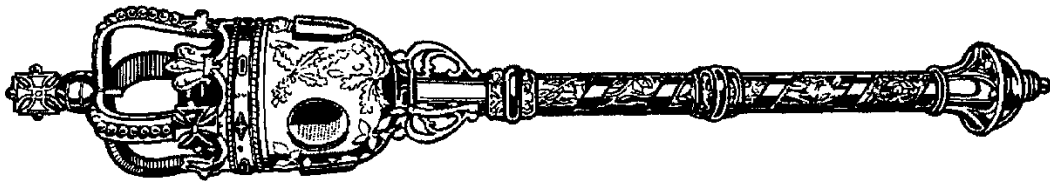


*Report of the
House Appropriations
Subcommittee*

on

Health & Human Resources



*House Bill 29
&
House Bill 30*

February 22, 2004

February 22, 2004

**Respectfully Submitted by the House Appropriations
Subcommittee on Health & Human Resources:**

Phillip A. Hamilton, Chairman

S. Chris Jones

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REPORT OF THE SUBCOMMITTEE
on
HEALTH & HUMAN RESOURCES

Mr. Chairmen and Members on the Committee:

When the Governor presented his budget in December, about \$633 million in new spending proposed for Health and Human Resources programs was contingent upon the passage of his proposed tax package. I'm pleased to report to you today that through your efforts, we have been able to provide almost \$883 million in additional state funding to preserve the safety net of services for our most vulnerable citizens.

The Chairman spoke about the process that the Committee went through to exercise due diligence in examining the spending needs and balancing those needs with available revenues. Likewise, the Health and Human Resources Subcommittee undertook a similar process of examining the spending needs for core safety net programs, particularly the Medicaid program. As you know, Medicaid utilization and inflationary increases projected for the next biennium require an additional \$707 million in new state spending. This large increase caused much concern among members of the House that Virginia may not be doing enough to contain costs in the Medicaid program, even though we had reduced Medicaid provider rates over the past several years and implemented a number of additional cost containment measures in the program.

Consequently, the Subcommittee members rolled up their sleeves and took another hard look at the program. This year we focused on the optional services provided in the Medicaid program to determine whether those services were necessary and prudent in light of the current economic climate. Our analysis of the optional services showed that many were implemented in prior years as an

attempt to lower costs of institutional care or to provide a less costly, and more appropriate level of care for Medicaid recipients. For example, one of the largest optional services provided by the Medicaid program is prescription drugs. In addition, our review revealed that many of these optional services were being provided to severely disabled individuals served through one of our Medicaid waiver programs, such as the mental retardation waiver or elderly and disabled waiver program. As a result of this review, the Subcommittee is recommending that we maintain the current array of services in the Medicaid program and the current eligibility criteria.

The additional funding for the Medicaid program will not only continue existing services, it will allow us to recognize the costs incurred by some of our partners in this program – hospitals, nursing homes and community pharmacies. We are recommending rebasing of hospital and nursing home rates and inflationary adjustments to address the rising costs to serve Medicaid patients. We are also recommending enhanced payments for hospitals caring for a disproportionate number of Medicaid infants in their neonatal intensive care units. Currently, the Medicaid program only recognizes about 71 percent of allowable costs in our hospitals. This assistance will ensure a more fair reimbursement for caring for these critically ill children.

As we move to a more aggressive approach to managing prescription drug costs through a Preferred Drug List and use of a maximum allowable cost for generic drugs, we need to be mindful of the need to provide fair and equitable reimbursement for pharmacy providers that have been instrumental in helping Medicaid manage its pharmacy program in a clinically sound and cost-effective manner. Therefore, we are recommending a partial restoration of the pharmacy dispensing fee for from \$3.75 to \$4.10 per prescription for generic drugs.

Mr. Chairman, you announced early on a desire to preserve funding for the “Olmstead Initiatives” for our disabled citizens. I’m proud to announce that we are recommending an additional \$27.4 million in state and federal funds to continue initiatives that we began several years to expand community alternatives for severely disabled citizens. These include 160 new mental retardation waiver slots, 25 new developmentally disabled waiver slots, discharge assistance services for seriously mentally ill persons in our state mental health facilities, new community treatment teams, children’s mental health services, and funding to purchase short-term private acute care hospital services in the community to stabilize those at risk of institutional care in our state facilities. While these services are being referred to as “Olmstead Initiatives” this Session, let us not forget that this is a direction that the General Assembly has been moving in for a number of years. Our support for these services enables Virginia to continue to make progress in treating disabled citizens with appropriate services in their own communities.

Similarly, Mr. Chairman, the Subcommittee is recommending that we continue our progress in providing health insurance to low-income children. At a time when many other states are capping or lowering enrollment in their programs, I’m proud to announce that Virginia will honor its commitment to insure almost 12,000 additional children projected to be eligible for either Medicaid or FAMIS in the next biennium.

Finally, the Subcommittee struggled with a number of uncertainties related to our implementation of the federal welfare block grant, known as the Temporary Assistance to Needy Families or TANF program. As you recall, last year we were looking at a potential \$34 million hole in TANF funding in the 2004-06 biennium as our past balances in the program were spent down. In addition, Congress began its process to reauthorize the program and we were facing significant changes that would impact funding and services. Congress has not yet completed the task of reauthorizing the TANF program. Consequently, it has been a challenge to

determine how to proceed with the myriad of TANF funding requests.

The introduced budget realigned TANF spending to bring the block grant into structural balance and we have supported those efforts. We are recommending \$20.7 million in additional funding to meet the state's funding commitment for the TANF program and we are recommending \$6.6 million in state funds to match federal day care funding for low-income working families. This increased state funding will free up federal TANF dollars for core programs that provide benefits and services to move individuals towards self sufficiency.

The introduced budget spends almost all of the available TANF funds by the end of fiscal year 2006. The Subcommittee was uncomfortable doing this given recent increases in the TANF caseload and the uncertainty of federal reauthorization. Therefore, we are recommending that \$6.0 million in TANF funding be set aside as a contingency, much like a rainy day fund.

In structurally balancing the TANF program, the introduced budget would have required a number of critical community based prevention programs to compete for a set amount of TANF funding. Frankly, the Subcommittee felt that some programs were more worthy than others in promoting self sufficiency and preventing families from coming onto the TANF program. Therefore, we are recommending funding for several community programs which were better able to demonstrate their ability to meet the goals of the TANF program and provided needed prevention services. For the remaining programs, the Subcommittee is recommending setting aside \$3.0 million over the biennium as a competitive block grant for programs that can prove their value in meeting the goals of TANF and assisting individuals become self sufficient.

Mr. Chairman, as I have said before, this is probably the toughest Subcommittee assignment a member of this Committee

can have. The issues are complex, the decisions are never easy, and the needs will always overshadow the available resources. I would like to thank the Subcommittee members for their hard work this Session and I would like to thank the entire Committee for their efforts to preserve our safety net programs.

The details of the Subcommittee's recommendations are contained in the attachments which the staff will walk through with you. It is my hope that you will adopt our recommendations.

