



ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

# ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

April 13, 2011

**To:** ABH Members  
**Fr:** Vic DiGravio, President/CEO  
**Re:** Preliminary Analysis of the House Ways and Means FY 2012 Budget

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Today, the House Committee on Ways and Means released its FY 2012 budget.

Of interest to ABH members, the House Ways and Means budget:

- House W&M budget recommends overall spending of \$30.45 million to close projected budget gap of \$1.9 billion
- Includes using \$200 million from rainy day fund
- Proposes \$10.3 billion in spending for MassHealth on projected enrollment of \$1.3 million members
- Recommends overall spending cut to DMH of \$15.6 million from FY11 appropriation, \$15.1 million of which is cut from DMH inpatient services
- Recommends a \$5.9 million cut from FY11 appropriation amounts for BSAS

Amendments to the budget are required to be filed by Friday, April 15 and the House is expected to debate the budget during the week of April 25. The full House will then vote on the amended budget. The Senate will follow in the same manner in May. After each chamber has approved its version of the budget, the Senate President and House Speaker will make appointments to a conference committee to resolve differences between the House and Senate spending bills and produce a final legislative budget known as a conference committee report. The conference committee report will be voted either up or down (no amendments are permitted) by each chamber, and if approved, sent to the Governor who will have ten days to review the budget and return his vetoes and recommendations for amendment.

Please join us on Friday, April 15 for a **Community Conversation** regarding the budget. The conference call will provide an overview of the budget and its potential impact on ABH members. It will conclude with a question and answer period.

## **Community Conversation Details**

**Friday, April 15, 2011**

**8:00 a.m.**

**1-800-714-9583**

**Access Code: 973472**



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April 14, 2010

ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

## Department of Mental Health

Line item/program	Final FY '09 (post-9C Cuts)	Final FY '10 (post-9C Cuts)	Final FY '11**	Governor's FY '12	House Ways and Means FY '12
<b>5011-0100</b> Operations Account	\$37,033,864	\$28,672,819	\$26,401,636	\$26,484,325	\$26,747,749
<b>5042-5000</b> Child/Adolescent Services	\$73,819,535	\$72,184,407	\$71,773,509	\$69,773,509	\$71,773,509
<b>5046-0000</b> Adult Community Services	\$292,372,305	\$302,913,735	\$323,755,801	\$320,755,801	\$323,197,164
<b>5046-2000</b> Statewide Homelessness Initiative	\$20,210,919	\$20,134,424	\$20,134,424	\$20,134,424	\$20,134,424
<b>5047-0001</b> Emergency Services/Acute Inpatient	\$35,936,259	\$34,704,390	\$34,122,197	\$34,122,197	\$34,122,197
<b>5047-0002</b> Emergency Svs/Acute Inpatient RR					
<b>5055-0000</b> Forensic services for the mentally ill	\$8,052,485	\$8,146,363	\$8,081,928	\$8,097,163	\$8,097,163
<b>5046-4000</b> CHOICE program RR	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000
<b>5095-0015</b> State psychiatric hospitals/Community- Based Mental Health Services	\$181,414,591	\$167,133,711	\$143,900,803	\$127,500,803	\$128,500,803
<b>TOTAL</b>	<b>\$648,964,958</b>	<b>\$634,014,849</b>	<b>\$628,295,298</b>	<b>\$606,993,222</b>	<b>\$612,698,009</b>

\*GAA= General Appropriation Act

\*\*Includes FY 2010 and FY 2011 supplemental budgets



ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

# ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

## **Overview:**

The Department of Mental Health is funded at \$612,698,009. This represents an overall cut of \$15.6 million from FY 2011, but an increase of \$5.7 million over the Governor's budget proposal. This reduction includes a \$500,000 cut to adult services and a \$15.4 million cut to the DMH inpatient system.

**5011-0100 Operations.** Funding for this account increased by \$300,000 over the final FY 2011 budget.

**5042-5000 Child/Adolescent Services.** The House Ways and Means budget restores the \$2 million cut to this account by the Governor.

The account retains language enabling the DMH Commissioner to allocate funds from this account to other EOHHS departments in order to support services for children and adolescents "stuck" in inappropriately restrictive settings due to lack of more appropriate placements. In addition, DMH may not discharge a child or adolescent to the Department of Children and Families until it forwards an assessment and recommendation as to whether the child should be placed in foster care or group care.

