

HOUSE BILL No. 2761

By Committee on Appropriations

2-5

9 AN ACT making and concerning appropriations for the fiscal years end-
10 ing June 30, 2009, June 30, 2010, June 30, 2011, and June 30, 2012,
11 for the department on aging and the department of social and reha-
12 bilitation services; authorizing certain transfers, capital improvement
13 projects and fees, imposing certain restrictions and limitations, and
14 directing or authorizing certain receipts, disbursements and acts inci-
15 dental to the foregoing.

16

17 *Be it enacted by the Legislature of the State of Kansas:*

18 Section 1. (a) For the fiscal years ending June 30, 2009, June 30, 2010,
19 June 30, 2011, and June 30, 2012, appropriations are hereby made, re-
20 strictions and limitations are hereby imposed, and transfers, capital im-
21 provement projects, fees, receipts, disbursements and acts incidental to
22 the foregoing are hereby directed or authorized as provided in this act.

23 (b) This act shall not be subject to the provisions of subsection (a) of
24 K.S.A. 75-6702 and amendments thereto.

25 (c) The appropriations made by this act shall not be subject to the
26 provisions of K.S.A. 46- 155 and amendments thereto.

27

28 Sec. 2.

DEPARTMENT ON AGING

29 (a) There is appropriated for the above agency from the state general
30 fund for the fiscal year or years specified, the following:

31 LTC — medicaid assistance — HCBS/FE — waiting list priority

32 For the fiscal year ending June 30, 2009..... \$1,600,000

33 For the fiscal year ending June 30, 2010..... \$1,600,000

34 *Provided*, That any unencumbered balance in the LTC — medicaid as-
35 sistance — HCBS/FE — waiting list priority account in excess of \$100
36 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

37 For the fiscal year ending June 30, 2011..... \$1,600,000

38 *Provided*, That any unencumbered balance in the LTC — medicaid as-
39 sistance — HCBS/FE — waiting list priority account in excess of \$100
40 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.

41 LTC — medicaid assistance — HCBS/FE — community capacity expan-
42 sion

43 For the fiscal year ending June 30, 2009..... \$500,000

1 For the fiscal year ending June 30, 2010..... \$500,000
 2 *Provided*, That any unencumbered balance in the LTC — medicaid as-
 3 sistance — HCBS/FE — community capacity expansion account in excess
 4 of \$100 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.

5 For the fiscal year ending June 30, 2011..... \$500,000
 6 *Provided*, That any unencumbered balance in the LTC — medicaid as-
 7 sistance — HCBS/FE — community capacity expansion account in excess
 8 of \$100 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.

9 Any unencumbered balance in excess of \$100 as of June 30, 2011, in each
 10 of the following accounts is hereby reappropriated for fiscal year 2012:
 11 LTC — medicaid assistance — HCBS/FE — waiting list priority; LTC
 12 — medicaid assistance — HCBS/FE — community capacity expansion.

13 (b) During the fiscal years ending June 30, 2009, June 30, 2010, June
 14 30, 2011, and June 30, 2012, all expenditures by the department on aging
 15 from the LTC — medicaid assistance — HCBS/FE — waiting list priority
 16 account of the state general fund shall be for the purposes of providing
 17 services for persons on the waiting lists for the home and community —
 18 based services waiver for the frail elderly.

19 (c) During the fiscal years ending June 30, 2009, June 30, 2010, June
 20 30, 2011, and June 30, 2012, all expenditures by the department on aging
 21 from the LTC — medicaid assistance — HCBS/FE — community ca-
 22 pacity expansion account of the state general fund shall be for increased
 23 rates of payment to service providers under the home and community —
 24 based services waiver for the frail elderly.

25 Sec. 3.

26 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

27 (a) There is appropriated for the above agency from the state general
 28 fund for the fiscal year or years specified, the following:
 29 Community based services — waiting list priority — DD

30 For the fiscal year ending June 30, 2009..... \$10,000,000
 31 For the fiscal year ending June 30, 2010..... \$10,000,000

32 *Provided*, That any unencumbered balance in the community based serv-
 33 ices — waiting list priority — DD account in excess of \$100 as of June
 34 30, 2009, is hereby reappropriated for fiscal year 2010.

35 For the fiscal year ending June 30, 2011..... \$15,000,000
 36 *Provided*, That any unencumbered balance in the community based serv-
 37 ices — waiting list priority — DD account in excess of \$100 as of June
 38 30, 2010, is hereby reappropriated for fiscal year 2011.

