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STATE OF MAINE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

COMMITTEE ON HEALTH AND HUMAN SERVICES

### MEMORANDUM

Date: January 16, 2009

To: Senator G. William Diamond, Senate Chair  
Representative Emily Ann Cain, House Chair  
Joint Standing Committee on Appropriations and Financial Affairs

From: Joseph C. Brannigan, Senate Chair  
Anne C. Perry, House Chair  
Joint Standing Committee on Health and Human Services

Re: Recommendations on LD 45, An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2009

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The Health and Human Services Committee is pleased to provide their report on the supplemental budget bill, LD 45, and the change package to LD 45. Attached are two staff spreadsheets that detail the votes of the committee on the original bill and the change package. We will submit the completed OFPR report forms later today.

The Health and Human Services Committee has tabled 2 General Fund items related to monthly payments to nursing and residential care facilities to await the results of a meeting between officials from the Department of Health and Human Services and representatives of nursing and residential care facilities. This meeting has been delayed due to the need for detailed financial information that is not yet available. The tabled items are HHS items 89 and 100 and their corresponding federal funds items 90 and 101.

Two General Fund items related to MaineCare reimbursement to critical access hospitals and hospital-based physician practices have been tabled and referred to a joint subcommittee of 3 members of the Appropriations Committee and 3 members of the Health and Human Services Committee. The subcommittee met all afternoon yesterday and will meet again today. We await the recommendations of the subcommittee. The tabled items are HHS items 85 and 87 and their corresponding federal funds items 86 and 88. We have delayed making decisions on these items since they have the potential to significantly impact access to acute care, specialty care and primary health care services across the entire state.

Health and Human Services Committee members asked that we mention in this letter a number of issues. Please note that on HHS item 7, the proposed cut of \$62,029 in contracted services in Mental Health-Community account for adult mental health services, the committee voted in favor of a cut of \$52,029. The committee voted to restore \$10,000 to NAMI and to direct the Department of Health and Human Services to fund the additional \$10,000 from their budget. With regard to efficiencies that might be achieved in DHHS accounts, members suggested considering combining warm line and hot line services and increasing coordination among providers of social services.

We expect to report in the near future on the proposals to reimburse nursing and residential care facilities on a monthly basis and on the proposals on MaineCare reimbursement to critical access hospitals and hospital-based physician practices.

Thank you for your consideration.

c: Members, Health and Human Services Committee  
Commissioner Brenda Harvey  
Christopher Nolan, OFPR

# LD 45 Supplemental Budget - HHS Committee Worksheet Report to AFA - January 16, 2009

All votes unanimous. *ess* otherwise noted.

HHS Item #	OFF R Line #	Bill Pg#	Initiative Text	Classification	Fund	FY09 Total	HHS Decision	Notes (Italics indicate source of info. Non-italics indicates OPLA)(Change Pkg in BOLD, noted as CP)
1	178	70	Eliminates funding in the Dorothea Dix Psychiatric Center (DDPC) for an account no longer in use. (DDPC)	Adult MH	FF	(\$1,975)	IN	
2	180	71	Reduces funding for operations that will be replaced with funds from the DDPC reimbursement account. Curtailment item. (DDPC)	Adult MH	GF	(\$100,000)	IN	<i>DDHS-able to reduce GF \$ as OSR revenues are available from improved billing from Meditech billing system. Information needed on Meditech and connection to OSR revenues.</i>
3	191	73	Provides funding for grants for rental assistance. (MH-Cony)	Adult MH	FF	\$4,000,000	IN as amended \$5.4 million	<i>DDHS- Funding available from new grant awards from Shelter Care Plus Program. Information needed on this initiative.</i>
4	192	74	Reduces funding in the FBG for the MH-Cony and the MR-Cony, as funds are no longer available. (MH-Cony)	Adult MH	FBG	(\$71,765)	IN	<i>DDHS- federal grant has decreased, causing need to decrease this funding.</i>
5	193	74	Provides funding to increase staffing of the Maine Warm line on the 1:30 a.m. to 8:00 a.m. shift. (MH-Cony)	Adult MH	GF	\$50,669	IN	<i>DDHS-funding is required by AMHI Consent Decree Court Master Daniel Waihen. Warm Line use has increased in 1:30am to 8am shift, with increased dropped calls. Funding will pay for 8 months in FY08-09. Information needed on Court Master's requirements and on use of Warm Line and current and available funding.</i>
6	195	74	Reduces funding for community integration and daily living supports for individuals who are not eligible for MaineCare. Curtailment item. (MH-Cony)	Adult MH	GF	(\$350,297)	IN 9-1 in favor	<i>DDHS-will delay comy integration services for 90 people, daily living supports for 6. Information needed on types of services, current waiting list, plans for administering waiting list.</i>
7	196	74-75	Reduces funding for contracts. Curtailment item. (MH-Cony)	Adult MH	GF	(\$62,029)	IN as amended, to (\$52,029). Restoring \$10,000 to NAMI. DDHS to fund the additional \$10,000.	<i>DDHS-10% cut in contracts with MaineMed, NAMI, Maine Center on Deafness. Can be offset by providers' cutting admin costs. NAMI share is \$10,000. Information needed on agencies' shares of cuts, impact of cuts on services, people and agencies.</i>
8	217	78-79	Reduces funding for operations that will be replaced with funds from the Riverview Psychiatric Center (RPC) reimbursement account. Curtailment item. (RPC)	Adult MH	GF	(\$100,000)	IN	<i>DDHS-able to reduce GF \$ as OSR revenues are available from improved billing from Meditech billing system.</i>

