments, any amounts not allocated to a hospital-specific SFY 2009 Charity Care subsidy shall be assigned to the Health Care Stabilization Fund to be established within the Department of Health and Senior Services for the purpose of maintaining access to essential health care services in the community. The eligibility and participation requirements shall be developed by the Commissioner of the Department of Health and Senior Services and set forth in separate legislation. Combined funding for Charity Care and the Health Care Stabilization Fund shall not exceed \$649,000,000. The commissioner shall provide notice to the Joint Budget Oversight Committee of each distribution made from the Health Care Stabilization Fund within 5 business days of the distribution. Each facility that receives funding from the Health Care Stabilization Fund shall be subject to an audit by the State Comptroller to be initiated 12 months after the date of payment.

09-100-046-4270-077 4270-140-070020-61

Notwithstanding the provisions of any law or regulation to the contrary, any funds remaining as the result of closure of a hospital, eligible to receive Disproportionate Share Hospital (DSH) funds, shall be redistributed at the discretion of the Commissioner of the Department of Health and Senior Services. Factors the Commissioner will consider shall include but are not limited to 1) maintenance of continued timely access to essential health services for persons eligible to participate in the New Jersey Hospital Care Payment Assistance Program (Charity Care) or 2) continued operation in the same or adjoining municipality as the closed hospital of an acute care hospital, eligible to receive DSH funds, and serving substantially the same eligible population, with notice of such redistribution provided to the Joint Budget Oversight Committee within 5 business days of each redistribution.

46. HEALTH AND SENIOR SERVICES

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

Language -- Grants-In-Aid - General Fund
09-100-046-4270-077 4270-140-070020-61

The amounts hereinabove appropriated for Health Care Subsidy Fund Payments are conditioned upon the following provision: the Department of Health and Senior Services shall review, examine and/or audit any and all financial information maintained by acute care hospitals to ensure appropriate use of public funds.

Total Appropriation, Health Planning and Evaluation 138,206

**20. PHYSICAL AND MENTAL HEALTH
25. HEALTH ADMINISTRATION
4210. DIVISION OF MANAGEMENT AND ADMINISTRATION
99. ADMINISTRATION AND SUPPORT SERVICES**

<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
09-100-046-4210-008	4210-100-990000-12	Salaries and Wages	(1,377)
09-100-046-4210-009	4210-100-990000-2	Materials and Supplies	(49)
09-100-046-4210-010	4210-100-990000-3	Services Other Than Personal	(488)
<i>Special Purpose:</i>			
09-100-046-4210-100	4210-100-990010-5	Office of Minority and Multicultural Health	(1,500)
09-100-046-4210-015	4210-100-990030-5	Affirmative Action and Equal Employment Opportunity	(84)
<i>Total Appropriation, Division of Management and Administration</i>			<u>3,498</u>
<i>Total Appropriation, Health Administration</i>			<u>3,498</u>

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

<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
09-100-046-4275-189	4275-100-220000-12	Salaries and Wages	(3,240)
09-100-046-4275-190	4275-100-220000-2	Materials and Supplies	(66)
09-100-046-4275-191	4275-100-220000-3	Services Other Than Personal	(799)
09-100-046-4275-192	4275-100-220000-4	Maintenance and Fixed Charges	(70)
<i>Special Purpose:</i>			
09-100-046-4275-249	4275-100-220020-5	Fiscal Agent - Medical Services for the Aged	(550)
09-100-046-4275-193	4275-100-220000-7	Additions, Improvements and Equipment	(12)
<i>Subtotal Appropriation, Direct State Services</i>			<u>4,737</u>

<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
09-491-046-4275-051	4275-493-225000-61	Global Budget for Long Term Care (CRFG)	(27,559)
09-100-046-4275-366	4275-140-225060-61	Global Budget for Long Term Care	(47,258)
09-100-046-4275-060	4275-140-225070-61	Payments for Medical Assistance Recipients - Nursing Homes	(682,672)
09-100-046-4275-247	4275-140-225220-61	Medical Day Care Services	(88,951)
09-100-046-4275-223	4275-140-225330-61	Medicaid High Occupancy - Nursing Homes	(9,000)
09-100-046-4275-297	4275-140-226000-61	ElderCare Initiatives	(14,877)
09-491-046-4275-072	4275-493-228880-61	Home Care Expansion (CRFG)	(71)
09-491-046-4275-073	4275-493-229990-61	Hearing Aid Assistance for the Aged and Disabled (CRFG)	(200)
<i>Subtotal Appropriation, Grants-in-Aid</i>			<u>870,588</u>
<i>Total Appropriation, Medical Services for the Aged</i>			<u>875,325</u>