39 Community based services — community capacity expansion — DD
 40 For the fiscal year ending June 30, 2009..... \$15,000,000
 41 For the fiscal year ending June 30, 2010..... \$10,000,000

42 *Provided*, That any unencumbered balance in the community based serv-
 43 ices — community capacity expansion — DD account in excess of \$100

1 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.
2 For the fiscal year ending June 30, 2011..... \$10,000,000
3 *Provided*, That any unencumbered balance in the community based serv-
4 ices — community capacity expansion — DD account in excess of \$100
5 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.
6 Community based services — waiting list priority — PD
7 For the fiscal year ending June 30, 2009..... \$4,500,000
8 For the fiscal year ending June 30, 2010..... \$4,500,000
9 *Provided*, That any unencumbered balance in the community based serv-
10 ices — waiting list priority — PD account in excess of \$100 as of June
11 30, 2009, is hereby reappropriated for fiscal year 2010.
12 For the fiscal year ending June 30, 2011..... \$4,500,000
13 *Provided*, That any unencumbered balance in the community based serv-
14 ices — waiting list priority — PD account in excess of \$100 as of June
15 30, 2010, is hereby reappropriated for fiscal year 2011.
16 Community based services — community capacity expansion — PD
17 For the fiscal year ending June 30, 2009..... \$2,000,000
18 For the fiscal year ending June 30, 2010..... \$2,000,000
19 *Provided*, That any unencumbered balance in the community based serv-
20 ices — community capacity expansion — PD account in excess of \$100
21 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.
22 For the fiscal year ending June 30, 2011..... \$2,000,000
23 *Provided*, That any unencumbered balance in the community based serv-
24 ices — community capacity expansion — PD account in excess of \$100
25 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.
26 Community based services — waiting list priority — TBI
27 For the fiscal year ending June 30, 2009..... \$800,000
28 For the fiscal year ending June 30, 2010..... \$800,000
29 *Provided*, That any unencumbered balance in the community based serv-
30 ices — waiting list priority — TBI account in excess of \$100 as of June
31 30, 2009, is hereby reappropriated for fiscal year 2010.
32 For the fiscal year ending June 30, 2011..... \$800,000
33 *Provided*, That any unencumbered balance in the community based serv-
34 ices — community capacity expansion — PD account in excess of \$100
35 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.
36 Community based services — community capacity expansion — TBI
37 For the fiscal year ending June 30, 2009..... \$200,000
38 For the fiscal year ending June 30, 2010..... \$200,000
39 *Provided*, That any unencumbered balance in the community based serv-
40 ices — community capacity expansion — TBI account in excess of \$100
41 as of June 30, 2009, is hereby reappropriated for fiscal year 2010.
42 For the fiscal year ending June 30, 2011..... \$200,000
43 *Provided*, That any unencumbered balance in the community based serv-

1 ices — community capacity expansion — TBI account in excess of \$100
2 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.
3 Any unencumbered balance in excess of \$100 as of June 30, 2011, in each
4 of the following accounts is hereby reappropriated for fiscal year 2012:
5 Community based services — waiting list priority — DD; community
6 based services — community capacity expansion — DD; community
7 based services — waiting list priority — PD; community based services
8 — community capacity expansion — PD; community based services —
9 waiting list priority — TBI; community based services — community
10 capacity expansion — TBI.

11 (b) During the fiscal years ending June 30, 2009, June 30, 2010, June
12 30, 2011, and June 30, 2012, all expenditures by the department of social
13 and rehabilitation services from the community based services — waiting
14 list priority — DD account of the state general fund shall be for the
15 purposes of providing services for persons on the waiting lists for the
16 home and community — based services waiver for persons with devel-
17 opmental disabilities.

18 (c) During the fiscal years ending June 30, 2009, June 30, 2010, June
19 30, 2011, and June 30, 2012, all expenditures by the department of social
20 and rehabilitation services from the community based services — com-
21 munity capacity expansion — DD account of the state general fund shall
22 be for increased rates of payment to service providers under the home
23 and community — based services waiver for persons with developmental
24 disabilities.

25 (d) During the fiscal years ending June 30, 2009, June 30, 2010, June
26 30, 2011, and June 30, 2012, all expenditures by the department of social
27 and rehabilitation services from the community based services — waiting
28 list priority — PD account of the state general fund shall be for the
29 purposes of providing services for persons on the waiting lists for the
30 home and community — based services waiver for persons with physical
31 disabilities.

32 (e) During the fiscal years ending June 30, 2009, June 30, 2010, June
33 30, 2011, and June 30, 2012, all expenditures by the department of social
34 and rehabilitation services from the community based services — com-
35 munity capacity expansion — PD account of the state general fund shall
36 be for increased rates of payment to service providers under the home
37 and community — based services waiver for persons with physical disa-
38 bilities.

39 (f) During the fiscal years ending June 30, 2009, June 30, 2010, June
40 30, 2011, and June 30, 2012, all expenditures by the department of social
41 and rehabilitation services from the community based services — waiting
42 list priority — TBI account shall be for the purposes of providing services
43 for persons on the waiting lists for the home and community— based

1 services waiver for persons with traumatic brain injuries.

2 (g) During the fiscal years ending June 30, 2009, June 30, 2010, June
3 30, 2011, and June 30, 2012, all expenditures by the department of social
4 and rehabilitation services from the community based services — com-
5 munity capacity expansion — TBI account shall be for increased rates of
6 payment to service providers under the home and community — based
7 services waiver for persons with traumatic brain injuries.

8 Sec. 4. This act shall take effect and be in force from and after its
9 publication in the statute book.