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HHS Item #	ORF Line #	Bill Pg#	Initiative Text	Classification	Fund	FY09 Total	HHS Cmee Decision	Notes (Italics indicate source of info. Non-italics indicates OPLA)(Change Pkg in BOLD, noted as CP)
9	183	72	Provides funding needed as a result of delaying the privatization of the Elizabeth Levinson Center. (Medicaid - MR)	Children's Services	GF	\$863,000	IN	<i>DHHS- funding will ensure that private provider has capacity, resources, staff and staff training to provide quality services to children residing at ELC. Information needed on progress in privatizing, status of staffing, state personnel issues, status of care for residents. CP appropriates additional \$325,000 GF for ELC, self-funded from salary savings in 4 accounts in DHHS (OMB, BCFS, Div Purchased Services and Div LRS). CP also adds language to allow transfers between DHHS accounts for personal services or unemployment costs at ELC. Clarification needed on whether language allowing transfers between DHHS accounts should be in blipppie or in unallocated language in the budget. See HHS item #148.</i>
10	189	73	Reduces funding for one-time or short-duration services that are not covered by MaineCare. Curtailment item. (MH-Child)	Children's Services	GF	(\$200,000)	IN	<i>DHHS-Supports for 820 children and families will be delayed. Information needed on types of services, current waiting list, plans for administering waiting list. Impact on people?</i>
11	190	73	Eliminates funding for mediation services at 2 provider agencies. Curtailment item. (MH-Child)	Children's Services	GF	(\$50,000)	IN	<i>DHHS-mediation has been a preventative service for children and families. Information needed on what agencies hold these contracts, types of cases mediated, impact of the cuts.</i>
12	336	48	Reduces funding for direct advocacy representation and support for parents of children with learning or other severe disabilities. Curtailment item. (Disability Rights Center)	Children's Services	GF	(\$7,035)	IN	<i>DHHS-will reduce funding for advocacy for children with disabilities. Will impact in-person representation at PET meetings, may provide representation by phone. Information needed on impact of cuts.</i>
13	431	79	Reduces funding for stand-by pay for supervision. Curtailment item. (BCFS)	Children's Services	GF	(\$30,000)	IN	<i>DHHS-Supervision will be reduced to 1 supervisor per DHHS's 3 regions. Currently have 1 supervisor per 8 DHHS districts. Information needed on impact of cuts on staff, supervisors, families and children.</i>
14	444	82-83	Reduces funding by eliminating contracts. (Cerebral Palsy Centers)	Children's Services	GF	(\$18,900)	IN	<i>DHHS- cuts funding to Children's Center, United CP of Northeastern Maine and Morrison Development Center for non-direct services. Represents very minor portion of their budgets. Cuts full amount of FY08-09 funding as that funding has not yet been encumbered.</i>
15	448	83	Reduces funding by eliminating contracts. (Cystic Fibrosis)	Children's Services	GF	(\$5,323)	IN	<i>DHHS-funding goes to Maine Medical Center. Represents very minor portion of the budget. Cuts full amount of FY08-09 funding as that funding has not yet been encumbered.</i>
16	481	89	Provides funding for community intervention services to increase baseline funding as a result of additional earned revenue available in this program. (IV-Foster Care/Adoption Assistance)	Children's Services	OSR	\$1,700,000	IN	Information needed on types of services provided, reason for need for funding, type of OSR funding to be used. Does need for funding relate to caseload in Child Welfare Services (CWS)?
17	482	89	Reduces funding by eliminating reimbursement for private attorneys for foster care adoptions. Curtailment item. (IV-Foster Care/Adoption Assistance)	Children's Services	GF	(\$54,375)	IN	<i>DHHS-eliminates reimbursement for atty fees for families adopting children. Typical fee is \$435.</i>

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18	483	89-90	Reduces funding by eliminating reimbursement for fingerprinting and criminal background checks for prospective foster and adoptive parents. Curtailment item. (IV-Foster Care/Adoption Assistance)	Children's Services	GF	(\$30,000)	IN	<i>DHHS-eliminates reimbursement for fingerprinting and background checks for families adopting children. Typical cost is \$52 per adult.</i>
19	527	98	Reduces funding for parent education and youth employment contracts. Curtailment item. (Pur. Soc Services)	Children's Services	GF	(\$100,000)	IN	<i>DHHS-reduces contracts with SoKenCDC, Broadreach, CDS, Day One, KVCAA, Kids First, MOBUS. Information needed on types of services provided, agencies' shares of contracts and cuts, impact on children and families.</i>
20	531	98-99	Reduces funding due to projected savings in fiscal year 2008-09. Curtailment item. (State funded Foster Care/Adoption Assistance)	Children's Services	GF	(\$2,900,000)	IN	<i>DHHS-funding is appropriated but will not be needed. Fewer children in care.</i>
21	532	90	Eliminates funding for contracted home studies. Curtailment item. (State funded Foster Care/Adoption Assistance)	Children's Services	GF	(\$150,000)	IN	<i>DHHS- DHHS staff will perform home studies. Currently contract for home studies. Fewer children in care. Information needed on full cost of contract, will DHHS staff take over all functions?</i>
22	176	70	Reduces funding for room and board due to a Social Security income cost-of-living increase. (Departmentwide)	DHHS	GF	(\$2,000,000)	IN	<i>DHHS- Currently the resident pays 80% of income for room and board. SSI increase being paid toward cost of care will decrease state payments for room and board. Estimated to impact 7,600 persons. See related item in MR/DD category (MR-Comy), page 76 of budget.</i>
23	511	94-95	Reduces funding provided in Public Law 2007, chapter 539 for community programs that were to be impacted by federal changes to targeted case management. Curtailment item. (MAP-NonMatch)	DHHS	GF	(\$6,648,675)	IN	<i>DHHS- funding no longer needed as proposed federal rule that would have disallowed billing Medicaid for these services (and on account of which this GF appropriation was made in MAP-non-Match) is subject of federal moratorium.</i>
24	449	83	Provides funding for increased case processing and medical consultation costs. (Disability Determination)	DHHS	FF	\$500,000	IN	<i>DHHS- additional grant funding available from Soc Sec Admin to cover increased processing and medical consultation costs.</i>
25	465	86	Provides funding to automate and streamline the direct certification process. (Food Stamps Admin)	DHHS	FF	\$50,004	IN	<i>DHHS-new grant from US Dep Agriculture to improve, automate and streamline food stamp direct certification process.</i>
26	177	70	Eliminates one Public Service Manager II position, one Licensed Practical Nurse position, one Office Assistant II position, one Institutional Clothing Supervisor position, one Clinical Dietician position, one Diet Coordinator position, one Food Service Worker position, one part-time Cook I position and one part-time Food Service Worker position. Curtailment item. (Dispro Share-DDPC)	DHHS Mgmt	GF	(\$183,524)	IN	<i>DHHS-9 positions (8 FTE) were identified in Hospital Efficiency Report as not significantly impacting operations. 4 positions vacant, 5 are filled.</i>
27	181	71	Ditto	DHHS Mgmt	OSR	(\$220,034)	IN	