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

24. PHARMACEUTICAL ASSISTANCE TO THE AGED AND DISABLED

<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
09-100-046-4275-194	4275-100-240000-12	Salaries and Wages	(4,607)
09-100-046-4275-195	4275-100-240000-2	Materials and Supplies	(83)
09-100-046-4275-196	4275-100-240000-3	Services Other Than Personal	(1,887)
09-100-046-4275-197	4275-100-240000-4	Maintenance and Fixed Charges	(339)
<i>Special Purpose:</i>			
09-100-046-4275-199	4275-100-245000-5	Payments to Fiscal Agent - PAA	(1,723)
09-100-046-4275-198	4275-100-240000-7	Additions, Improvements and Equipment	(16)
Subtotal Appropriation, Direct State Services			<u>8,655</u>
<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
09-100-046-4275-087	4275-140-245010-61	Pharmaceutical Assistance to the Aged - Claims	(6,403)
09-100-046-4275-281	4275-140-245040-61	Pharmaceutical Assistance to the Aged and Disabled - Claims	(30,640)
09-491-046-4275-059	4275-493-245040-61	Pharmaceutical Assistance to the Aged and Disabled - Claims (CRFG)	(204,845)
09-100-046-4275-330	4275-140-245050-61	Senior Gold Prescription Discount Program	(14,340)
Subtotal Appropriation, Grants-in-Aid			<u>256,228</u>
<i>Total Appropriation, Pharmaceutical Assistance to the Aged and Disabled</i>			<u>264,883</u>

55. PROGRAMS FOR THE AGED

<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
09-100-046-4275-208	4275-100-550000-12	Salaries and Wages	(242)
09-491-046-4275-066	4275-491-550000-12	Salaries and Wages (CRFD)	(658)
09-491-046-4275-066	4275-491-550000-19	Employee Benefits (CRFD)	(138)
09-100-046-4275-209	4275-100-550000-2	Materials and Supplies	(6)
09-491-046-4275-067	4275-491-550000-2	Materials and Supplies (CRFD)	(14)
09-100-046-4275-210	4275-100-550000-3	Services Other Than Personal	(70)
09-491-046-4275-068	4275-491-550000-3	Services Other Than Personal (CRFD)	(47)
09-100-046-4275-211	4275-100-550000-4	Maintenance and Fixed Charges	(1)
09-491-046-4275-267	4275-491-550000-4	Maintenance and Fixed Charges (CRFD)	(2)
<i>Special Purpose:</i>			
09-100-046-4275-213	4275-100-555020-5	Federal Programs for the Aged (State Share)	(143)
09-491-046-4275-268	4275-491-550000-7	Additions, Improvements and Equipment (CRFD)	(12)
Subtotal Appropriation, Direct State Services			<u>1,333</u>
<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Grants-in-Aid</u>	(thousands of dollars)
09-100-046-4275-380	4275-140-550050-61	Demonstration Adult Day Care Center Program - Alzheimer's Disease	(500)
09-100-046-4275-248	4275-140-550120-61	Purchase of Social Services	(10,104)
09-100-046-4275-324	4275-140-550130-61	ElderCare Advisory Commission Initiatives	(2,500)
09-100-046-4275-276	4275-140-550300-61	Community Provider Cost of Living Adjustment	(565)
09-100-046-4275-254	4275-140-550930-61	Alzheimer's Disease Program	(910)
09-491-046-4275-081	4275-493-551200-61	Demonstration Adult Day Care Center Program-Alzheimer's Disease (CRFG)	(2,724)
09-100-046-4275-226	4275-140-554500-61	Adult Protective Services	(989)
09-491-046-4275-076	4275-493-554500-61	Adult Protective Services (CRFG)	(1,842)
09-491-046-4275-077	4275-493-554520-61	Senior Citizen Housing-Safe Housing and Transportation (CRFG) ..	(1,726)
09-491-046-4275-082	4275-493-555010-61	Respite Care for the Elderly (CRFG)	(5,359)
09-491-046-4275-078	4275-493-555030-61	Congregate Housing Support Services (CRFG)	(2,006)
09-491-046-4275-080	4275-493-559360-61	Home Delivered Meals Expansion (CRFG)	(1,020)
Subtotal Appropriation, Grants-in-Aid			<u>30,245</u>

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH

26. SENIOR SERVICES

55. PROGRAMS FOR THE AGED

<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>State Aid</u>	(thousands of dollars)
09-100-046-4275-227	4275-150-551540-60	County Offices on Aging	(2,498)
09-100-046-4275-228	4275-150-551550-60	Older Americans Act-State Share	(4,654)
Subtotal Appropriation, State Aid			7,152
Total Appropriation, Programs for the Aged			38,730

57. OFFICE OF THE PUBLIC GUARDIAN

<u>NICFS Account No.</u>	<u>IPB Account No.</u>	<u>Direct State Services</u>	(thousands of dollars)
<i>Personal Services:</i>			
09-100-046-4275-218	4275-100-570000-12	Salaries and Wages	(667)
09-100-046-4275-219	4275-100-570000-2	Materials and Supplies	(8)
09-100-046-4275-220	4275-100-570000-3	Services Other Than Personal	(148)
09-100-046-4275-221	4275-100-570000-4	Maintenance and Fixed Charges	(27)
Total Appropriation, Office of the Public Guardian			850
Total Appropriation, Senior Services			1,179,788
(From General Fund)			931,565
(From Casino Revenue Fund)			248,223

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 law or regulation 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.