BUDGET AMENDMENT RECOMMENDATIONS

Amendment	House Bill 29 FY 2004	2004-06 BIENNIAL TOTAL		
		General Fund	Nongeneral Fund	FTE

Health & Human Resources

HB 30 REVENUES

Medicaid Recoveries from Noncustodial Parents	1,200,000			
TOTAL REVENUES	0	1,200,000	0	

HB 30

Secretary of Health & Human Resources

Report on Access to Obstetrical Services Language

Comprehensive Services Act for At-Risk Children and Youth

Policy Options on Relinquishing Custody for Treatment Language

Collection of Parental Copayments Language

Medicaid Certification of CSA Providers (3,000,000) Language

Use of Least Restrictive Treatment Setting Language

Department for the Aging

Eliminate Contingency for Guardian Services Language

Eliminate Aging Information System Initiative (500,000)

Department of Health

Reduce \$4-for-Life Transfer for EMS 0 (13,800,000)

Increase Vital Records Fee from \$10 to \$12 Language

Offset GF for NGF in Community Health Services (1,780,000) 1,780,000

Restore Funds to Va. Health Care Foundation 150,000 0

Department of Medical Assistance Services

Medicaid Utilization and Inflation-Eliminate Contingency 587,000,000 (587,000,000)

Transfer Funds for MR Waiver from DMHMRSAS 6,666,667 6,666,667

Enhanced Hospital Payments for NICUs 2,500,000 2,500,000

Restore Pharmacy Dispensing Fee 2,341,734 2,341,734

Impose Copays for Lab, X-ray and Dur. Med. Equip. (1,000,000) (1,000,000)

Eliminate Contingency-Nursing Home Increase in FY 2006 (9,740,987) (9,740,987)

Eliminate Contingency-Hospital Payment Adj. in FY 2006 (9,125,000) (9,125,000)

Eliminate Contingency-Develop. Disabled Waiver Language

Expand Medicaid for CSA Services Language

Reimburse Certain Durable Med. Equip. at Medicare Level Language

Modify Reimbursement for Generic Drugs Language

Retention of Fed. Funds for Medicaid School Health Svcs. Language

Case Management Services for Elderly and Disabled Language

AIDS Services in the Elderly and Disabled Waiver Language

Improve Medicaid Drug Compliance Language

DMAS Authority to Analyze HMO Encounter Data Language

Medicaid Recoveries from Noncustodial Parents Language

Include Asthma in Disease Management Program Language

Allow Outsourcing of Dental Services Language

BUDGET AMENDMENT RECOMMENDATIONS

Amendment	House Bill 29 FY 2004	2004-06 BIENNIAL TOTAL		
		General Fund	Nongeneral Fund	FTE

Department of Mental Health, Mental Ret. & Sub. Abuse Svs.

Transfer Funds for MR Waiver to DMAS	(6,666,667)	0
Eliminate Contingency-MH Discharge Assistance	Language	
Eliminate Contingency-Purchase of Acute Care Beds	Language	
Eliminate Contingency-Children's MH Services	Language	
Eliminate Contingency for PACT Teams	Language	
Improve MHMRSAS Drug Compliance	Language	
Web-based Info. on Jail Diversion Programs for MHMRSAS	Language	
Feasibility of Contracting for Sex. Violent Predator Svs.	Language	

Center for Behavioral Rehabilitation

Level Fund Staffing and Services in FY 2006	(1,991,000)	0
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Dept. of Rehab. Services

Eliminate New Initiative-Brain Injury Svs. in S.W. Va.	(150,000)	0
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Department of Social Services

Child and Family Services Improvement Plan	Language	
Food Stamp Outreach for Legal Immigrants	Language	
Delay Implementation of New Kinship Care Prog.	Language	
Restore TANF for Child Care Subsidies	Language	
Restore TANF-Centers for Employment and Training	Language	
Restore TANF-Child Support Supplement	Language	
Restore TANF-Community Action Agencies	Language	
Restore TANF-Domestic Violence Grants	Language	
Restore TANF-Hard to Serve Employment Grants	Language	
Restore TANF-Homeless Assistance	Language	
TANF for GF for Healthy Families	(919,960)	919,960
Tech. Adj. to Appropriations for TANF	20,698,476	(20,698,476)
Tech. Adj. to Approp. for TANF Employment Svs.	0	20,698,476
Tech. Adj. to Appropriations for Foster Care	(20,698,476)	0
TANF Program Balances and Competitive Grants	Language	
Apply for Grants for Offender Parenting Programs	Language	
Child Supp. Enf. Medicaid Recoveries-Noncustodial Parents	Language	
Reduce Funds-Child Day Care Resource & Referral	0	(300,000)
HB 1234-Marriage License Tax for Dom. Violence Svs.	(1,083,156)	1,083,156
Dementia Training for Long-Term Care Workers	Language	

HB 30 TOTAL	0	562,701,631	(605,674,470)	0.00
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Federal TANF Block Grant Spending Plan

<u>TANF Resources "Income"</u>	<u>FY2004</u>	<u>FY2005</u>	<u>FY2006</u>
Beginning Balance	\$28,256,886	\$9,664,170	\$4,840,879
Annual TANF Block Grant Award	\$158,285,000	\$158,285,000	\$158,285,000
Bonus Award (FFY2001)	\$7,914,250		
Bonus Award (FFY2002)	\$7,914,250		
TANF Resources Available	\$202,370,386	\$167,949,170	\$163,125,879
<u>TANF Expenditures</u>			
VIP/VIEW Core Benefits and Services	\$101,801,788	\$87,954,498	\$87,954,498
TANF Child Support Supplement	\$7,800,000	\$5,900,000	\$5,900,000
Transfers to other Block Grants	\$41,443,458	\$32,812,505	\$32,812,505
Child Day Care Subsidies Shortfall-Transfer to CCDF		\$2,000,000	\$2,000,000
Expanded TANF Programming (see below)	\$41,660,970	\$31,441,288	\$31,441,288
Caseload /TANF Reauthorization Contingency		\$3,000,000	\$3,000,000
TANF Expenditures	\$192,706,216	\$163,108,291	\$163,108,291
Year-End Balance	\$9,664,170	\$4,840,879	\$17,588
<u>Expanded TANF Programming</u>			
Local Foster Care/Adoptions Staff	\$9,300,000	\$9,300,000	\$9,300,000
DHCD-Homeless Shelter Grants	\$4,910,128	\$4,910,128	\$4,910,128
Community Action Agencies	\$3,775,399	\$3,775,399	\$3,775,399
Healthy Families/Health Start	\$4,599,800	\$4,599,800	\$4,599,800
Hard to Serve Employment Services	\$2,550,000	\$2,550,000	\$2,550,000
Comprehensive Health Investment Project	\$2,245,155	\$2,020,640	\$2,020,640
Local Domestic Violence Grants	\$1,062,500	\$1,062,500	\$1,062,500
Comprehensive Services Act Trust Fund	\$1,064,245	\$957,821	\$957,821
Centers for Employment & Training	\$637,500	\$637,500	\$637,500
Domestic Awareness Campaign	\$127,500	\$127,500	\$127,500
Competitive Grants (*)	-	\$1,500,000	\$1,500,000
Child Advocacy Centers	\$200,000	*	*
Dept of Health - Abstinence Program	\$179,350	*	*
Dept of Health - Partners in Prevention	\$850,000	*	*
Dept of Health - Teenage Pregnancy Prevention Programs	\$910,000	*	*
Dept of Health - Resource Mothers	\$176,800	*	*
Dept of Health - Right Choices for Youth	\$332,350	*	*
Dept of Health - Preg. Prevention Mentoring Program	\$76,500	*	*
Dept of Health - Virginia Fatherhood Campaign	\$340,000	*	*
Economic Improvement Program	\$170,000	*	*
Food Bank Service Expansion	\$212,500	*	*
TANF Disability Funds (was DRS)	\$711,875	*	*
Virginia's Mentoring Initiative	\$76,500	*	*
St Paul's College Project	\$85,000	*	*
Transportation Grants	\$2,125,000	*	*
Greater Richmond Transit Company (GRTC)	\$200,000	*	*
Virginia Mentoring Partnership (One-to-One Mentoring)	\$42,500	*	*
Opportunity Knocks	\$425,000	*	*
People, Inc.	\$42,500	*	*
United Community Ministries	\$42,500	*	*
Local Dept. - Employment Retention Program	\$4,190,368	*	*
Total Expanded TANF Programming	\$41,660,970	\$31,441,288	\$31,441,288

*Programs would be able to compete for \$1.5 million each year.