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28	182	72	Reduces funding from savings achieved by managing vacancies. (DEEP-Substance Abuse)	DHHS Mgmt	GF	(\$13,874)	IN	
	187	72	Provides funding for the retroactive portion of the cost of a range change for 12 Mental Retardation Resource Coordinator positions from range 22 to range 23. (MH-Child)	DHHS Mgmt	GF	\$66,259	IN	
29	188	73	Eliminates funding in accounts formerly funded by the cost allocation plan of the former BDS. (MH-Child)	DHHS Mgmt	OSR	(\$645,022)	IN	Information needed on the cost allocation plan.
30	194	74	Ditto. (MH-Comy)	DHHS Mgmt	OSR	(\$4,701,930)	IN	
31	201	75	Provides funding for the retroactive portion of the cost of a range change for 12 Mental Retardation Resource Coordinator positions from range 22 to range 23. (MR-Comy)	DHHS Mgmt	GF	\$259,115	IN	
32	210	77	Reduces funding from savings achieved by managing vacancies. (Office of Substance Abuse)	DHHS Mgmt	GF	(\$50,000)	IN	
33	216	78	Provides funding for facility needs at DHHS sites. (RPC)	DHHS Mgmt	OSR	\$14,131	IN	
34	432	79	Reduces funding from savings achieved by managing vacancies. (BFI)	DHHS Mgmt	GF	(\$300,000)	IN	
35	435	80	Transfers positions and reallocates position costs to provide for the operational needs of the Div LRS. (BMS)	DHHS Mgmt	FF	(\$2,359)	IN	
36	436	80	Provides funding for facility needs at DHHS sites. (BMS)	DHHS Mgmt	FF	\$61,435	IN	
37	439	80-81	Reallocates funding for 4 positions from 50% OSR and 50% GF in the Div LRS to 50% OSR in the Div LRS program and 25% GF and 25% Federal Expenditures Fund in the BMS. Also transfers 1 position from the GF to the Federal Expenditures Fund within the Div LRS program and allocates 50% of its costs to that program and fund, 25% to the BMS, GF and 25% to the BMS, Federal Expenditures Fund. (BMS) (See also HHS items # 39, 49, 50)	DHHS Mgmt	GF	\$103,256	IN	DHHS-funding to be used to support the Maine Registry of Certified Nursing Assistants (Title 22, section 1812-G). Medicare (100%FF) and Medicaid (50%FF, 50%GF) funds are available for this purpose. Initiative reallocates position and related All Other costs to meet reporting requirements.
38	440	81	Ditto	DHHS Mgmt	FF	\$82,672	IN	
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40	442	81	Eliminates 2 positions that are currently vacant and 3 other positions effective April 8, 2009. (BMS) See also HHS items 51, 52)	DHHS Mgmt	FF	(\$55,478)	IN	
41	443	82	Reduces funding from savings achieved by managing vacancies. (BMS)	DHHS Mgmt	GF	(\$800,000)	IN	
42	445		Provides funding for facility needs at DHHS sites. (Child Care Services)	DHHS Mgmt	FBG	\$0	IN	
43	447	82	Reduces funding from savings achieved by managing vacancies. (Child Support)	DHHS Mgmt	GF	(\$100,000)	IN	
44	451	83	Eliminates one part-time position and 3 other positions in OMB. Savings will be used to offset collective bargaining costs in fiscal year 2008-09. (Disability Determination) (See also HHS item 63)	DHHS Mgmt	FF	\$0	IN	
45	452	83	Provides funding for facility needs at DHHS sites. (Div Admin Hearings)	DHHS Mgmt	OSR	\$9,351	IN	
46	453	84	Transfers positions and reallocates position costs to provide for the operational needs of the Div LRS. (Div LRS)	DHHS Mgmt	GF	\$184,795	IN	See note, HHS item 148.
47	454	84	Ditto	DHHS Mgmt	FF	(\$176,541)	IN	
48	455	84	Ditto	DHHS Mgmt	FBG	(\$5,895)	IN	
49	457	85	Ditto with HHS item # 38, 39, 50. (Div LRS)	DHHS Mgmt	GF	(\$218,489)	IN	
50	458	85	Ditto	DHHS Mgmt	FF	\$35,431	IN	
51	459	85	Ditto with HHS item 40. (Div LRS)	DHHS Mgmt	GF	(\$84,420)	IN	
52	460	85	Ditto	DHHS Mgmt	FF	(\$6,963)	IN	
53	461	86	Reallocates funding for 4 positions from 100% Federal Expenditures Fund in BoH to 33.3% Federal Expenditures Fund in BoH, 33.3% OSR in the FHM - BoH and 33.4% GF in MCHBG program. Personal Services costs in the FHM - BoH are offset by a reduction in the All Other line category. (FHM-BoH) (See also HHS items # 55, 58)	DHHS Mgmt	FHM	\$0	IN	DHHS- these positions support district level public health infrastructure as required by Resolve 2007, Chapter 114.
54	466	87	Provides funding for facility needs at DHHS sites. (BoH)	DHHS Mgmt	FF	\$1,729	IN	Ditto