09-100-046-4275-199	4275-100-245000-5	The unexpended balance at the end of the preceding fiscal year in the Payments to Fiscal Agent - PAA account are appropriated.
09-100-046-4275-201	4275-100-280000	Such sums as may be necessary, not to exceed \$1,860,000, 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.
09-100-046-4275-202		
09-100-046-4275-203		
09-100-046-4275-204		
09-100-046-4275-206		
09-100-046-4275-239	4275-421-574210	Receipts from the Office of the Public Guardian for Elderly Adults are appropriated.

Language -- Grants-In-Aid - General Fund

09-100-046-4275-060	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.
09-100-046-4275-060	4275-140-225070-61	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 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.
09-100-046-4275-060	4275-140-225070-61	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, 2008 are appropriated for payments to providers in the same program class from which the recovery originated.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language -- Grants-In-Aid - General Fund

<i>09-100-046-4275-060</i>	4275-140-225070-61	Subject to federal approval, the appropriations for those programs within the Medical Services for the Aged program classification are conditioned upon the Division of Medical Assistance and Health Services in the Department of Human Services and the Department of Health and Senior Services implementing 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.
<i>09-100-046-4275-060</i>	4275-140-225070-61	Notwithstanding the provisions of any law or regulation to the contrary, a sufficient portion of receipts generated or savings realized in the Medical Services for the Aged or Pharmaceutical Assistance to the Aged and Disabled Grants-In-Aid accounts from initiatives included in the current fiscal year 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.
<i>09-100-046-4275-060</i>	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.
<i>09-100-046-4275-060</i>	4275-140-225070-61	Notwithstanding the provisions of any law or regulation to the contrary, payments from the Payments for Medical Assistance Recipients-Nursing Homes account shall be made at 50% only for bedhold days at facilities with total occupancy rates at 90% or higher based on the occupancy percentage reported on each facility's latest cost report; however, nursing homes shall hold a bed for a Medicaid beneficiary who is hospitalized for up to ten days.
<i>09-100-046-4275-223</i>	4275-140-225330-61	The funds hereinabove appropriated for 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 adjustment using actual days reported on the most recent cost report.
<i>09-100-046-4275-087</i>	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.
<i>09-100-046-4275-281</i>	4275-140-245040-61	
<i>09-100-046-4275-330</i>	4275-140-245050-61	
<i>09-100-046-4275-087</i>	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.
<i>09-100-046-4275-281</i>	4275-140-245040-61	
<i>09-100-046-4275-330</i>	4275-140-245050-61	
<i>09-100-046-4275-087</i>	4275-140-245010-61	Of the amount hereinabove appropriated 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 co-payment in the Pharmaceutical Assistance to the Aged and Disabled program shall be \$6.00 for generic drugs and \$7.00 for brand name drugs.
<i>09-100-046-4275-281</i>	4275-140-245040-61	
<i>09-100-046-4275-087</i>	4275-140-245010-61	Notwithstanding the provisions of any law or regulation 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 current fiscal year, provided that the manufacturer's rebates for PAAD claims paid as secondary to Medicare Part D and for the Senior Gold Prescription Discount Program shall apply only to the amount paid by the State under the PAAD and Senior Gold Prescription Discount Program. All revenues from such rebates during the current fiscal year are appropriated for the PAAD program and the Senior Gold Prescription Discount Program.
<i>09-100-046-4275-281</i>	4275-140-245040-61	
<i>09-100-046-4275-330</i>	4275-140-245050-61	

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language -- Grants-In-Aid - General Fund

09-100-046-4275-087 4275-140-245010-61
09-100-046-4275-281 4275-140-245040-61
09-100-046-4275-330 4275-140-245050-61

Notwithstanding the provisions of any other law or regulation to the contrary, no funds appropriated in the Pharmaceutical Assistance to the Aged and Disabled program classification and the Senior Gold Prescription Discount Program account shall be expended for prescription claims with no Medicare Part D coverage except under the following conditions: (a) reimbursement for the cost of single source brand name legend drugs and non-legend drugs shall be on the basis of Average Wholesale Price less a 15% discount and reimbursement for the cost of multisource generic drugs shall be in accordance with the federal Deficit Reduction Act of 2005 upon final adoption of regulations by the Department of Health and Human Services; (b) the current prescription drug dispensing fee structure set as a variable rate of \$3.73 to \$3.99 shall remain in effect through the current fiscal year, including the current increments for impact allowances, as determined by revised qualifying requirements, 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. Further, not later than April 1, 2009 the State Treasurer in consultation with the Commissioner of Health and Senior Services shall review whether the utilization of generic pharmaceuticals exceeds the level anticipated and the effect of such enhanced utilization of generic drugs on disbursements from these accounts, net of manufacturers rebates and adjusted for utilization shifts resulting from patent expirations or other one time factors, and to the extent possible within the limits of the funds appropriated and federal regulations herein above shall modify the average wholesale price discount rate to not less than 12.5%, the upper limit of the prescription drug dispensing fee structure to not greater than \$4.07, or both, retroactive to July 1, 2008.