Health and Human Resources Subcommittee

Item 298 #1h

Health And Human Resources

Secretary Of Health And Human
Resources

Language

Language:

Page 228, after line 13, insert:

"The Secretary of Health and Human Resources, in cooperation with the Bureau of Insurance in the State Corporation Commission, shall report on the availability of obstetrical services in the Commonwealth and identify any areas of the Commonwealth where there is inadequate access to such services. The report shall include information on the factors contributing to inadequate access to services and the availability and affordability of malpractice insurance for obstetricians, and an assessment of the degree to which these factors may be contributing to the lack of access to obstetrical care in certain areas of the Commonwealth. The report shall make recommendations on actions that can be taken to improve access to obstetrical care throughout the Commonwealth. The Secretary shall provide the report to the Chairmen of the House Appropriations and Senate Finance Committees and the Joint Commission on Health Care by November 1, 2004."

Explanation:

(This amendment is self-explanatory.)

Health and Human Resources Subcommittee

Item 299 #1h

Health And Human Resources

Comprehensive Services For
At-Risk Youth And Families

Language

Language:

Page 231, after line 50, insert:

"F. The State Executive Council for the Comprehensive Services Act shall investigate the reasons leading to the practice of parents relinquishing custody of their children solely to obtain necessary and appropriate mental health services. The State Executive Council shall recommend policy options, including legislative action if appropriate, for abolishing this practice while continuing to make the services available and accessible to children and report to the Chairmen of the House Appropriations and Senate Finance Committees, and to the Chairman of the Joint Commission on Health Care, by November 1, 2004."

Explanation:

(This amendment is self-explanatory.)

Health and Human Resources Subcommittee

Item 299 #2h

Health And Human Resources

Comprehensive Services For
At-Risk Youth And Families

Language

Language:

Page 231, after line 50, insert:

"F. Pursuant to subdivision 3 of § 2.2-52.06, Code of Virginia, Community Policy and Management Teams shall enter into agreements with the parents or legal guardians of children receiving services under the Comprehensive Services Act for At-Risk Children and Youth. The Office of Comprehensive Services shall be a party to any such agreement. If the parent or legal guardian fails or refuses to pay the agreed upon sum on a timely basis and a collection action cannot be referred to the Division of Child Support Enforcement, upon the request of the community policy management team, the Office of Comprehensive Services shall make a claim against the parent or legal guardian for such payment through the Department of Law's Division of Debt Collection in the Office of the Attorney General."

Explanation:

(This amendment allows the Office of Comprehensive Services for At-Risk Youth and Families (CSA) to assist localities in obtaining parental copayments for CSA services by using debt set-off as a tool in collecting payments. The Code of Virginia requires Community Policy and Management Teams to establish policies to assess the ability of parents or legal guardians to contribute financially to the cost of services to be provided and, when not specifically prohibited by federal or state law or regulation, provide for appropriate parental or legal guardian financial contribution, using a standard sliding fee scale based upon ability to pay.)

Health and Human Resources Subcommittee

Item 299 #3h

Health And Human Resources

Comprehensive Services For
At-Risk Youth And Families

FY 04-05

(\$1,000,000)

FY 05-06

(\$2,000,000)

GF

Language:

Page 228, line 15, strike "\$243,901,805" and insert "\$242,901,805".

Page 228, line 15, strike "\$258,301,341" and insert "\$256,301,341".

Page 231, after line 50, insert:

"F. The Office of Comprehensive Services shall require all residential and treatment foster care providers who receive funding through the Comprehensive Services Act for At-Risk Children and Youth (CSA) to become Medicaid-certified providers in order to receive payment for CSA-related services.

G. The Office of Comprehensive Services shall work with the State Executive Council and the Department of Medical Assistance Services to assist Community Policy and Management Teams in appropriately accessing a full array of Medicaid-funded services for Medicaid-eligible children and youth through the Comprehensive Services Act for At-Risk Children and Youth, thereby increasing Medicaid reimbursement for treatment services and decreasing the number of denials for Medicaid services related to medical necessity and utilization review activities."

Explanation:

(This amendment is requires all Comprehensive Services Act (CSA) providers to become Medicaid-certified in order to receive CSA payments. It also requires the Office of Comprehensive Services to work with others to ensure that localities are able to appropriately access Medicaid services. CSA expenditures are decreased by \$3.0 million general fund over the biennium in anticipation of better use of Medicaid funding for CSA services, coverage of a broader array of residential treatment services through the Medicaid program, and a decrease in Medicaid payment denials. A companion amendment in Item 326 directs the Department of Medical Assistance Services to amend the State Plan for Medical Assistance Services to cover additional services for CSA children who are Medicaid eligible.)

Health and Human Resources Subcommittee

Item 299 #4h

Health And Human Resources

Comprehensive Services For
At-Risk Youth And Families

Language

Language:

Page 229, after line 30, insert:

"d. Pursuant to § 2.2-5200, Code of Virginia, Community Policy and Management Teams shall seek to ensure that services and funding are consistent with the Commonwealth's policies of preserving families and providing appropriate services in the least restrictive environment, while protecting the welfare of children and maintaining the safety of the public. Each locality shall submit to the Office of Comprehensive Services information on utilization of residential facilities for treatment of children and length of stay in such facilities. By November 1 each year, the Office of Comprehensive Services shall report to the Governor and

Request for Amendment to House Bill 30 as Introduced

Chairmen of the House Appropriations and Senate Finance Committees on utilization rates and average lengths of stays for each locality in comparison to the statewide average."

Explanation:

(This amendment is self-explanatory.)

Health and Human Resources Subcommittee

Item 301 #1h

Health And Human Resources

Department For The Aging

Language

Language:

Page 232, strike lines 48 through 52.

Page 233, strike lines 1 and 2.

Explanation:

(This amendment eliminates language in the introduced budget making the additional funding for the Virginia Public Guardian and Conservator Program contingent upon the Governor's proposed tax plan. The introduced budget added \$110,000 in the first year and \$250,000 in the second year to establish five new Public Guardian and Conservator Programs in unserved areas. Currently, nine programs operate throughout the state and serve elderly and disabled adults who have no family or friends able to provide guardian services. This is one of several amendments addressing contingency funding for Olmstead initiatives.)

Health and Human Resources Subcommittee

Item 301 #2h

Health And Human Resources

Department For The Aging

FY 04-05

(\$250,000)

FY 05-06

(\$250,000) GF

Language:

Page 232, line 16, strike "\$26,433,352" and insert "\$26,183,352".

Page 232, line 16, strike "\$26,573,352" and insert "\$26,323,352".