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55	469	87	Ditto with HHS items # 53, 55, 58	DHHS Mgmt	FF	(\$244,990)	IN	
	470	88	Provides funding to cover increased costs of information technology and staff operating costs. (BoH)	DHHS Mgmt	OSR	\$25,700	IN as amended 10-1 in favor (the amendment is the language needed for the fee increase)	<i>DHHS- proposed fee increase to assist 2 accounts in radiation control program to pay technology and staff costs. Fees are the source of the funds. Fees have not been increased since 1997.</i>
56	477	88	Reduces funding from savings achieved by managing vacancies. (BoH)	DHHS Mgmt	GF	(\$200,000)	IN	
57	488	90	Goes with HHS items # 53, 55. (GF match to MCHBG)	DHHS Mgmt	GF	\$122,554	IN	<i>DHHS-Continues work at Maine Center for Disease Control and Prevention. Information needed on connection to maintenance of effort requirements with federal government.</i>
58	518	96	Provides funding for facility needs at DHHS sites. (OIAS)	DHHS Mgmt	OSR	\$831	IN	
59	519	96	Provides funding for facility needs at DHHS sites. (OMB)	DHHS Mgmt	OSR	\$15,326	IN	
60	520	97	Provides funding for facility needs at DHHS sites. (OMB)	DHHS Mgmt	OSR	\$133,038	IN	
61	521	97	Reduces funding from savings achieved by managing vacancies. (OMB)	DHHS Mgmt	GF	(\$250,000)	IN	
62	522	97	Ditto with HHS item 44. (OMB)	DHHS Mgmt	OSR	\$0	IN	
63	524	98	Transfers 1 position and related All Other from the FBG to the GF and transfers 1 position from the GF to the FBG within the Pur. Soc Services program. (Pur. Soc Services) (Shifts funding from GF to FBG)	DHHS Mgmt	GF	(\$394)	IN	
64	525	98	Ditto	DHHS Mgmt	FBG	\$394	IN	
65	523	97	Provides funding to restore an allocation that was reduced in error. (Pur. Soc Services)	DHHS Pur. Soc Services	FBG	\$4,000,000	IN as amended - change amount to \$1,000,000	Information needed on impact of deallocation in error. Any impact on services, agencies, people. CP reduces allocation by \$3,000,000 because financial order in interim provided authorization to spend that \$3,000,000. Net allocation needed is only \$1,000,000 FBG Funds.
66	528	98	Reduces funding provided for Florence House due to a delay in the program's opening. (Pur. Soc Services)	DHHS Pur. Soc Services	GF	(\$419,000)	IN	Information needed on services to be provided at Florence House, reason for delay, impact of delay.
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68	479	89	Provides funding to ensure financially sustainable assisted living facilities beginning July 1, 2008. (Independent Housing with Services)	Elder Services	GF	\$1,541,667	IN	<i>DHHS have not been successful in getting federal approval for Medicaid funding for this service. Will provide supportive services in 7 facilities, to 150 low-income elders and persons with disabilities. Funding proposed for 08-09 assumes full GF funding for 100% of costs. DHHS working on different funding method, DHHS to pay some costs (meals and 24/7 staff) and Medicaid to pay some (personal care and other home-based services).</i>
	480	89	Reduces funding due to anticipated savings based on the rate of expenditures during the first half of fiscal year 2008-09. Curtailment item. (Independent Housing with Services)	Elder Services	GF	(\$44,000)	IN	<i>DHHS-reduction based on reduced level of expenditure. IHSP provides support for persons living in congregate settings in 30 facilities. Facilities in Portland, Westbrook, Rockland, Brunswick, Freeport, Sanford, Bar Harbor area, Aroostook County. Information needed on reason for underspending, is there a waiting list for services? Reason for waiting list?</i>
69	484	90	Reduces funding for assessing and providing care management to people receiving state-funded home care services and slows the rate of taking people off the wait list for services effective January 1, 2009. Curtailment item. (Long-term Care)	Elder Services	GF	(\$409,000)	IN	<i>DHHS-\$222,500 from increasing wait lists for home care assessments; \$52,500 from reducing care management fee to EIM from 139 to \$126.50 pmpm; \$66,528 from increasing wait list for home-based care; \$67,500 from increasing wait for independent support services for 100 persons. Curtailment statement says: "Current wait list for home-based care is 664 people, for independent support services is 810 people." At public hearing DHHS said waiting list is only 197 people, will explain difference at work session.</i>
70	492	91	Reduces funding for care management for people receiving MaineCare-funded home care services effective January 1, 2009. Curtailment item. (MAP)	Elder Services	GF	(\$62,600)	IN	<i>DHHS-reduces care management fee to EIM for Medicaid home care services from \$139 to \$126.50 pmpm. Fee had been increased by this amount by 123rd Legislature. Information needed on impact on agency, services, people.</i>
71	493	91	Ditto	Elder Services	FF	(\$175,892)	IN	
72	175	70	Reduces funding of administration costs in the self-directed personal care assistance program. Curtailment item. (Consumer-directed Services)	Elder Services	GF	(\$100,000)	IN	<i>DHHS-reduces uncommitted legal and admin expenses without impacting direct services. Information needed on availability of funding, impact on agency and consumers.</i>
73	114	53	Provides for the transfer of funds from the FHM to the Department of Education FHM-School Breakfast program to cover increased OIT fees related to data software upgrades associated with the increased number of school breakfasts.	FHM	FHM	\$0	IN	<i>Commissioner Low testified that technology costs for expanded school breakfasts were roughly estimated in 2008 when \$213,935 was allocated from FHM for school breakfasts. Dept of Education now knows that \$11,000 more funding will be required. The actual expenditure of \$11,000 appears as a Dept Educ budget item in the bill on page 53. See note HHS item #145 for FHM allocation in Dept of Educ. FHM-School Nurse Consultant account.</i>
74	115	4	Provides funding to offset a deallocation made in Public Law 2007, chapter 629. A pro rata adjustment to the individual FHM accounts was not required since the balance on June 30, 2008 was sufficient to cover the deallocation.	FHM	FHM	\$5,000,000	IN	<i>\$5,000,000 from FHM was allocated to Dirigo Health in State FY08, to come from balances if available and to be deallocated pro rata from allocations from FHM if sufficient balance was not available. Balances were available. Consequently the deallocation was not necessary and is now being reversed in the supplemental budget.</i>
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76	116	131	Provides for the transfer of funds from the FHM to the FHM DEA - Pilot project account for the return of unused drugs (Title 22 section 2700) in the Department of Public Safety.	FHM	FHM	\$0	IN	Commissioner Low testified that this is needed because the allocation from FHM of \$150,000 for State FY08 was not paid out during that year. Shows in budget as an allocation of \$150,000 from OSR, should be an allocation from FHM. Change package entry needed with regard to funding source.
	118	116	Provides for the transfer of funds from the FHM to the Judicial Department to cover projected shortfall in Personal Services due to collective bargaining increase.	FHM	FHM	\$0	IN	FHM-Judicial Dept allocation \$7,935
77	462	86	Provides funding for Personal Services shortfalls.	FHM	FHM	\$10,411	IN	
78			(Both)					
79	463	86	Provides funding for Personal Services shortfalls.	FHM	FHM	\$13,797	IN	
			(BMS)					
	464	86	Provides funding for Personal Services shortfalls.	FHM	FHM	\$16,156	IN	
80			(Service Center)					
	424	101	Reduces funding for general operations and volunteer programs. Curtailment item. (Maine Hospice Council)	Maine Hospice Council	GF	(\$3,545)	IN	DHHS- 2/3 of cut will be to general admin costs in Maine Hospice Council, 1/3 will be decreased allocation to volunteer programs. These reductions will impact the Council's ability to carry out its mission.
81	433	80	Adjusts funding for the fiscal agent project. (BMS)	MaineCare Admin	GF	\$684,000	IN	DHHS-funding is for software, which is matched at operational rate of 75%FF-25%GF. Funding is available that was budgeted at development and implementation rate of 90% FF-10%GF. Funding is available for all but 15% (difference between 90% and 75%). Funding request is for 15% of cost.
82								
	434	80	Ditto	MaineCare Admin	FF	(\$684,000)	IN	
83								
	441	81	Reduces funding as a result of available funding in the Bureau of Medical Services FBG account.	MaineCare Admin	GF	(\$7,000,000)	IN	DHHS- funds available from State Children's Health Insurance Program SCHIP account. Information needed on how funding is available, connection to caseload or use and cost of services.
84								
	502	93	Reduces funding by changing the reimbursement for critical access hospitals. (MAP)	MaineCare Hospitals	GF	(\$1,047,490)	Tabled	DHHS-will provide list of critical access hospitals and justification statement. This is a federal designation for rural hospitals with 25 or fewer beds, average length of stay not more than 96 hours. Questions raised about impact on rural hospitals, access to care and patient centered care. Question raised about connection of increase in reimbursement from 101% of Medicare to 117% of Medicare when hospital tax was imposed in 2004. See Part V, HHS item # 142.
85								
	503	93	Ditto	MaineCare Hospitals	FF	(\$1,873,157)	Tabled	
86								