09-100-046-4275-087 4275-140-245010-61
09-100-046-4275-281 4275-140-245040-61
09-100-046-4275-330 4275-140-245050-61

In addition to the amount hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) and Senior Gold Prescription Discount programs, 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.

09-100-046-4275-087 4275-140-245010-61
09-100-046-4275-281 4275-140-245040-61
09-100-046-4275-330 4275-140-245050-61

Notwithstanding the provisions of any law or regulation 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 shall not be required to bill Medicare directly for Medicare Part B drugs and supplies, 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 co-payment.

09-100-046-4275-087 4275-140-245010-61
09-100-046-4275-281 4275-140-245040-61
09-100-046-4275-330 4275-140-245050-61

Notwithstanding the provisions of any law or regulation 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 dosage units (tablets/injections/suppositories) 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. Furthermore, no payments for erectile dysfunction therapy will be made on behalf of sex offenders.

09-100-046-4275-087 4275-140-245010-61
09-100-046-4275-281 4275-140-245040-61
09-100-046-4275-330 4275-140-245050-61

Notwithstanding the provisions of any law or regulation to the contrary, the appropriations for the Pharmaceutical Assistance to the Aged and Disabled and Senior Gold Prescription Discount Program are conditioned upon the Department of Health and Senior Services coordinating benefits with any voluntary prescription drug mail-order or specialty pharmacy in a Medicare Part D provider network or private Third Party Liability plan network for beneficiaries enrolled in a Medicare Part D program or beneficiaries with primary prescription coverage that requires use of mail order. The mail-order program may waive, discount, or rebate the beneficiary co-payment 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.

09-100-046-4275-087 4275-140-245010-61
09-100-046-4275-281 4275-140-245040-61
09-100-046-4275-330 4275-140-245050-61

At any point during the year, and notwithstanding the provisions of any 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 (PAAD) 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, when PAAD or Senior Gold is the primary payer, unless participating pharmaceutical manufacturing companies execute contracts with the Department of Health and Senior Services, through the Department of Human Services. Name brand manufacturers must provide 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). Generic manufacturers shall be required to provide rebates equal to 15.1% of the Average Manufacturer's Price for all drugs, with the exception that any branded generic pharmaceutical shall generate rebates 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).

09-100-046-4275-330 4275-140-245050-61

From the amount hereinabove appropriated 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.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language -- Grants-In-Aid - General Fund

09-100-046-4275-060	4275-140-225070-61	Notwithstanding the provisions of any law or regulation 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.8:85-3.16 shall not apply to those facilities receiving enhanced rates of reimbursement pursuant to N.J.A.C.8:85-2.21. 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.
09-100-046-4275-285	4275-140-220080-61	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 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.
09-100-046-4275-060	4275-140-225070-61	
09-100-046-4275-247	4275-140-225220-61	
09-100-046-4275-223	4275-140-225330-61	
09-100-046-4275-297	4275-140-226000-61	
09-100-046-4275-087	4275-140-245010-61	
09-100-046-4275-281	4275-140-245040-61	
09-100-046-4275-303	4275-140-550030-61	
09-100-046-4275-248	4275-140-550120-61	
09-100-046-4275-324	4275-140-550130-61	
09-100-046-4275-276	4275-140-550300-61	
09-100-046-4275-254	4275-140-550930-61	
09-100-046-4275-226	4275-140-554500-61	
09-100-046-4275-355	4275-140-554525-61	
09-100-046-4275-247	4275-140-225220-61	Notwithstanding the provisions of any law or regulation to the contrary, effective January 1, 2005, no payment for Medicaid Adult or Pediatric Medical Day Care services, as hereinabove appropriated 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.
09-100-046-4275-060	4275-140-225070-61	From the amount hereinabove appropriated 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 the current fiscal year.
09-100-046-4275-224	4275-140-280030-61 4275-140-280900-61	Such sums as may be necessary, not to exceed \$70,840,000, for payments for the Lifeline Credit and Tenants' Lifeline Assistance programs, 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 Budgeting and Accounting.
09-100-046-4275-060	4275-140-225070-61	Such sums as may be necessary are appropriated from the General Fund for the payment of increased nursing home rates to reflect the costs incurred due to the payment of a nursing home provider assessment, pursuant to the "Nursing Home Quality of Care Improvement Fund Act," P.L.2003, c.105 (C.26:2H-92 et seq.) and P.L.2004, c.41, subject to the approval of the Director of the Division of Budget and Accounting.
09-100-046-4275-247	4275-140-225220-61	Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Medical Day Care Services is conditioned upon rate increases for the nursing home provider assessment not being included in the calculation of the Adult/Pediatric Day Care payment rates.
09-100-046-4275-087	4275-140-245010-61	
09-100-046-4275-281	4275-140-245040-61	Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Pharmaceutical Assistance to the Aged and Disabled (PAAD) programs are conditioned upon the Department of Health and Senior Services coordinating the benefits of the PAAD programs with the prescription drug benefits of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003 as the primary payer due to the current federal prohibition against State automatic enrollment of PAAD recipients in the new federal program. The PAAD benefit and reimbursement shall only be available to cover the beneficiary cost share to in-network pharmacies and for deductible and coverage gap costs (as determined by the Commissioner of Health and Senior Services) associated with enrollment in Medicare Part D for beneficiaries of the PAAD and Senior Gold Prescription Discount programs, and for Medicare Part D premium costs for PAAD beneficiaries.
09-100-046-4275-087	4275-140-245010-61	
09-100-046-4275-281	4275-140-245040-61	Notwithstanding the provisions of any law or regulation to the contrary, effective January 1, 2006, no funds appropriated in the Pharmaceutical Assistance to the Aged or Pharmaceutical Assistance to the Aged and Disabled (PAAD) and Senior Gold Prescription Discount Program accounts shall be available as payment as a PAAD or Senior Gold benefit to any pharmacy that is not enrolled as a participating pharmacy in a pharmacy network under Medicare Part D.
09-100-046-4275-087	4275-140-245010-61	
09-100-046-4275-281	4275-140-245040-61	Consistent with the requirements of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003 and the current federal prohibition against State automatic enrollment of Pharmaceutical Assistance to the Aged and Pharmaceutical Assistance to the Aged and Disabled (PAAD) and Senior Gold Prescription Discount Program recipients, no funds hereinabove appropriated to the PAAD or Senior Gold accounts shall be expended for any individual unless the individual enrolled in the PAAD or Senior Gold Program provides all data necessary to enroll the individual in Medicare Part D, including data required for the subsidy assistance, as outlined by the Centers for Medicare and Medicaid Services.
09-100-046-4275-087	4275-140-245010-61	
09-100-046-4275-281	4275-140-245040-61	
09-100-046-4275-330	4275-140-245050-61	Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Pharmaceutical Assistance to the Aged, Pharmaceutical Assistance to the Aged and Disabled, and Senior Gold Prescription Discount programs shall be conditioned upon the following provision: no funds shall be appropriated for the refilling of a prescription drug until such time as the original prescription is 85% finished.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language -- Grants-In-Aid - General Fund