Explanation:

(This amendment eliminates new funding for an aging information system contained in the introduced budget.)

Health and Human Resources Subcommittee

Item 307 #1h

Request for Amendment to House Bill 30 as Introduced

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	(\$6,900,000)	(\$6,900,000)	NGF

Language:

Page 237, line 7, strike "\$25,179,240" and insert "\$18,279,240".

Page 237, line 7, strike "\$25,179,240" and insert "\$18,279,240".

Explanation:

(This amendment reduces nongeneral funds transferred to Emergency Medical Services from the surcharge on motor vehicle registrations passed during the 2002 General Assembly (\$4-for-Life). The introduced budget transferred \$12,754,625 each year in \$4-for-Life funds; however, the transfer was contingent upon passage of the Governor's tax proposal. This amendment retains \$5.8 million each year from the additional \$4-for-Life funds for Emergency Medical Services. A companion amendment in Item 3-6.02 transfers \$6.9 million each year from the surcharge to the general fund.)

Health and Human Resources Subcommittee

Item 309 #1h

Health And Human Resources

Department Of Health

Language

Language:

Page 238, line 27, strike "10.00" and insert "12.00".

Page 238, line 32, after "Fund", insert:

"and two dollars of each fee collected shall be used to fund community health services provided through the local health departments in Item 314."

Explanation:

(This amendment increase the fee for vital records by \$2.00 dollars to offset the cost of providing community health services through the local health departments.)

Health and Human Resources Subcommittee

Item 314 #1h

Health And Human Resources

Department Of Health

FY 04-05

(\$890,000)

\$890,000

FY 05-06

(\$890,000)

\$890,000

GF

NGF

Language:

Explanation:

(This amendment reduces the general fund amounts for community health services provided through the local health departments. These funds are offset by an increase in the Vital Records fee contained in a companion amendment in Item 309.)

Health and Human Resources Subcommittee Item 314 #2h

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$75,000	\$75,000	GF

Language:

Page 242, line 31, strike "\$166,547,101" and insert "\$166,622,101".
Page 242, line 31, strike "\$166,547,101" and insert "\$166,622,101".

Explanation:

(This amendment restores funding to the Virginia Health Care Foundation that was reduced in the 2002-04 biennium. This restored amount will allow the Foundation to continue public-private initiatives to provide medication assistance to Virginia's uninsured and medically underserved residents through programs such as the Rx Partnership which leverages free drugs from drug manufacturers, the MEDAssist Program in Southside Virginia, and distribution of the Pharmacy Connection software.)

Health and Human Resources Subcommittee Item 322 #1h

Health And Human Resources	
Department Of Medical Assistance Services	Language

Language:

Page 255, line 31, strike "initial and ongoing" and insert "semi-annually".
Page 264, after line 47, insert:
"BBB. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to include reimbursement for required tuition payments for children receiving Medicaid-eligible residential services, if such educational services are part of the treatment plan. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act."

Explanation:

Request for Amendment to House Bill 30 as Introduced

(This amendment requires the Department of Medical Assistance Services to provide semi-annual training to local Comprehensive Services Act (CSA) teams to ensure that localities are able to appropriately access Medicaid-funded CSA services for the treatment of at-risk children and youth through the Comprehensive Services Act, thereby decreasing Medicaid payment denials. Language also directs the Department to cover tuition payments in residential facilities for Medicaid-eligible CSA children, if the services are included in the treatment plans for those children. Federal law and regulations allow reimbursement for these expenditures. A companion amendment in Item 299 captures savings in the CSA program to account for these actions.)

Health and Human Resources Subcommittee

Item 326 #1h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 264, after line 47, insert:

"BBB. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to set the rate for durable medical equipment at the Durable Medicare Equipment Regional Carrier (DMERC) reimbursement level for those items that have a national Healthcare Common Procedure Coding System (HCPCS) code. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act."

Explanation:

(This amendment modifies the reimbursement methodology for certain durable medical equipment.)

Health and Human Resources Subcommittee

Item 326 #2h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 263, strike lines 53 through 59 and insert:

"WW.1. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to modify the reimbursement methodology used to reimburse for generic drug products. The new methodology shall reimburse for the

Request for Amendment to House Bill 30 as Introduced

product cost based on a Maximum Allowable Cost list to be established by the Department. Such amendments shall be effective within 280 days or less from the enactment of this act.

2. In developing the maximum allowable cost (MAC) reimbursement rate for generic pharmaceuticals, the Department shall (i) publish the factors used to set state MAC rates, including the identity of the reference product used to set the MAC rate; the NDC number of the reference product; the factor by which the MAC rate exceeds the reference product price, which shall be not less than 110 percent of the lowest-published wholesale acquisition cost for products widely available for purchase in the state, and included in national pricing compendia; and the identity and date of the published compendia used to determine the reference product and set the MAC rate; (ii) identify three different suppliers that are able to supply the product and from whom pharmacies are able to purchase sufficient quantities of the drug. The drugs considered must be listed as therapeutically and pharmaceutically equivalent in the FDA's most recent version of the "Orange Book"; (iii) identify that the use of a MAC rate is lower than the Federal Upper Limit (FUL) for the drug, or the development of a MAC rate that does not have a FUL will not result in the use of higher-cost innovator brand name or single source drugs in the Medicaid program; and (vi) distribute the list of state MAC rates to pharmacy providers in a timely manner prior to the implementation of MAC rates and subsequent modifications.

2. The Department shall (i) review and update the list of MAC rates at least quarterly; (ii) implement and maintain a procedure to eliminate products from the list, or modify MAC rates, consistent with changes in the marketplace; and (iii) provide an administrative appeals procedure to allow a dispensing provider to contest a listed MAC rate.

3. The Department shall report on savings achieved through the implementation of measures to implement MAC rates in the Medicaid pharmacy program to the Chairmen of the House Appropriations and Senate Finance Committees, and the Joint Commission on Health Care by January 1 of each year."

Page 264, strike line 1.

Explanation:

(This amendment sets forth criteria for the Department of Medical Assistance Services to use in developing a new methodology for reimbursing for generic drugs through the Medicaid program. Language requires the Department to adhere to set criteria in implementing of the new reimbursement methodology and to report on savings achieved through the initiative by January 1 of each year.)

Health and Human Resources Subcommittee

Item 326 #3h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 264, after line 47, insert:

"BBB. Effective June 30, 2005, the amount of federal financial participation for special education Medicaid and Family Access to Medical Insurance Security services for administrative and other services provided and billed for by school divisions that is retained by the Department of Medical Assistance Services will be no greater than the amount retained in fiscal year 2006."

Explanation:

(This amendment caps the amount of matching federal funds retained by the Department of Medical Assistance Services for administrative costs associated with the billing of school health services for Medicaid-eligible special education students who receive school health services at the end of the current biennium.)

Health and Human Resources Subcommittee

Item 326 #4h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 256, line 19, strike "Contingent upon approval by the Centers for".

Page 256, line 20, strike "Medicaid and Medicare Services" and insert:

"The Department of Medical Assistance Services shall discontinue efforts to seek approval".

Page 256, line 26, strike "As part of this initiative, the", and insert "The".

Page 256, line 28, strike "eliminate", and insert "restore the".

Page 256, line 32, strike "implement these necessary", and insert:

"promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act."

Page 256, strike lines 33 through 34.