# LD 45 Supplemental Budget - HHS Committee Worksheet Report to AFA - January 16, 2009

All votes unanimous unless otherwise noted.

HHS Item #	ORF R Line #	Bill Pg#	Initiative Text	Classification	Fund	FY09 Total	HHS Cmce Decision	Notes (Italics indicate source of info. Non-italics indicates OPLA)(Change Pkg in BOLD, noted as CP)
87	509	94	Reduces funding by reimbursing all hospital-based physicians on a fee table. (MAP)	MaineCare Hospitals	GF	(\$3,500,000)	Tabled	<i>DHHS-talking with federal Centers for Medicare and Medicaid Services. Hospital-based physicians now paid at 89.7% of Medicare. New fee schedule will pay hospital-based primary care physicians 74% of Medicare and others at 57% with facility and nursing costs unchanged. Most states pay hospitals on a fee table, as this proposed to do. Questions raised about changing to fee schedule but raising rates to offset the fee schedule, and whether the federal government requires this change. Question raised about connection in 2008 budget: hospital-based physician rates were not changed and in exchange the base year for the hospital tax was updated so that the hospital tax was raised. Information needed on current physician fee schedule, compared to proposed fee schedule, comparison of hospital-based and independent physicians, impact on critical access, smaller, medium and larger hospitals.</i>
88	510	94	Ditto	MaineCare Hospitals	FF	(\$6,334,223)	Tabled	
89	512	95	Reduces funding by converting payments from weekly or biweekly reimbursements to monthly reimbursements. This initiative has a one-time impact on the GF. Curtailment item. (Nursing Facilities)	MaineCare Nursing Homes	GF	(\$4,024,300)	Tabled	<i>DHHS-HIPPA does not allow weekly or bi-weekly payments when fiscal agent begins to process Medicaid claims in 2010. Question raised about DHHS working with providers on transition plan. Clarification needed on federal requirement. Question raised about feasibility of bi-weekly payments instead of monthly.</i>
90	513	95	Ditto	MaineCare Nursing Homes	FF	(\$7,283,090)	Tabled	
91	516	96	Notwithstanding the Maine Revised Statutes, Title 22, section 333-A, reduces funding on a one-time basis in the nursing facility MaineCare funding pool. (Nursing Facilities)	MaineCare Nursing Homes	GF	(\$300,000)	IN	<i>DHHS- 22 MRSA section 333-A authorizes nursing facility MaineCare funding pool for savings as result of delicensing NF beds on or after 7/1/05. Funding pool was created to develop beds in areas of need.</i>
92	490	91	Adjusts funding to account for rebates for durable medical equipment (DME). (MAP)	MaineCare Other	GF	(\$428,000)	IN	<i>DHHS- Maine will receive rebates on DME. Rebates will be recorded in OSR account, will leverage FF match. Result is decreased need for GF.</i>
93	491	91	Ditto	MaineCare Other	OSR	\$428,000	IN	<i>DHHS- increased reimbursement from insurers reduces need for GF support.</i>
94	494	91	Reduces funding based on increased 3rd-party liability collections for pharmacy expenditures. Curtailment item. (MAP)	MaineCare Other	GF	(\$70,000)	IN	
95	495	92	Reduces funding for the proper accounting of Medicare Part B premium payments for the qualified individual population. Curtailment item. (MAP)	MaineCare Other	GF	(\$4,339,789)	IN	<i>DHHS-federal funds are available for premiums for QI qualified individuals, have been paying partly with GF funds. Will correct payment procedures in future.</i>
96	496	92	Ditto	MaineCare Other	FF	\$4,339,789	IN	