09-100-046-4275-087	4275-140-245010-61	Notwithstanding the provisions of any law or regulation to the contrary, in order to maximize prescription drug coverage under Medicare Part D, the Pharmaceutical Assistance to the Aged and Disabled (PAAD) Program shall be designated the authorized representative for the purposes of coordinating benefits with Medicare Part D, including enrollment and appeals of coverage determinations. PAAD is authorized to represent program beneficiaries in the pursuit of such coverage. PAAD representation shall not result in any additional financial liability on behalf of such program beneficiaries and shall include, but need not be limited to, the following actions: application for the premium and cost-sharing subsidies on behalf of eligible program beneficiaries; pursuit of appeals, grievances, or coverage determinations; facilitated enrollment in a prescription drug plan or Medicare Advantage Prescription Drug plan. If the beneficiary declines enrollment in any Medicare Part D plan, the beneficiary shall be barred from all benefits of the PAAD program.
09-100-046-4275-281	4275-140-245040-61	
09-100-046-4275-297	4275-140-226000-61	Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the ElderCare Initiatives program shall be conditioned upon the following provision: State-funded home and community care (Jersey Assistance for Community Caregiving (JACC)) benefits paid incorrectly on behalf of JACC beneficiaries may be recovered from individuals found ineligible.
09-100-046-4275-366	4275-140-225060-61	The amounts hereinabove appropriated for Global Budget for Long Term Care shall only be expended if federal approvals are received for such a program and only if federal Medicaid reimbursement or other federal matching funds are available to support the State appropriation.
09-100-046-4275-060	4275-140-225070-61	The amounts hereinabove appropriated for Payments for Medical Assistance Recipients-Nursing Homes, Medical Day Care Services, Global Budget for Long Term Care, and Medicaid High Occupancy-Nursing Homes are conditioned upon the Commissioner of Health and Senior Services making changes to such programs to make them consistent with the federal Deficit Reduction Act of 2005.
09-100-046-4275-285	4275-140-220080-61	
09-100-046-4275-247	4275-140-225220-61	
09-100-046-4275-366	4275-140-225060-61	
09-100-046-4275-223	4275-140-225330-61	
09-100-046-4275-330	4275-140-245050-61	Notwithstanding the provisions of any law or regulation to the contrary, in order to maximize drug coverage under Medicare Part D, the appropriation for the Senior Gold Prescription Discount Program is conditioned on the Senior Gold Prescription Discount Program being designated the authorized representative for the purpose of coordinating benefits with the Medicare drug program, including appeals of coverage determinations. Senior Gold is authorized to represent program beneficiaries in the pursuit of such coverage. Senior Gold representation shall include, but not to be limited to, the following actions: pursuit of appeals, grievances, or coverage determinations.
09-100-046-4275-060	4275-140-225070-61	Notwithstanding the provisions of any law or regulation to the contrary, all financial recoveries obtained through the efforts of any entity authorized to undertake the prevention and detection of Medicaid fraud, waste, and abuse, are appropriated to Medical Services for the Aged in the Division of Senior Services.
09-100-046-4275-366	4275-140-225060-61	Notwithstanding the provisions of any law or regulation to the contrary, resources in the Global Budget for Long Term Care line item may be supplemented with transfers from the Medical Services for the Aged Program accounts, subject to the approval of the Director of the Division of Budget and Accounting.
09-100-046-4275-380	4275-140-550050-61	Notwithstanding the provisions of any law or regulation to the contrary, persons receiving services through the Demonstration Adult Day Care Center Program - Alzheimer's Disease may receive services if appropriate medical documentation is provided to the Department of Health and Senior Services to justify those expenditures. A medical day services provider that is providing services through the Demonstration Adult Day Care Center Program - Alzheimer's Disease shall be reimbursed at not less than 85% of the free-standing Adult Day Medical Medicaid day rate. A social day services provider that is providing services through the program shall be reimbursed at not less than 70% of the free-standing Adult Day Medical Medicaid day rate. A medical or social day services provider that is providing services through the program shall not be subject to the 25% matching requirement set forth in section 3 of P.L.1988, c.114 (C.26:2M-11) or the requirement to submit a cost proposal to the Department of Health and Senior Services as set forth in N.J.A.C.8:92-3.2. The Demonstration Adult Day Care Center Program - Alzheimer's Disease shall reimburse the agency the difference between the client co-pay and the agreed upon rate. The Department of Health and Senior Services shall authorize enrollment of persons in the Demonstration Adult Day Care Center Program - Alzheimer's Disease for a maximum of three days per week. The Department shall not require participants in the program to pay for services provided through the program in excess of the amounts currently required under N.J.A.C.8:92-1.1. et. seq.
09-100-046-4275-087	4275-140-245010-61	Notwithstanding the provisions of any law or regulation to the contrary, no amounts hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program or the Senior Gold Prescription Discount Program shall be expended for diabetic testing materials and supplies which are covered under the federal Medicare Part B program.
09-100-046-4275-281	4275-140-245040-61	
09-100-046-4275-330	4275-140-245050-61	
09-100-046-4275-060	4275-140-225070-61	Notwithstanding the provisions of N.J.A.C.8:85-3.19 or any other law to the contrary, the amounts hereinabove appropriated for Payments for Medical Assistance Recipients - Nursing Homes shall be conditioned upon the following provisions: no facility shall receive a per diem rate increase as the result of the annual rebasing of facility submitted costs. In addition, only those facilities with greater than 75% Medicaid occupancy shall receive the full inflation adjustment as defined in N.J.A.C. 8:85-3.19 to their per diem reimbursement rate, all other facilities shall receive half of their calculated inflation adjustment.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language -- Grants-In-Aid - Casino Revenue Fund