Explanation:

(This amendment directs the Department of Medical Assistance Services to restore the elderly case management services to the State Plan for Medical Assistance Services and abandon efforts to seek a Research and Demonstration

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1115 Waiver for the management of chronic care conditions of elderly and disabled persons. No change in funding is required.)

Health and Human Resources Subcommittee

Item 326 #5h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 263, line 39, strike ", terminate".

Page 263, line 41, after "Waiver", insert:

", provided that individuals eligible for the waivers do not lose necessary services".

Explanation:

(This amendment modifies language in the introduced budget which would amend, terminate and/or combine the Medicaid Elderly and Disabled Waiver and the AIDS Waiver programs. It would ensure that eligible AIDS waiver recipients continue to receive necessary services whether the AIDS Waiver remains as a separate program or is combined with the Elderly and Disabled Waiver program. If the AIDS Waiver were terminated, it is possible that recipients of these services would lose nutritional supplements and case management services.)

Health and Human Resources Subcommittee

Item 326 #6h

Health And Human Resources

Department Of Medical Assistance
Services

FY 04-05

\$1,250,000

FY 05-06

\$1,250,000

GF

\$1,250,000

NGF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,059,598,577".

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,431,132,619".

Page 264, after line 47, insert:

"BBB. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services governing Medicaid reimbursements for hospitals to provide enhanced reimbursements to inpatient hospitals with a Neonatal Intensive Care Unit (NICU) that serves a disproportionate share of Medicaid patients as defined in this paragraph. Out of this appropriation, \$1,250,000 from the general fund and \$1,250,000 from nongeneral funds the first year and \$1,250,000 from the general fund and \$1,250,000 from nongeneral funds the second year shall be provided to enhance reimbursements to inpatient hospitals with a NICU Medicaid

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utilization rate in excess of 50 percent of total NICU patient days. The enhanced reimbursements shall be proportionally distributed to those eligible inpatient hospitals based on each hospital's share of the total NICU Medicaid patient days. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act."

Explanation:

(This amendment provides enhanced Medicaid reimbursements to inpatient hospitals with exceptionally high Medicaid utilization, specifically those hospitals with Medicaid utilization rates greater than 50 percent of their Neonatal Intensive Care Unit (NICU) patient populations. The enhanced reimbursements would be proportionally distributed to the hospitals based on each hospital's share of NICU Medicaid patient days.)

Health and Human Resources Subcommittee

Item 326 #7h

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	\$1,124,485	\$1,217,249	GF
Services	\$1,124,485	\$1,217,249	NGF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,059,347,547".

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,431,067,117".

Page 264, line 47, insert:

"BBB. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to increase the dispensing fee paid to pharmacists for generic drug products from \$3.75 to \$4.10 per prescription per month. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act."

Explanation:

(This amendment increases the Medicaid reimbursement for pharmacy dispensing fees for generic drugs from \$3.75 to \$4.10 per prescription per month.)

Health and Human Resources Subcommittee

Item 326 #8h

Health And Human Resources	
Department Of Medical Assistance	Language
Services	

Language:

Page 264, after line 47, insert:

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"BBB. The Department of Medical Assistance Services shall ensure that in the process of developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers the value of including those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems."

Explanation:

(This amendment is self-explanatory.)

Health and Human Resources Subcommittee

Item 326 #9h

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance Services	\$2,666,667	\$4,000,000	GF
	\$2,666,667	\$4,000,000	NGF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,062,431,911".

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,436,632,619".

Page 264, after line 47, insert:

"BBB. Out of this appropriation, \$2,666,667 the first year and \$4,000,000 the second year from the general fund and \$2,666,667 the first year and \$4,000,000 the second year from nongeneral funds is provided for 160 new Mental Retardation Home and Community-based Waiver slots."

Explanation:

(This amendment provides funding and language for 160 new Mental Retardation Home and Community-based Waiver slots in the Department of Medical Assistance Services. A companion amendment in Item 332 transfers the funding and language for the 160 additional slots from the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS). The introduced budget incorrectly provides funding for the waiver slots in the DMHMRSAS. Funding for Mental Retardation Waiver slots is provided through the Department of Medical Assistance Services. This is one of several amendments addressing Olmstead initiatives.)

Health and Human Resources Subcommittee

Item 326 #10h

Health And Human Resources

Department Of Medical Assistance Services

Language

Request for Amendment to House Bill 30 as Introduced

Language:

Page 264, line 39, after "Waiver", strike "is", and insert "."
Page 264, strike lines 40 through 43.

Explanation:

(This amendment eliminates language in the introduced budget making the additional funding for the slots in the Medicaid Individual and Family Developmental Disabilities Support Waiver contingent upon the Governor's proposed tax plan. The introduced budget added \$344,756 general fund and \$344,756 nongeneral fund in the first year and \$459,675 general fund and \$459,675 nongeneral fund in the second year to provide 25 additional developmentally disabled waiver slots. This is one of several amendments addressing contingency funding for Olmstead initiatives.)

Health and Human Resources Subcommittee

Item 326 #11h

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	\$310,700,000	\$276,300,000	GF
Services	(\$310,700,000)	(\$276,300,000)	NGF

Language:

Explanation:

(This amendment provides \$310.7 million the first year and \$276.3 million the second year from the general fund for Medicaid utilization and inflation. It replaces special funds included in the introduced budget from the Virginia Health Care Fund. The proposed fund would have been comprised of prior-year Medicaid recoveries, the 40 percent general fund share of the Tobacco Master Settlement Agreement, revenues from the current tax on tobacco produces and revenues from a proposed tax increase on tobacco products.)

Health and Human Resources Subcommittee

Item 326 #12h

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	\$0	(\$9,125,000)	GF
Services	\$0	(\$9,125,000)	NGF

Language:

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,410,382,619".
Page 264, strike lines 2 through 13.
Page 264, line 14, strike "YY." and insert "XX."

Request for Amendment to House Bill 30 as Introduced

Page 264, line 34, strike "ZZ." and insert "YY."

Page 264, line 44, strike "AAA." and insert "ZZ."

Explanation:

(This amendment eliminates funding and language in the second year for a change to the payment adjustment factor applied to reimbursements for Type 2 hospitals. The introduced budget would have changed the payment adjustment factor from about 72 percent of 75 percent of allowable costs. This amendment maintains the current reimbursement policy for Type 2 hospitals.)

Health and Human Resources Subcommittee

Item 326 #13h

Health And Human Resources

FY 04-05

FY 05-06

Department Of Medical Assistance
Services

\$0	(\$9,740,987)	GF
\$0	(\$9,740,987)	NGF

Language:

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,409,150,645".

Page 264, strike lines 14 through 33.

Page 264, line 34, strike "ZZ." and insert "YY."

Page 264, line 44, strike "AAA." and insert "ZZ."

Explanation:

(This amendment eliminates funding in the second year for an increase in the total per diem to nursing facilities of \$3 per day in fiscal year 2006. This amendment maintains the current reimbursement policy for nursing homes.)

Health and Human Resources Subcommittee

Item 326 #14h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 264, after line 47, insert:

"BBB. Out of the amounts appropriated for the Medical Assistance Services program, the Department is authorized to expend up to \$300,000 from the general fund in fiscal year 2005 to collect and analyze encounter data from Medicaid managed care organizations in order to set managed care capitation rates on an actuarial basis that reflects the relative risk associated with each plan's enrolled members, and to conduct utilization review and quality assurance requirements for the Medicaid program."