**5046-0000 Adult Community Services.** This account is funded at \$323 million, a reduction of \$500,000 over the FY 2011 appropriation, but an increase of \$2.5 million over the Governor's budget proposal. According to DMH, this appropriation will partially restore the cut to Clubhouse services.

Similar to past language, the account includes language requiring DMH to allocate up to \$5 million from the inpatient account (5095-0015) as necessary "for residential and day services" for consumers formerly receiving care at DMH facilities, provided that DMH submits spending plans to the House and Senate Committees on Ways & Means 30 days prior to the planned transfer.

In addition, DMH is required to submit a report to the Ways & Means Committees on the distribution of funds per adult and child planning population and the types of services received in each region during FY 2012 by February 1, 2012.

**5046-2000. Homelessness Services.** This account is funded at the same level as the final FY 2011 budget.

**5047-0001 Emergency Services/Acute Inpatient.** This account is funded at \$34,122,197; this is the same appropriation that was included in the final FY 2011 budget and the Governor's budget proposal.



ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

## ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

As in past years, the budget requires DMH to continue its interagency service agreement (ISA) with EOHHS for the purchase of services. It also includes language from the FY '09 budget requiring DMH to develop a “performance specification...for safe aftercare options for adults upon release from acute inpatient mental health care services”. Lastly, the account retains language included in past budgets requiring emergency service programs to “take all reasonable steps to identify and invoice the third party insurer of all persons serviced by the programs.”

**5095-0015 State Psychiatric Hospitals/CMHCs.** This account is funded at \$128,500,803. This is \$1 million above Governor Patrick’s proposal, but \$15.4 million below the FY 2011 appropriation.

As has been the case in several past budgets, the account contains language directing DMH to “take steps to consolidate or close psychiatric hospitals” managed by DMH “in order to comply with the Olmstead decision and to enhance care within available resources to clients.” To fulfill this directive, language similar to that used in the past requires DMH “within available resources to discharge clients residing in the inpatient facilities to residential services in the community when the criteria below are met: a) the client is deemed clinically suited for a more integrated setting; b) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in inpatient care.” Any consumer transferred to a different inpatient facility due to facility closure is required to “receive a level of care that is equal to or better than the care that had been received at the closed facility.”

In addition, the account contains language mirroring that in the adult community account (5046-0000) permitting the transfer of up to \$5 million from this account to the adult community account for “residential and day services” for consumers formerly receiving inpatient care.



# ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

## Department of Public Health/Bureau of Substance Abuse Services

Line item/program	Final FY '09 (Post-9C Cuts)	Final FY '10 (Post-9C Cuts)**	Final FY '11**	Governor's FY '12	House Ways and Means FY '12
<b>4512-0200</b> BSAS Programming & Operations	\$77,666,206	\$75,924,448	\$75,185,802	\$75,185,802	\$75,185,802
<b>4512-0201</b> Step-Down Services	\$4,800,000	\$4,800,000	\$4,800,000	\$4,800,000	\$2,400,000
<b>4512-0202</b> Secure Treatment Facilities for Opiate Addiction/Pilot Jail Diversion	\$0	\$2,000,000	\$2,000,000	\$2,000,000	\$0
<b>4512-0203</b> Intervention, Care Management, and Young Adult Treatment Pilot Program	--	\$1,500,000	\$1,500,000	\$1,500,000	\$0
<b>4510-0700</b> Addiction Control Services (Consolidates 4512-0200, 4512-0201, 4512-0202, 4512-0203, and 4512-0225)					
<b>TOTAL</b>	<b>\$82,466,206</b>	<b>\$84,224,448</b>	<b>\$83,485,802</b>	<b>\$83,485,802</b>	<b>\$77,585,802</b>

\*\*Includes FY 2010 and FY 2011 supplemental budgets

### Overview:

The House Ways and Means FY 2012 budget funds the Bureau of Substance Abuse Services at \$77,585,802. This is \$5.9 million less than the Governor's budget proposal. Funding for step-down services has been reduced by \$2.4 million and the House Ways and Means budget does not include funding for the Secure Treatment Facilities for Opiate Addiction/Pilot Jail Diversion or the Intervention, Care Management, and Young Adult Treatment Pilot Program line items.