09-491-046-4275-051	4275-493-225000-61	In addition to the amounts hereinabove appropriated, 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.
09-491-046-4275-072	4275-493-228880-61	
09-491-046-4275-073	4275-493-229990-61	
09-491-046-4275-059	4275-493-245040-61	
09-491-046-4275-051	4275-493-225000-61	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 current fiscal year are appropriated for payments to providers in the same program class from which the recovery originated.
09-491-046-4275-072	4275-493-228880-61	
09-491-046-4275-073	4275-493-229990-61	
09-491-046-4275-059	4275-493-245040-61	
09-491-046-4275-051	4275-493-225000-61	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.
09-491-046-4275-072	4275-493-228880-61	
09-491-046-4275-073	4275-493-229990-61	
09-491-046-4275-059	4275-493-245040-61	
09-491-046-4275-051	4275-493-225000-61	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.
09-491-046-4275-072	4275-493-228880-61	
09-491-046-4275-073	4275-493-229990-61	
09-491-046-4275-059	4275-493-245040-61	
09-491-046-4275-051	4275-493-225000-61	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.
09-491-046-4275-072	4275-493-228880-61	
09-491-046-4275-051	4275-493-225000-61	Notwithstanding the provisions of any law or regulation 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 current fiscal year's 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.
09-491-046-4275-072	4275-493-228880-61	
09-491-046-4275-073	4275-493-229990-61	
09-491-046-4275-059	4275-493-245040-61	
09-491-046-4275-059	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.
09-491-046-4275-059	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.
09-491-046-4275-059	4275-493-245040-61	Of the amount hereinabove appropriated 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 co-payment in the Pharmaceutical Assistance to the Aged and Disabled program shall be \$6.00 for generic drugs and \$7.00 for brand name drugs.
09-491-046-4275-059	4275-493-245040-61	Notwithstanding the provisions of any 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.
09-491-046-4275-059	4275-493-245040-61	Notwithstanding the provisions of any law or regulation 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 current fiscal year, provided that the manufacturers' rebates for PAAD claims paid as secondary to Medicare Part D and for the Senior Gold Prescription Discount Program shall apply only to the amount paid by the State under the PAAD and Senior Gold Prescription Discount Program. All revenues from such rebates during the current fiscal year are appropriated for the PAAD program and the Senior Gold Prescription Discount Program.
09-491-046-4275-059	4275-493-245040-61	Notwithstanding the provisions of any law or regulation 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 shall not be required to bill Medicare directly for Medicare Part B drugs and supplies, 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 co-payment.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language -- Grants-In-Aid - Casino Revenue Fund