Explanation:

(This amendment authorizes the Department of Medical Assistance Services to use a portion of its funding to collect and analyze managed care encounter data in order to better set capitation rates on a sound actuarial basis for Medicaid managed care organizations. The Medicaid program spent approximately \$769.7 million to reimburse managed care organizations for services provided to Medicaid-eligible individuals in fiscal year 2003. The funding will also assist the department in conducting required utilization review and quality assurance for the Medicaid program.)

Health and Human Resources Subcommittee

Item 326 #15h

Health And Human Resources

FY 04-05

FY 05-06

Department Of Medical Assistance
Services

(\$500,000)
(\$500,000)

(\$500,000) GF
(\$500,000) NGF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,056,098,577".

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,427,632,619".

Page 264, after line 47, insert:

"BBB. The Department of Medical Assistance Services shall amend its State Plan for Medical Assistance to impose a cost sharing requirement for eligible recipients' durable medical equipment and laboratory and radiological services ranging from \$1.00 to \$3.00. This change shall be consistent with federal law concerning Medicaid cost-sharing requirements. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act."

Explanation:

(This amendment requires the Medicaid program to begin requiring recipient copayments for durable medical equipment, as well as laboratory and radiological services. Copayments would range from \$1.00 to \$3.00 depending on the cost of services provided. Children, pregnant women and nursing home patients would be exempt from these copayment requirements, as required by federal law and regulations.)

Health and Human Resources Subcommittee

Item 326 #16h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 264, after line 47, insert:

"BBB. In developing a disease state management program, the Department of Medical Assistance Services shall include initiatives which positively impact asthma-related health care costs. This initiative shall seek to improve the management of asthma through the appropriate use of asthma medications and patient education."

Explanation:

(This amendment adds language requiring the Department of Medical Assistance Services to include asthma in its disease management initiative.)

Health and Human Resources Subcommittee

Item 326 #17h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 264, after line 47, insert:

"BBB. The Department of Medical Assistance Services may consider outsourcing dental services to children under age 21 to an administrative services program."

Explanation:

(This amendment allows the Department of Medical Assistance Services use an administrative services organization to administer its children's dental services program, as one of its strategies to address access to dental services in the Medicaid program.)

Health and Human Resources Subcommittee

Item 326 #18h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 264, after line 47, insert:

"BBB. The Department of Medical Assistance Services, in cooperation with the Department of Social Services Division of Child Support Enforcement, shall identify and initiate third party recovery actions in cases for which there is a medical support order requiring a noncustodial parent to contribute to the medical cost of caring for a child who is enrolled in the Medicaid or Family Access to Medical Insurance

Security Programs."

Explanation:

(This amendment requires the Department of Medical Assistance Services to work with the Department of Social Services Division of Child Support Enforcement to identify and initiate third party recovery actions in cases in which there is a medical support order for a noncustodial parent whose child is enrolled in either the Medicaid or FAMIS programs.)

Health and Human Resources Subcommittee

Item 330 #1h

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 268, after line 50, insert:

"L. The Department of Mental Health, Mental Retardation and Substance Abuse Services, whenever medically appropriate and cost effective, shall make available to its consumers those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems."

Explanation:

(This amendment is self-explanatory.)

Health and Human Resources Subcommittee

Item 330 #2h

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 268, after line 50, insert:

"L. The Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with the Department of Criminal Justice Services, shall incorporate information about programs that divert individuals with mental illness, substance abuse and co-occurring disorders from jail or secure detention in the Department's web-based Internet site that is currently under development."

Explanation:

(This amendment is self-explanatory. It is a recommendation of the Joint Commission on Health Care.)

Health and Human Resources Subcommittee

Item 330 #3h

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 268, after line 50, insert:

"L. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall consider the feasibility of entering into a public-private partnership or contract with a vendor for the operation of clinical treatment services for the sexually violent predator program. If the Department determines that a public-private partnership or contract is feasible and cost-effective, selection criteria shall be developed by the Department. Such criteria may include a requirement that the vendor have ongoing experience operating sexually violent predator programs in other states. Such public-private partnership or contract, if entered into by the Department, shall enable the Department to contract for perimeter security, medical services, transportation, and dietary services for the program from other state agencies and facilities."

Explanation:

(This amendment is self-explanatory.)

Health and Human Resources Subcommittee

Item 332 #1h

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

FY 04-05

(\$2,666,667)

FY 05-06

(\$4,000,000) GF

Language:

Page 269, line 5, strike "\$24,269,206" and insert "\$21,602,539".

Page 269, line 5, strike "\$27,608,206" and insert "\$23,608,206".

Page 269, strike lines 26 through 33.

Page 269, line 34, strike "D." and insert "C."

Page 269, line 41, strike "E." and insert "D."

Explanation:

(This amendment eliminates funding and language for 160 new Mental Retardation Home and Community-based Waiver slots in the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS). A companion amendment in Item 326 adds the funding and language for the additional slots in the Department of Medical Assistance Services. The introduced budget incorrectly provides funding for the new waiver slots in the DMHMRSAS budget. Funding for Mental Retardation Waiver slots is provided through the Department of Medical Assistance Services.)

Health and Human Resources Subcommittee

Item 332 #2h

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 269, line 37, after "plans", strike "is contingent upon the" and insert "."
Page 269, strike lines 38 through 40.

Explanation:

(This amendment eliminates language in the introduced budget making the additional funding to discharge 77 long-term mental disabled patients from state facilities and treat with specialized services contingent upon the Governor's proposed tax plan. The introduced budget added \$3.6 million general fund in the first year and \$5.4 million general fund in the second year to allow for the discharge of 77 long-term rehabilitation patients who have been identified and are ready to be discharged from state mental health facilities. Funding, estimated at \$70,000 per individual, will be used to provide specialized services for individuals who face extraordinary barriers to placement in the community. This is one of several amendments addressing contingency funding for Olmstead initiatives.)

Health and Human Resources Subcommittee

Item 332 #3h

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Request for Amendment to House Bill 30 as Introduced

Page 269, line 44, after "hospitals", strike "is" and insert "."

Page 269, strike lines 45 through 48.

Explanation:

(This amendment eliminates language in the introduced budget making the additional funding to purchase private psychiatric inpatient treatment beds in community hospitals contingent upon the Governor's proposed tax plan. The introduced budget added \$1.0 million general fund each year of the biennium to expand the purchase of these services in order to reduce inpatient admissions and potentially long-term stays at state mental health facilities. This is one of several amendments addressing contingency funding for Olmstead initiatives.)

Health and Human Resources Subcommittee

Item 334 #1h

Health And Human Resources

Grants To Localities

Language

Language:

Page 272, line 11, strike the first "4,125,000" and insert "6,125,000".

Page 272, line 11, strike the second "4,125,000" and insert "6,125,000".

Page 272, strike lines 27 through 35.

Page 272, line 36, strike "P." and insert "O."

Explanation:

(This amendment eliminates language in the introduced budget making the additional funding for community mental health services for children and adolescents contingent upon the Governor's proposed tax plan. The introduced budget added \$2.0 million GF each year of the biennium to expand the mental health services for children and adolescents with serious emotional disturbances and related disorders. Funding is adjusted in language to reflect the full amount of funding for these services over the biennium. This is one of several amendments addressing contingency funding for Olmstead initiatives.)