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HHS Item #	OFF R Line #	Bill pg#	Initiative Text	Classification	Fund	FY09 Total	HHS Cmee Decision	Notes (Italics indicate source of info. Non-italics indicates OPLA)(Change Pkg in BOLD, noted as CP)
97	497	92	Reduces funding by limiting the optional services provided to the parents expansion group. Curtailment item. (MAP)	MaineCare Other	GF	(\$285,968)	OUT	<i>DHHS - federal CMS has stated that this change would have to be implemented statewide. DHHS said at public hearing it will remove this initiative in the Change Package from the Governor. CP eliminates this item, offset by deappropriation from State Supplement to SSI account of \$715,968, which also covers restoration of \$30,000 to Bone Marrow Screening account.</i>
98	498	92	Ditto	MaineCare Other	FF	(\$677,097)	OUT	
99	499	92	Ditto	MaineCare Other	OSR	(\$88,164)	OUT	
100	500	93	Reduces funding by converting payments from weekly or biweekly reimbursements to monthly reimbursements. This initiative has a one-time impact on the GF. Curtailment item. (MAP)	MaineCare Other	GF	(\$2,975,700)	Tabled	<i>DHHS-HIPPA does not allow weekly or bi-weekly payments when fiscal agent begins to process Medicaid claims in 2010. Clarification needed on federal requirement.</i>
101	501	93	Ditto	MaineCare Other	FF	(\$5,565,357)	Tabled	
102	185	72	Adjusts funding in the various MaineCare accounts to reflect modifications to projections of Medicaid-dedicated tax revenues, to comport with Revenue Forecasting Committee rejections. (Medicaid-MR)	MaineCare Prov Taxes	OSR	(\$2,258)	IN	With below nets \$1,019,444.
103	186	72	Ditto (Medicaid-MR)	MaineCare Prov Taxes	OSR	\$1,021,700	IN	With above nets \$1,019,444.
104	197	75	Ditto (Shifts from OSR to GF) (MH-Comy)	MaineCare Prov Taxes	GF	\$211,423	IN	GF, goes with 2 lines below.
105	198	75	Ditto (MH-Comy)	MaineCare Prov Taxes	OSR	(\$10,087)	IN	With below nets \$211,423 to go with GF above.
106	199	75	Ditto (MH-Comy)	MaineCare Prov Taxes	OSR	(\$201,336)	IN	With above nets \$211,423 to go with GF above.
107	212	77-78	Ditto (Shifts from OSR to GF) (OSA-Medicaid)	MaineCare Prov Taxes	GF	\$2,559	IN	
108	213	77-78	Ditto (OSA-Medicaid)	MaineCare Prov Taxes	OSR	(\$2,559)	IN	
109	214	78	Ditto (Residential Treatment Facilities)	MaineCare Prov Taxes	OSR	(\$132,748)	IN	
110	506	94	Ditto (Shifts from GF to OSR) (Medicaid-MAP)	MaineCare Prov Taxes	GF	(\$880,059)	IN	GF, goes with following 2 lines.
111	507	94	Ditto (Medicaid-MAP)	MaineCare Prov Taxes	OSR	(\$58,343)	IN	With below nets \$880,059 to go with GF above.

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HHS Item #	OPL R Line #	Bill #	Initiative Text	Classification	Fund	FY09 Total	HHS Cnnee Decision	Notes (Italics indicate source of info. Non-italics indicates OPLA)(Change Pkg in BOLD, noted as CP)
112	508	94	Ditto (Medicaid-MAP)	MaineCare Prov Taxes	OSR	\$938,402	IN	With above nets \$880,059 to go with GF above.
113	514	95	Ditto (Medicaid-MR)	MaineCare Prov Taxes	GF	\$566,642	IN	
114	515	95	Ditto (Medicaid-MR)	MaineCare Prov Taxes	OSR	(\$566,642)	IN	
115	184	72	Ditto (Medicaid-MR)	MaineCare Prov Taxes	GF	(\$886,694)	IN	
116	200	75	Reduces funding in the FBG for the MH-Comy and the MR-Comy, as funds are no longer available. (MR-Comy)	MR/DD	FBG	(\$37,500)	IN	DHHS- federal grant has decreased, causing need to decrease this finding.
117	202	76	Reduces funding for room and board contracts to adjust for the increase in Social Security income contributions in agency-operated homes. Curtailment item. (MR-Comy)	MR/DD	GF	(\$220,000)	IN	DHHS- SSI increase of 5.8% January 09 will enable decrease in room and board supplemental payments from GF. Estimated to impact 1,200 persons. See related item under DHHS (Departmentwide), page 70 of budget.
118	203	76	Reduces funding for certain contracts by 10%. Curtailment item. (MR-Comy)	MR/DD	GF	(\$56,194)	IN	DHHS- Reduces contracts with Disability Rights Center for SUFU, Maine Center on Deafness, Consumer Advisory Board, Peregrine for Skills Development. CP includes appropriation of additional \$400,000 GF for shortfall in contracted services. Will additional \$400,000 affect proposed cut of \$56,194? In what agencies will it fund services?
119	504	93-94	Adjusts funding by amending the Home and Community Based Benefits for the Physically Disabled Waiver to receive federal match on personal care assistance services. (MAP)	MR/DD	GF	(\$210,060)	IN	DHHS-amending the waiver will allow federal funds to be used to match \$1.17/hr wage increases given to personal care attendants and allow expansion of program to serve more people. Initiative relies on CMS approval. Will affect 125 persons. Will assist State in achieving cost neutrality in waiver.
120	505	94	Ditto	MR/DD	FF	\$680,325	IN	
121	173	69	Provides funding for a new grant award for the Traumatic Brain Injury Implementation Partnership. (Brain Injury)	MR/DD	FF	\$150,000	IN	DHHS- grant award to DHHS will be used for 4 mini-grants to local organizations to develop regionally specific infrastructure for persons with brain injury and their families.
122	174	60-70	Provides funding for the receivership of the Essex Street brain injury private nonmedical institution. (Brain Injury)	MR/DD	GF	\$37,455	IN	DHHS-new owner will take over operations on 3/31. Funds will pay for receiver costs and MaineCare service provider tax. Request made for information on costs of running facilities in receivership.
123	468	87	Provides funding for grants as a result of additional revenue available from the Robert Wood Johnson Foundation for the "Common Ground" initiative. (Health- Bureau)	Public Health	OSR	\$100,000	IN	D HHS- funds available from RWJ Foundation.