- 09-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any law or regulation 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 dosage units (tablets/injections/suppositories) per month. Moreover, payment shall 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. Furthermore, no payments for erectile dysfunction therapy will be made on behalf of sex offenders.
- 09-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any law or regulation to the contrary, no funds appropriated in the Pharmaceutical Assistance to the Aged and Disabled program classification and the Senior Gold Prescription Drug Discount Program account shall be expended for prescription claims with no Medicare Part D coverage except under the following conditions: (a) reimbursement for the cost of single source brand name legend drugs and non-legend drugs shall be on the basis of Average Wholesale Price less a 15% discount and reimbursement for the cost of multisource generic drugs shall be in accordance with the federal Deficit Reduction Act of 2005 upon final adoption of regulations by the Department of Health and Human Services; (b) the current prescription drug dispensing fee structure set as a variable rate of \$3.73 to \$3.99 shall remain in effect through the current fiscal year, including the current increments for impact allowances, as determined by revised qualifying requirements, 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. Further, not later than April 1, 2009 the State Treasurer in consultation with the Commissioner of Health and Senior Services shall review whether the utilization of generic pharmaceuticals exceeds the level anticipated and the effect of such enhanced utilization of generic drugs on disbursements from these accounts, net of manufacturers rebates and adjusted for utilization shifts resulting from patent expirations or other one time factors, and to the extent possible within the limits of the funds appropriated and federal regulations herein above shall modify the average wholesale price discount rate to not less than 12.5%, the upper limit of the prescription drug dispensing fee structure to not greater than \$4.07, or both, retroactive to July 1, 2008.
- 09-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any law or regulation to the contrary, the appropriations for the Pharmaceutical Assistance to the Aged and Disabled and Senior Gold Prescription Discount Program are conditioned upon the Department of Health and Senior Services coordinating benefits with any voluntary prescription drug mail-order or specialty pharmacy in a Medicare Part D provider network or private Third Party Liability plan network for beneficiaries enrolled in a Medicare Part D program or beneficiaries with primary prescription coverage that requires use of mail order. The mail-order program may waive, discount, or rebate the beneficiary co-payment 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.
- 09-491-046-4275-059 4275-493-245040-61 At any point during the year, and notwithstanding the provisions of any 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 (PAAD) 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, when PAAD or Senior Gold is the primary payer, unless participating pharmaceutical manufacturing companies execute contracts with the Department of Health and Senior Services, through the Department of Human Services. Name brand manufacturers must provide 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). Generic manufacturers shall be required to provide rebates equal to 15.1% of the Average Manufacturers Price for all drugs, with the exception that any branded generic pharmaceutical shall generate rebates 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).
- 09-491-046-4275-081 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.
- 09-491-046-4275-082 4275-493-555010-61 Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for the Respite Care for the Elderly (CRF) account, \$600,000 shall be charged to the Casino Simulcasting Fund.
- 09-491-046-4275-059 4275-493-245040-61 Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated to the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program is conditioned upon the Department of Health and Senior Services coordinating the benefits of the PAAD program with the prescription drug benefits of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003 as the primary payer due to the current federal prohibition against State automatic enrollment of PAAD recipients in the new federal program. The PAAD benefit and reimbursement shall only be available to cover the beneficiary cost share to in-network pharmacies and for deductible and coverage gap costs (as determined by the Commissioner of Health and Senior Services) associated with enrollment in Medicare Part D for beneficiaries of the PAAD and Senior Gold programs, and for Medicare Part D premium costs for PAAD beneficiaries.