**4512-0200 BSAS Programming and Operations.** This account is funded at \$75.1 million; the same amount was appropriated in FY '11 and in the Governor's budget proposal. Language states that programs are to receive the same percentage of funding in FY 2012 as they received in FY 2011.



# ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

**4512-0201 Step-Down Services.** This account is funded at \$2.4 million; this represents a cut of \$2.4 million from FY 2011 as well as from the Governor's budget.

Language states that the account will fund "substance abuse step-down recovery services, otherwise known as level B beds and services, and other critical recovery services with severely reduced capacity." Language also requires the Department of Public Health to report quarterly on the number of individuals served by the step-down recovery services program.



# ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

## Executive Office of Health & Human Services (EOHHS)/Office of MassHealth

Line item/program	Final FY '09 (post-9C Cuts)	Final FY 2010 (Post-9C Cuts)**	Final FY '11**	Governor's FY '12	House Ways and Means FY '12
<b>4000-0300</b> EOHHS Admin. Account	\$143,776,773	\$91,326,742	\$86,970,271	\$84,000,300	\$83,484,473
<b>4000-0500</b> Managed Care Plans	\$3,026,044,286	\$3,600,131,677	\$3,772,835,669	\$3,872,835,669	\$3,872,835,669
<b>4000-0650</b> Community First Waiver	\$5,543,000	\$0	\$0	\$0	\$0
<b>4000-0700</b> TPL Plans/Indemnity/Fee- for-Service	\$1,471,659,571	\$1,719,399,286	\$2,009,447,966	\$2,026,206,633	\$2,026,206,633
<b>4000-0870</b> MassHealth Basic*	\$122,700,000	\$155,139,729	\$165,351,318	\$157,016,626	\$157,016,626
<b>4000-1405</b> MassHealth Essential	\$304,600,000	\$324,450,150	\$389,757,408	\$389,757,408	\$389,757,408
<b>4000-0950</b> Children's Behavioral Health Initiative	---	\$65,688,963	\$214,743,708	\$214,743,708	\$214,743,708

\*For remaining DMH-eligible and EAEDC populations.

\*\*Includes the FY 2010 and FY 2011 supplemental budgets/cuts

**4000-0300 Administrative.** The House Ways and Means budget funds this account at \$3.4 million below the FY 2011 budget appropriation.



ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

## ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

Budget language internal to the EOHHS administrative account requires it to provide technical and administrative assistance to agencies under its purview that receive federal funds to monitor the expenditures and timetables for systems development projects undertaken by all its agencies “to ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction,” and to continue to develop and implement the common client identifier.

**The account also retains language requiring the DMH Commissioner to approve prior authorization and other restrictions on medication used to treat mental illness “in accordance with written policies, procedures and regulations”** of the department and it retains language requiring EOHHS to ensure that collaborative assessments for children receiving services from multiple agencies be performed within existing resources.

The line item also retains language forbidding expenditures on programs that are not federally reimbursable (including those related to Medicaid, SCHIP, the Section 1115 Waiver or the Community First section 1115 demonstration waiver) except as specifically authorized in the account or those made for cost containment purposes. Language in the account requires 30-days advance notice to Executive Office of Administration and Finance and the House and Senate Committees on Ways & Means before making such expenditures.

Language is also retained that permits EOHHS to recover provider overpayments made in the current and prior fiscal years and that EOHHS may collect directly from a liable third party any amounts paid to providers.

The account retains recurring language forbidding EOHHS/Division of Health Care Finance and Policy from implementing provider rate increases in the absence of “all measures possible” under the federal Social Security Act (which includes Medicaid) “*to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality.*” It also retains language permitting EOHHS to recover provider overpayments made in the current and prior fiscal years and that EOHHS may collect directly from a liable third party any amounts paid to providers, if no other course of recoupment is possible.

Account language requires the Director of MassHealth to apply for any Medicaid-related grants or demonstration projects beginning in FY 2011 pursuant to the Patient Protection and Affordability Act of 2011.

EOHHS is directed to report to the House and Senate Committees on Ways and Means relative to the methodology used to project MassHealth enrollment and utilization for FY 2011 and FY 2012. This report must also evaluate the accuracy of the methodologies used in FY 2011 and FY 2012.





ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

## ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

**Finally, language authorizes MassHealth “to conduct a trial to determine the effectiveness of various fraud management tools to identify potential fraud prior to payment.”**

**4000-0500 Managed Care Plans.** This account is funded at \$100 million above FY 2011. This line item does NOT include consumer protection language that has been included in prior budgets. The language that was included in prior budgets prohibited the unilateral reassignment of MassHealth members to a different managed care plan without the member’s written or verbal consent to the reassignment.

**4000-0700 MassHealth Fee-for-Service Payments.** This account is funded at \$16.75 million above FY 2011 and at the same level as the Governor’s budget proposal. The line item includes language stating that children who have aged out of the custody of the Department of Children and Families shall be eligible for MassHealth benefits until they reach age 21 and states that funds may be used for individuals who qualify for early intervention. The account retains language permitting use of funds to purchase third party insurance for MassHealth members. The Governor’s budget renews language permitting EOHHS to reduce premiums and/or co-pays or to offer other incentives to encourage MassHealth members to comply with wellness goals. The budget also retains language permitting the use of funds for disability determination activities, utilization management and review, and patient screenings and evaluations.

**4000-0870 MassHealth Basic.** This account is funded at the same level as the Governor’s budget proposal, but \$8.3 million below the FY 2011 budget.

**4000-0950 Children’s Behavioral Health Initiative.** This account is funded at the same level as FY 2011 (taking into account the FY 2011 supplemental budgets) as well as the Governor’s budget proposal. This line item replaced the Rosie D. Reserve (1599-7050) in the FY 2010 budget and funding is appropriated for “administrative and program expenses associated with the children’s behavioral health initiative...to provide comprehensive community-based behavioral health services to children suffering from severe emotional disturbances.” Funding may be expended for services provided in prior fiscal years. In addition, the Secretary of Health and Human Services must report quarterly to the House and Senate Committees on Ways and Means on implementation. These reports must include “details of the implementation plan, results of the scheduled plan to date, including a schedule detailing commencement of services and associated costs by service type, an analysis of compliance with the terms of the settlement agreement to date, a detailed itemization of services and service utilization by service type, geographical location and the age of the member receiving the service, data detailing the time that elapses between a member’s request for services and commencement of an initial assessment for services, the time to complete the initial assessment and the time that elapses between initial assessment for services and commencement of services and a quarterly update of whether projected expenditures are likely to exceed the amount appropriated.”



## ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

**4000-1405 MassHealth Essential.** This account is funded at the same level as the FY 2011 budget as well as the Governor's budget proposal. The budget adopts account language similar to that included in past budgets which directs that MassHealth Essential be operated to provide "preventive and primary care for chronically unemployed persons who are not receiving unemployment insurance benefits and who are not eligible for medical assistance but who are determined by the executive office of health and human services to be long-term unemployed..." and who have incomes up to 100% of the federal poverty level.

Consistent with past budgets, account language also permits the restriction of the program to "certain providers" when taking into account capacity, continuity of care and geographic considerations. EOHHS is authorized to limit or close enrollment to ensure that expenditures do not exceed the appropriation, but the Secretary of EOHHS must notify the House and Senate Committees on Ways and Means and the Joint Committee on Health Care Financing 90 days before limiting or closing enrollment.



# ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

## Department of Children and Families

Line item/program	Final FY '09 (post-9C Cuts)	Final FY 2010 (Post-9C Cuts)**	Final FY 2011**	Governor's FY '12	House Ways and Means FY '12
<b>4800-0015</b> Operations account	\$75,048,703	\$68,088,577	\$64,091,716	\$63,677,819	\$63,677,819
<b>4800-0025</b> Foster care review	\$2,799,282	\$2,677,181	\$2,671,274	\$3,035,868	\$2,824,059
<b>4800-0030</b> Service Coordination/Admin.	\$18,278,821	\$7,000,000	\$6,000,000	\$10,300,000	\$0
<b>4800-1100</b> Social workers for case mgmt.	\$156,302,697	\$155,091,220	\$155,132,354	\$161,022,453	\$159,452,441
<b>4800-0016</b> Transitional Employment Program	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
<b>4800-0021</b> Comprehensive social service prog.	\$3,976,000	----			
<b>4800-0038</b> Services for Children and Families	\$306,415,694	\$293,440,713	\$247,433,594	\$242,507,069	\$242,507,069
<b>4800-0036</b> Sexual abuse intervention	\$723,551	\$697,508	\$697,508	\$699,031	\$697,508
<b>4800-0041</b> Group care	\$224,066,091	\$219,854,417	\$201,586,480	\$192,364,169	\$192,364,169
<b>4800-0151</b> Overnight non-secure placements	\$317,256	\$270,919	\$270,919	\$276,243	\$276,243
<b>4800-0091</b> Social worker development	\$2,672,812	\$2,133,535	\$2,058,735	\$1,858,735	\$2,058,735
<b>4800-1400</b> Domestic Violence services	\$23,441,406	\$21,422,460	\$20,094,458	\$20,129,711	\$20,125,062
<b>4800-0040</b> Family Support & Stabilization			\$40,950,000	\$39,989,000	\$39,500,000
<b>TOTAL</b>	<b>\$816,042,313</b>	<b>\$775,676,358</b>	<b>\$742,987,038</b>	<b>\$737,860,098</b>	<b>\$725,483,105</b>

\*\*Includes FY 2010 and FY 2011 supplemental budgets/cuts



ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

# ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

## **Overview:**

The House Ways and Means budget proposal funds the Department of Children and Families at \$12 million less than the Governor's budget proposal and \$17 million less than the FY 2011 budget. The House Ways and Means budget does not include funding for the Service Coordination/Administration (4800-0030) account.

**4800-0015 Operations Account.** This account is funded at \$63,677,819; this is the same amount that was included in the Governor's budget and is \$43,897 less than FY 2011.

The budget retains past language prohibiting DCF from placing a child referred by or discharged from DMH until DMH forwards an assessment and recommendation as to whether the child may be appropriately placed in foster care or group care. Language included in the report states that DCF is to assist DMH in making such assessments and recommendations.

Line item language allows the Commissioner of DCF to transfer funds between programmatic line items 4800-0038 and 4800-0041, but transfers are limited to 5% of the appropriation for the transferring line item. The Commissioner must submit a plan with details about the distribution of such funds to the House and Senate Committees on Ways and Means 15 days before the funds are transferred.

Account language directs the Department to hire four full-time board certified or board eligible child psychiatrists who will serve in each of the area offices and who will collaborate with DCF social workers. The hiring and supervision of said child psychiatrists will be done in conjunction with the Department of Mental Health. DCF is also required to employ "not less than 1 full-time board-certified physician."

The Departments are required to maintain a list of the number of children eligible for supportive child care services, the number of supportive slots that are available and the number that are filled. Similar to language in the House budget, the budget directs DCF and the Department of Early Education and Care to design and implement standards for early education and care placements made through the supportive child care program.

The Department of Children and Families must issue draft regulations which would require the Department to maintain an independent, timely, and fair administrative hearing system. DCF is also directed to submit a plan to the Joint Committee on Children and Families that would eliminate the backlog of administrative hearing requests.

DCF is required to report to the House and Senate Committees on Ways & Means and the Joint Committee on Children & Families on



# ABH Preliminary Analysis of the FY 2011 House Ways and Means Budget

April 14, 2010

ASSOCIATION  
FOR BEHAVIORAL  
HEALTHCARE

- The number of medical and psychiatric personnel currently employed by or contracted with DCF;
- The number of foster care reviews completed and the average length of time in which each review is completed;
- The number of contracts reviewed by the state auditor and the number of corrective action plans issued;
- The number of corrective action plans undertaken;
- The number of social workers and supervisors with a bachelor's or master's degree in social work;
- The total number of social workers; and,
- The total number of social workers holding licensure by level.

Account language also requires DCF to file monthly reports on the Department's caseloads with the Senate and House Committees on Ways and Means and the Joint Committee on Children and Families. Report must include data regarding the number of:

- Residential placements
- Group care
- Foster care
- Therapeutic foster care
- Adoption
- Guardianship
- The number of children currently eligible for supportive child care
- The number of children currently receiving supportive child care
- 51A reports and substantiated 51A reports
- Approved foster care placements
- Children who die in the care and custody of DCF
- Children on the waitlist for supportive child care
- Medical & psychiatric consultation requests made by DCF social workers.