Health and Human Resources Subcommittee

Item 334 #2h

Health And Human Resources

Grants To Localities

Language

Language:

Page 272, line 40, after "(PACT)", strike "is contingent upon the passage into law of the" and insert "."

Page 272, strike lines 41 through 43.

Explanation:

(This amendment eliminates language in the introduced budget making the additional funding for three new programs of assertive community treatment (PACT) to treat seriously mentally ill individuals contingent upon the Governor's proposed tax plan. The introduced budget added \$2.0 million GF in the first year and \$2.6 million GF in the second year for three new PACT teams to provide crisis intervention and case management services to seriously mentally ill adults who are in need of intensive treatment services in order to avoid placement in state mental health facilities. This is one of several amendments addressing contingency funding for Olmstead initiatives.)

Health and Human Resources Subcommittee

Item 346 #1h

Health And Human Resources	FY 04-05	FY 05-06	
Virginia Center For Behavioral Rehabilitation	\$0	(\$1,991,000)	GF

Language:

Page 276, line 4, strike "\$6,791,432" and insert "\$4,800,432".

Explanation:

(This amendment decreases funding in the second year for the Center for Behavioral Rehabilitation. The introduced budget assumed a need for an additional \$3.6 million general fund in fiscal year 2005 and \$5.6 million general fund in fiscal year 2006 for the civil commitment and treatment of sexually violent offenders resulting in an added 104 positions for a facility projected to house 55 sexually violent predators by the end of fiscal year 2006. These new positions would be in addition to the current staffing of 73 full-time equivalent positions. Currently, the Center houses two individuals and the census is growing at a significantly slower rate than originally projected.)

Health and Human Resources Subcommittee

Item 349 #1h

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Rehabilitative Services	(\$75,000)	(\$75,000)	GF

Language:

Page 276, line 37, strike "\$83,939,471" and insert "\$83,864,471".

Page 276, line 37, strike "\$83,939,471" and insert "\$83,864,471".

Explanation:

(This amendment eliminates new funding in each year for brain injury services in Southwest Virginia.)

Health and Human Resources Subcommittee

Item 354 #1h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 281, after line 16, insert:

"I.1. The Commissioner of Social Services, in consultation with the Virginia League of Social Services Executives and local departments of social services, shall develop a plan to implement and finance federally required foster care services improvements in localities through a Child and Family Services Review Performance Improvement Plan.

2. The initial plan and subsequent status reports on its implementation shall be reported to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by January 1 of each year. "

Explanation:

(This amendment is self-explanatory.)

Health and Human Resources Subcommittee

Item 354 #2h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 281, after line 16, insert:

"I. The Department of Social Services shall develop a multi-lingual outreach campaign to inform qualified aliens and citizen children living in immigrant families who are eligible for federal food stamps about the food stamp program and ensure that they have access to benefits. To the extent permitted by federal law, the Department shall administer the food stamp program in a way that minimizes the procedural burden on qualified aliens and allays their concerns about the impact of food stamp receipt on their immigration sponsors and status."

Explanation:

(This amendment is self-explanatory.)

Health and Human Resources Subcommittee

Item 356 #1h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 284, after line 4, insert:

"I. Out of this appropriation, \$4,910,128 the first year and \$4,910,128 the second year from the Temporary Assistance for Needy Families (TANF) grant shall be transferred to the Department of Housing and Community Development for a continuum of housing services for low-income families."

Explanation:

(This amendment provides funds from the federal Temporary Assistance to Needy Families for a continuum of housing services to low-income families. Services would be targeted to homeless families attempting to regain independence. Services would include assistance for emergency and transitional shelter; supportive services such as life skills, education, and job training; care for homeless children while parents look for work; and rental assistance.)

Health and Human Resources Subcommittee

Item 356 #2h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 283, strike lines 43 through 59.

Page 284, strike lines 1 through 4.

Explanation:

(This amendment deletes language in the introduced bill establishing a new cash assistance program, the Virginia Kinship Care Program, with funding from the state general fund, for children living with non-parent, relative caretakers that currently receive cash assistance through the Temporary Assistance to Needy Families (TANF) program. The program proposed segregating funding for these cases for a state-only program and revising the focus of assistance to these families from solely cash assistance to provide additional services. However, additional funding was not provided in the introduced budget to add these services. Language in the introduced budget would have allowed for the development of a full range of services and granted authority for regulations implementing the program.)

Request for Amendment to House Bill 30 as Introduced

Health and Human Resources Subcommittee

Item 356 #3h

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Social Services	\$10,349,238	\$10,349,238	GF
	(\$10,349,238)	(\$10,349,238)	NGF

Language:

Explanation:

(This amendment is a technical adjustment to funds appropriated in Item 356 Temporary Income Supplement Services, Temporary Assistance to Needy Families (TANF). The introduced budget incorrectly appropriated \$10.3 million general fund in Item 357 Protective Services, Foster Care, that should have been appropriated in this item as part of the state's required maintenance of effort funding for the TANF program. Companion amendments in Items 357 and 360 make technical adjustments to the general fund amounts and federal appropriations to accurately reflect funding levels for the Foster Care and TANF programs.)

Health and Human Resources Subcommittee

Item 356 #4h

Health And Human Resources	
Department Of Social Services	Language

Language:

Page 283, line 8, strike "3,900,000" and insert "5,900,000".
Page 283, line 9, strike "3,900,000" and insert "5,900,000".

Explanation:

(This amendment partially restores the Temporary Assistance for Needy Families (TANF) child support supplement by \$2.0 million each year. The introduced budget had reduced the amount of TANF funds used for this purpose by one-half or \$3.9 million NGF each year from the FY 2004 level of \$7.8 million. This amendment would provide \$5.9 million each year to provide TANF recipients additional and increased monthly supplements up to the current amount of child support collected on their behalf, less any appropriate disregards.)

Health and Human Resources Subcommittee

Item 356 #5h

Health And Human Resources	
Department Of Social Services	Language

Request for Amendment to House Bill 30 as Introduced

Language:

Page 288, after line 3, insert:

"D. Out of this appropriation, the Department of Social Services shall allocate a total of \$3,775,399 each year from the federal Temporary Assistance to Needy Families (TANF) block grant for community action agencies to promote self-sufficiency. This amount includes funding described in Item 355 A.2. which provides \$250,000 each year from the TANF grant for community action services in selected jurisdictions."

Explanation:

(This amendment restores an earmark of \$3.8 million each year for community action agencies from federal TANF dollars.)

Health and Human Resources Subcommittee Item 357 #1h

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Social Services	(\$459,980)	(\$459,980)	GF
	\$459,980	\$459,980	NGF

Language:

Page 285, line 18, strike "584,980" and insert "125,000".

Page 285, line 19, strike "4,139,820" and insert "4,599,800".

Page 285, line 21, strike "584,980" and insert "125,000".

Page 285, line 22, strike "4,139,820" and insert "4,599,800".

Explanation:

(This amendment substitutes federal Temporary Assistance to Needy Families for new general fund dollars provided in the introduced budget for Healthy Families Virginia.)

Health and Human Resources Subcommittee Item 357 #2h

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Social Services	(\$10,349,238)	(\$10,349,238)	GF

Language:

Page 284, line 5, strike "\$152,196,355" and insert "\$141,847,117".

Page 284, line 5, strike "\$163,637,335" and insert "\$153,288,097".