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HHS Item #	OFF R Line #	Bill pg#	Initiative Text	Classification	Fund	FY09 Total	HHS Cmee Decision	Notes (Italics indicate source of info. Non-italics indicates OPLA)(Change Pkg in BOLD, noted as CP)
124	475	88	Reduces funding that will be offset by available funding in the Bone Marrow Screening Fund program, OSR. Curtailment item. (Health-Bureau)	Public Health	GF	(\$30,000)	OUT	<i>DHHS-Tax check-off account has balance of \$16,923. FHM contract for screening is \$93,712. Information needed on annual revenue from check-off, annual appropriations, annual expenses, impact of deappropriation. CP eliminates this deallocation, funding provided by cut in the State Supplement to SSI. See HHS item # 146.</i>
	476	88	Reduces funding by eliminating contracts. Curtailment item. (Health-Bureau)	Public Health	GF	(\$19,600)	IN	<i>DHHS- cuts 10% of contract amount in HIV prevention funding with Maine AIDS Alliance. Information needed on impact on agency, services, persons. CP changes the blippie (which was written to match the curtailment of \$70,000 GF) to match the deappropriation of \$19,000 GF (which is correct).</i>
125	726	155	RECLASSIFICATIONS	Reclass	FF	\$41,512	IN	
126	728	156	RECLASSIFICATIONS	Reclass	FF	\$8,714	IN	
127	731	157	RECLASSIFICATIONS	Reclass	OSR	\$5,744	IN	
128	732	157	RECLASSIFICATIONS	Reclass	OSR	\$1,643	IN	
129	206	76	Reduces funding for a contract with Day One by 10%. Curtailment item. (OSA)	Substance Abuse	GF	(\$26,276)	IN	<i>DHHS-Will result in fewer youth served in Juvenile Drug Treatment Court system. Current capacity is 90 youth, have 78-79 cases, 38 of which are active. Information needed on amount of contract, impact on agency, impact on persons served. Since Day One only has 38 active cases they are able to absorb the cost and continue services without impacting the youth they serve.</i>
130	207	76	Reduces funding on a one-time basis for a contract with The Maine Association of Substance Abuse Programs Inc. Curtailment item. (OSA)	Substance Abuse	GF	(\$29,839)	IN	<i>DHHS- work will be assumed by OSA staff. Information needed on impact on contracted agency and individuals served.</i>
131	208	76	Reduces funding for printing and binding brochures. Curtailment item. (OSA)	Substance Abuse	GF	(\$10,000)	IN	Information needed on impact on services.
132	209	77	Reduces funding on a one-time basis for a contract with AdCare Educational Institute of Maine, Inc. Curtailment item. (OSA)	Substance Abuse	GF	(\$40,000)	IN	<i>DHHS- reduces salary line for associate director for AdCare, a position that was not filled under the contract. Information needed on impact on agency, persons served.</i>
133	211	77	Provides funding to continue services at private nonmedical institutions. The corresponding federal funding increase is in the Medical Care - Payments to Providers program. (OSA-Medicaid Seed)	Substance Abuse	GF	\$256,000	IN	<i>DHHS- need for SA PNMI services is expected to exceed funding available thru FHM. This will fund from OSA-GF the MaineCare seed above \$1.1million. Information needed on reason for needed funding, impact on agencies and persons served.</i>
134	489	90	Ditto	Substance Abuse	FF	\$457,788	IN	
135								
136								
137								
138								
139			LANGUAGE SECTIONS OF BUDGET					

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140		F-1, pg 164	Enact Title 22 section 1511, subsection 12 authorizing State Budget Officer to adjust downward allocations from FHM if revenues are less than allocations. Adjustments are proportional, may be done by financial order. Annual report to AFA and HHS Committees.				IN	Question raised about notice to AFA and HHS Committees when cuts are made. Question raised about connections between racino and National Tobacco Settlement revenues and expenditures. Currently some racino revenues go to the Elderly Low-Cost Drug program, through the FHM. All other FHM allocations are from tobacco settlement revenues.
141		S, pg 169	Repeals Dept. of Corrections Office of Advocacy. Changes reference in Title 22, section 7924, subsection 1 on reporting of violations of residents' rights and rights of care in long-term care and assisted living facilities and programs from DoC Office of Advocacy to DHHS Office of Advocacy.				IN	
142		V, pg 170	Beginning 1/1/09 decreases MaineCare reimbursement rates for inpatient and outpatient services for critical access hospitals set in Title 22 section 1714-B from 117% to 101% of allowable costs.				Tabled	See MaineCare-Hospital account for deappropriation, HHS item #85.
143		W, 171	Allows All Other balance in Bureau of Medical Services General Fund account to carry from FY09 to FY10.				IN	