46. HEALTH AND SENIOR SERVICES

20. PHYSICAL AND MENTAL HEALTH 26. SENIOR SERVICES

Language -- Grants-In-Aid - Casino Revenue Fund

09-491-046-4275-059	4275-493-245040-61	Notwithstanding the provisions of any law or regulation to the contrary, effective January 1, 2006, no funds appropriated in the Pharmaceutical Assistance to the Aged and Disabled (PAAD) and Senior Gold program accounts shall be available as payment as a PAAD or Senior Gold benefit to any pharmacy that is not enrolled as a participating pharmacy in a pharmacy network under Medicare Part D.
09-491-046-4275-059	4275-493-245040-61	Consistent with the requirements of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003 and the current federal prohibition against State automatic enrollment of Pharmaceutical Assistance to the Aged and Disabled (PAAD) recipients, no funds hereinabove appropriated from the PAAD account shall be expended for any individual enrolled in the PAAD program unless the individual provides all data that may be necessary to enroll the individual in Medicare Part D, including data required for the subsidy assistance, as outlined by the Centers for Medicare and Medicaid Services.
09-491-046-4275-059	4275-493-245040-61	Notwithstanding the provisions of any law or regulation to the contrary, in order to maximize prescription drug coverage under Medicare Part D, the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program shall be designated the authorized representative for the purposes of coordinating benefits with Medicare Part D, including enrollment and appeals of coverage determinations. PAAD is authorized to represent program beneficiaries in the pursuit of such coverage. PAAD representation shall not result in any additional financial liability on behalf of such program beneficiaries and shall include, but need not be limited to, the following actions: application for the premium and cost-sharing subsidies on behalf of eligible program beneficiaries; pursuit of appeals, grievances, or coverage determinations; facilitated enrollment in a prescription drug plan or Medicare Advantage Prescription Drug plan. If any beneficiary declines enrollment in any Medicare Part D plan, that beneficiary shall be barred from all benefits of the PAAD program.
09-491-046-4275-059	4275-493-245040-61	Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program and the Senior Gold Prescription Discount Program shall be conditioned upon the following provision: no funds shall be appropriated for the refilling of a prescription drug until such time as the original prescription is 85% finished.
09-491-046-4275-051	4275-493-225000-61	The amounts hereinabove appropriated for Global Budget for Long Term Care are conditioned upon the Commissioner of Health and Senior Services making changes to such program to make it consistent with the federal Deficit Reduction Act of 2005.
09-491-046-4275-081	4275-493-551200-61	Notwithstanding the provisions of any other law or regulation to the contrary, persons receiving services through the Demonstration Adult Day Care Center Program - Alzheimer's Disease may receive services if appropriate medical documentation is provided to the Department of Health and Senior Services to justify those expenditures. A medical day services provider that is providing services through the Demonstration Adult Day Care Center Program - Alzheimer's Disease shall be reimbursed at not less than 85% of the free-standing Adult Day Medical Medicaid day rate. A social day services provider that is providing services through the program shall be reimbursed at not less than 70% of the free-standing Adult Day Medical Medicaid day rate. A medical or social day services provider that is providing services through the program shall not be subject to the 25% matching requirement set forth in section 3 of P.L.1988, c.114 (C.26:2M-11) or the requirement to submit a cost proposal to the Department of Health and Senior Services as set forth in N.J.A.C.8:92-3.2. The Demonstration Adult Day Care Center Program - Alzheimer's Disease shall reimburse the agency the difference between the client co-pay and the agreed upon rate. The Department of Health and Senior Services shall authorize enrollment of persons in the Demonstration Adult Day Care Center Program - Alzheimer's Disease for a maximum of three days per week. The Department shall not require participants in the program to pay for services provided through the program in excess of the amounts currently required under N.J.A.C.8:92-1.1. et. seq.
09-491-046-4275-051	4275-493-225000-6	The amounts hereinabove appropriated for Global Budget for Long Term Care shall only be expended if federal approvals are received for such a program and only if federal Medicaid reimbursement or other federal matching funds are available to support the State appropriation
09-491-046-4275-059	4275-493-245040-61	Notwithstanding the provisions of any law or regulation to the contrary, no amounts hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program shall be expended for diabetic testing materials and supplies which are covered under the federal Medicare Part B program.

Total Appropriation, Department of Health and Senior Services 1,596,328

Totals by Category:

<i>Direct State Services</i>	65,684
<i>Grants-In-Aid</i>	1,521,092
<i>State Aid</i>	9,552

Totals by Fund:

<i>General Fund</i>	1,347,576
<i>Casino Revenue Fund</i>	248,752

46. HEALTH AND SENIOR SERVICES

DEPARTMENT OF HEALTH AND SENIOR SERVICES

Language -- Direct State Services - General Fund

Consistent with the provisions of P.L.2005, c.237, \$40,000,000 from the surcharge on each general hospital and each specialty heart hospital is appropriated to fund federally qualified health centers. Any unexpended balance at the end of the preceding fiscal year in the Health Care Subsidy Fund received through the hospital and other health care initiatives account during fiscal year 2008 is appropriated, and notwithstanding the provision of P.L.2005, c.237 or any law or regulation to the contrary, an amount not to exceed \$3,000,000 is appropriated from the unexpended balance of such funds, subject to the approval of the Director of the Division of Budget and Accounting, to provide one time grants to federally qualified health centers in financial distress, as shall be determined by the Commissioner of Health and Senior Services, for the purpose of maintaining adequate access to healthcare within the State; provided further, however, that such one time grants shall only be awarded pursuant to procedure for applications, criteria for eligibility, qualifications of applicants and any other relevant information as shall be established by the commissioner. The qualifications shall include an agreement by a recipient that the recipient shall allow the commissioner to review its finances and operational performance to ensure that access to health care is maintained and public funds are utilized for their intended purpose.

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 Department, subject to the approval of the Director of the Division of Budget and Accounting.

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 a plan prepared by the Department and approved by 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 law or regulation 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 law or regulation 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 law or regulation 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 law or regulation 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 appropriated, 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.

On or before April 1, 2009, the Commissioner of the Department of Health and Senior Services shall report to the Governor, the State Treasurer, the President of the Senate and the Speaker of the General Assembly, the department's plan for the conversion of the Medicaid fee for service long term care benefit to managed care. The report shall include but not be limited to timeframes for implementation per county, plan design, included and excluded populations, and projected savings in related Medicaid expenditures relative to fee-for-service projections for Fiscal Year 2010 through 2014.

Language -- Grants-In-Aid - General Fund

In order to permit flexibility in implementing ElderCare Initiatives and the Global Budget for Long Term Care 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.