Explanation:

(This amendment is a technical adjustment to funds appropriated in Item 357 Protective Services, Foster Care. The introduced budget incorrectly appropriated

Request for Amendment to House Bill 30 as Introduced

\$10.3 million from the general fund to this item that should have been appropriated in Item 356 Temporary Income Supplement Services, Temporary Assistance to Needy Families. This amount represents a portion of the state's required maintenance of effort funding for the TANF program. Companion amendments in Items 356 and 360 make technical adjustments to the general fund amounts and federal appropriations for the TANF program to accurately reflect funding levels.)

Health and Human Resources Subcommittee

Item 360 #1h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 288, after line 3, insert:

"D. The Department of Social Services, in conjunction with the Department of Correctional Education, shall identify and apply for federal, private and faith-based grants for pre-release parenting programs for non-custodial incarcerated parent offenders committed to the Department of Corrections, including but not limited to the following grant programs: Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation Block Grant, Serious and Violent Offender Reentry Initiative Collaboration, Special Improvement Projects, § 1115 Social Security Demonstration Grants, and any new grant programs authorized under the federal Temporary Assistance to Needy Families (TANF) block grant program."

Explanation:

(This amendment requires the Department of Social Services, in conjunction with the Department of Correctional Education, to identify and apply for federal, private and faith-based grants for pre-release parenting programs for non-custodial incarcerated parent offenders committed to the Department of Corrections.)

Health and Human Resources Subcommittee

Item 360 #2h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 288, after line 3, insert:

"D. Out of this appropriation, the Department of Social Services shall allocate \$2,550,000 each year from the federal Temporary Assistance to Needy Families (TANF) block grant for employment and training and other services for

hard-to-serve recipients to promote self-sufficiency."

Explanation:

(This amendment restores an earmark of \$2.5 million each year for hard-to-serve grants provided with federal TANF dollars.)

Health and Human Resources Subcommittee

Item 360 #3h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 288, after line 3, insert:

"D. Out of this appropriation, the Department of Social Services shall allocate \$637,500 each year from the federal Temporary Assistance to Needy Families (TANF) block grant for employment and training services through the Centers for Employment and Training."

Explanation:

(This amendment restores dedicated federal TANF dollars for employment and training services provided through the Centers for Employment and Training. It provides TANF funding at the fiscal year 2004 level.)

Health and Human Resources Subcommittee

Item 360 #4h

Health And Human Resources

FY 04-05

FY 05-06

Department Of Social Services

\$10,349,238

\$10,349,238

NGF

Language:

Page 287, line 5, strike "\$69,122,484" and insert "\$79,471,722".

Page 287, line 5, strike "\$68,122,484" and insert "\$78,471,722".

Explanation:

(This amendment is a technical adjustment to funds appropriated in Item 360 Employment Assistant Services, Financial Assistance for Employment Services. The introduced budget incorrectly appropriated \$10.3 million nongeneral funds in Item 356 Temporary Income Supplement Services, Temporary Assistance to Needy Families (TANF) that should have been appropriated in this item to reflect funding for employment services for TANF recipients. Companion amendments in Items 356 and 357 make technical adjustments to the general fund and federal appropriations to accurately reflect funding levels for the Foster Care and TANF programs.)

Health and Human Resources Subcommittee

Item 361 #1h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 288, after line 51, insert:

"E. The Division of Child Support Enforcement, in cooperation with the Department of Medical Assistance Services, shall identify cases for which there is a medical support order requiring a noncustodial parent to contribute to the medical cost of caring for a child who is enrolled in the Medicaid or Family Access to Medical Insurance Security Programs. Once identified, the Division shall work with the Department of Medical Assistance Services to take appropriate enforcement actions to obtain medical support or repayments for the Medicaid program."

Explanation:

(This amendment requires the Department of Social Services Division of Child Support Enforcement to work with the Department of Medical Assistance Services to identify and enforce cases in which there is a medical support order for the noncustodial parent and the child is enrolled in either the Medicaid or FAMIS programs.)

Health and Human Resources Subcommittee

Item 362 #1h

Health And Human Resources

Department Of Social Services

FY 04-05

(\$150,000)

FY 05-06

(\$150,000) NGF

Language:

Page 288, line 53, strike "\$306,249,218" and insert "\$306,099,218".

Page 288, line 53, strike "\$306,249,218" and insert "\$306,099,218".

Page 291, line 12, strike "500,000" and insert "350,000".

Page 291, line 13, strike "500,000" and insert "350,000".

Explanation:

(This amendment lowers the amount provided each year from the federal Child Care Development Fund block grant for child day care resource and referral services from \$500,000 each year to \$350,000 each year.)

Health and Human Resources Subcommittee

Item 362 #2h

Health And Human Resources

FY 04-05

FY 05-06

Request for Amendment to House Bill 30 as Introduced

Department Of Social Services	(\$541,578)	(\$541,578)	GF
	\$541,578	\$541,578	NGF

Language:

Page 291, line 1, strike "general" and insert "nongeneral".

Page 291, line 1, after "funds", insert:
"pursuant to House Bill 1234."

Explanation:

(This amendment replaces general fund amounts for services to victims of domestic violence with nongeneral funds from \$10 of the marriage license tax, pursuant to House Bill 1234. Funds from this portion of the marriage license tax funds have historically been earmarked for services to victims of domestic violence since the tax was increased from \$10 to \$20 by the 1993 General Assembly.)

Health and Human Resources Subcommittee

Item 362 #3h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 291, line 5, after "fund", insert:
"and \$1,062,500 from the federal TANF grant".

Page 291, line 6, after "fund", insert:
"and \$1,062,500 from the federal TANF grant".

Explanation:

(This amendment restores Temporary Assistance for Needy Families (TANF) dollars for local domestic violence grants. TANF funds provided are equal to the amount provided in fiscal year 2004 for these grants.)

Health and Human Resources Subcommittee

Item 362 #4h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 289, line 21, strike "60,646,189" and insert "62,646,189".

Page 289, line 22, strike "59,209,814" and insert "61,209,814".

Explanation:

(This amendment restores \$2.0 million each year from Temporary Assistance for Needy Families (TANF) dollars for child day care subsidies for low-income working

families. The introduced budget had reduced TANF funds for this purpose by \$2.0 million each year.)

Health and Human Resources Subcommittee

Item 363 #1h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 292, after line 12, insert:

"F. Out of this appropriation, \$70,000 from the general fund the first year and \$70,000 from the general fund the second year is provided for dementia-specific training of long-term care workers dealing with Alzheimer's disease and related disorders through the Virginia Alzheimer's Association Chapters."

Explanation:

(This amendment earmarks existing funding in the Department of Social Services to continue dementia-specific training of long-term care workers dealing with Alzheimer's disease and related disorders, in cooperation with the Virginia Alzheimer's Association Chapters.)

Health and Human Resources Subcommittee

Item 365 #1h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 292, line 49, strike "4,838,528" and insert "4,840,879".

Page 292, line 50, strike "12,887" and insert "17,588".

Page 292, line 51, strike "18,500,000" and insert "1,500,000".

Page 292, line 53, strike "18,500,000" and insert "1,500,000".

Explanation:

(This amendment revises the TANF balance in fiscal years 2005 and 2006, based on changes to the proposed TANF spending. In addition, language reduces the amount set aside in the introduced budget for a competitive grant program through the TANF program from \$18.5 million each year to \$1.5 million each year. Companion amendments in Items 356, 357, 360 and 362 earmark portions of TANF funding for specific programs and services, thereby reducing the need for a large competitive grant program.)