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	Notes related to change package							
			LD 45 includes on page 161 in FHM-Fire Marshal account allocation of \$30,549 for reclassification of positions. CP allocates additional \$10,039 from FHM-Fire Marshal account to cover collective bargaining costs.				IN	
144			CP allocates \$2,409 from FHM-School Nurse Consultant to cover collective bargaining costs.				IN	
145			CP deappropriates \$715,968 GF from State Supplement to Federal SSI account to offset removal of limited benefits to parent expansion in MaineCare-MAP account (HHS item #97) and removal of cut in Bone Marrow Screening account (HHS item # 124). Also, includes \$400,000 to cover a shortfall in MR Community.				IN	
146			CP adjusts FF and OSR in Div LRS for transferred position, \$44,716 decrease in FF and \$44,716 increase in OSR.				IN	Does this relate to HHS item #46 on transfer and reallocation of positions in Div LRS?
147			CP deappropriates from GF \$75,000 in OMB account, \$75,000 in BCFS account, \$50,000 in Div Purch Serv and \$125,000 in Div LRS (all from salary savings) to provide funding for the \$325,000 needed at ELC. See HHS item # 9.				IN	
148								



**LD 45 Supplemental Budget,  
Change Package Summary, HHS Committee Worksheet Report to AFA - January 16, 2009**

Dept (e.g. ADM)	Explanation of Change	Program Title	Pos Cnt (All Funds)	GF Appropriation 2009	Other Funds 2009	HHS Vote
<b>Part A</b>						
BEH	PS shortfall at Elizabeth Levinson Center. Self-funded using salary savings within DHHS. Also requested notwithstanding language in description to allow transfers between DHHS accounts for any unforeseen (or unemployment) PS needs at ELC	ELIZABETH LEVINSON CENTER		\$ 325,000		IN
BEH	Provides additional funding for contracted services shortfall. (Mental Retardation-Community account)	MR - COMMUNITY		\$ 400,000		IN
EDU	Additional Allocation to cover collective bargaining costs to the FHM School Nurse Consultant account.	FHM - SCHOOL NURSE CONSULTANT		\$	2,409	IN
HUM	PS shortfall at Elizabeth Levinson Center. Self-funded using salary savings within DHHS - this account is OMB. See BEH entry above	OFFICE OF MANAGEMENT AND BUDGET		\$ (75,000)		IN
HUM	PS shortfall at Elizabeth Levinson Center. Self-funded using salary savings within DHHS - this account is Child Welfare Services. See BEH entry above	BUREAU OF CHILD & FAMILY SVCS - CENTRAL		\$ (75,000)		IN
HUM	PS shortfall at Elizabeth Levinson Center. Self-funded using salary savings within DHHS - this account is Div. of Purchased Services. See BEH entry above	DIV OF PURCHASED SVCS		\$ (50,000)		IN
HUM	PS shortfall at Elizabeth Levinson Center. Self-funded using salary savings within DHHS - this account is Lic. & Regulatory Svcs.. See BEH entry above	DIV OF LICENSING & REGULATORY SVCS		\$ (125,000)		IN
HUM	Allocation request needs to be reduced - account is FBG Purchased Social Services. Funding was needed in advance of the supplemental budget so a financial order was processed which replaced part of the funding need. (Page 97, Line 33) <i>Net allocation needed is \$1,000,000.</i>	PURCHASED SOCIAL SERVICES		\$	(3,000,000)	IN
HUM	This curtailment initiative originally eliminated funding for HIV contracts as of 1/1 (\$70,000) in Bureau of Health. Deappropriation was reduced to (\$19,600) in bill, but description and justification never adjusted.	HEALTH - BUREAU OF				IN

**LD 45 Supplemental Budget,  
Change Package Summary, HHS Committee Worksheet Report to AFA - January 16, 2009**

Dept (e.g. ADM)	Explanation of Change	Program Title	Pos Cnt (All Funds)	GF Appropriation 2009	Other Funds 2009	HHS Vote
HUM	Eliminate initiative on Page 92, Line 16. Deappropriation in MAP account related to optional services for parent expansion group to be replaced with deappropriation from State Supplement to Federal SSI account. Other funds adjustment is federal (\$677,097) and OSR (\$88,164)	MEDICAL CARE - PAYMENTS TO PROVIDERS		\$ 285,968	\$ 765,261	IN
HUM	Deappropriation in MAP account related to optional services for parent expansion group (\$285,968) to be replaced with deappropriation from the State Supplement to Federal SSI account. Other funds adjustment is federal (\$677,097) and OSR (\$88,164). The deappropriation from the State Supplement to Federal SSI account also offsets the Bureau of Health addback of \$30,000 related to Bone Marrow Screening and \$400,000 appropriation to the Mental Retardation-Community account.	STATE SUPPLEMENT TO FEDL SSI		\$ (715,968)		IN
HUM	Original change package transferred position within Division of Licensing and Regulatory Services from 100% FBG to 50% GF (home account)/50% FF. Costs allocated to FF should be OSR. Federal funds adjustment	DIV OF LICENSING & REGULATORY SVCS			\$ (44,716)	IN
HUM	Original change package transferred position within Division of Licensing and Regulatory Services from 100% FBG to 50% GF (home account)/50% FF. Costs allocated to FF should be OSR. OSR adjustment	DIV OF LICENSING & REGULATORY SVCS			\$ 44,716	IN
HUM	Eliminate this initiative. Curtailment FO and supplemental include \$30,000 reduction in Bureau of Health account re: Bone Marrow Screening. (Page 88, Line 11)	HEALTH - BUREAU OF		\$ 30,000		IN
PUS	Additional Allocation to cover collective bargaining costs to the FHM Fire Marshall account.	FHM - FIRE MARSHAL			\$ 10,039	IN