This report must include (for each area office):

- The total spending on services other than case management services provided to families for the purposes of keeping a child with his parents or reunifying the child with his parents, spending by type of the service, and the unduplicated number of families that receive the services;
- The total number of families in the month residing in shelter paid for by the department, a list of where the families are sheltered, the total cost and average cost per family of those shelters, and a description of how the department determines who does or does not qualify for shelter; and
- The number of requests for voluntary services, whether the request was approved or denied, the reasons for denying the service, and what, if any, referrals were made for services by other agencies or entities.

## ABH Preliminary Analysis of the House Ways and Means FY 2012 Budget

April 13, 2011

The report must also include:

- The number of children in psychiatric hospitals and Community Based Acute Treatment Programs who remained hospitalized beyond their medically necessary stay while awaiting placement and the number of days each child remains in care beyond necessary;
- The number of children under DCF care and custody who are being served in medical or psychiatric care provided through other publicly-funded sources;
- The number of children served by supervised visitation centers and the number of those children who are reunified with families;
- The total number of children served and their ages;
- The number of children served in each service plan;
- The number of children in out-of-home placements and the number of placements each child has had before receiving an out-of-home placement;
- The number of families receiving multiple 51A reports within a 10-month period;
- The number of cases reopened within 6 months of being closed and the number of children who return home and then re-enter an out-of-home placement within 6 months; and,

The Department must also submit a report to the House and Senate Committees on Ways and Means and the Chairs of the Joint Committee on Children, Families and Persons with Disabilities by November 2, 2011 including any rules, regulations or guidelines pertaining to Chapter 119 of the Massachusetts General Laws (Protection and Care of Children and Action Against Them) including:

- The criteria used to determine whether a child has been abused or neglected
- Guidelines for removal of a child from the home; and,
- The standards used to determine what reasonable efforts are made to keep a child in the home.

**4800-0016 Transitional Employment Program.** This account is funded at \$2 million. Account language states that DCF may enter into a contract with Roca, Inc. to manage the transitional employment program and “to provide services to participants from the aging out population, parolees, probationers, youth service releases, or other community residents considered to have employment needs.”

**4800-0038 Services for Children and Families.** This account is funded at \$242 million, approximately \$4.9 million below FY 2011 but at the same level as the Governor’s budget proposal. The account funds guardianship, foster care, adoption, family preservation and kinship services, including shelter services, substance abuse treatment, young parent programs, parent aides, education and counseling services, foster care, adoption and guardianship subsidies, tiered reimbursements used to promote the foster care placement of children with special medical

## ABH Preliminary Analysis of the House Ways and Means FY 2012 Budget

April 13, 2011

and social needs, adoption assessments, certain protective services, targeted foster family recruitment and retention, respite care services, post-adoption services, support services for foster, kinship and adoptive families and juvenile fire setter programs.

**4800-0040 Family Support and Stabilization.** This account is funded at \$39.5 million, approximately \$500,000 less than the Governor's budget proposal. Language states "that services shall include family support and stabilization services provided by the department."

**4800-0041 Group Care.** The House Ways and Means budget funds this account at \$192 million; this is \$9.2 million less than the FY 2011 appropriation and the same amount as was appropriated in the Governor's budget proposal.

Language in the account permits the use of funds for "intensive community-based services to children who would otherwise be placed in residential settings, including intensive in-home support and stabilization services." Additional language calls for the formation of area review teams "to evaluate the feasibility of maintaining the child in the community in this manner wherever possible before recommending placement in a residential setting."

**4800-1100 Social Worker Case Management.** This account is funded at \$159.5 million. This is \$1.5 million below the Governor's budget proposal, but \$4.3 million above the FY 2011 appropriation.

**4800-1400 Domestic Violence Services.** This account is funded at \$20 million (approximately \$35,000 above FY 2011). This account funds shelter and support services for people at risk for domestic violence as well as for the operation of the New Chardon Street Homeless Shelter. Funds are also to be used to "enhance counseling services for children who have witnessed domestic violence."

## ABH Preliminary Analysis of the House Ways and Means FY 2012 Budget

April 13, 2011

### Department of Housing & Community Development

Line item/program	Final FY '09 (post-9C Cuts)	Final FY '10 (Post-9C Cut)	Final FY '11	Governor's FY '12	House Ways and Means FY '12
<b>7004-9033</b> Rental Subsidies for DMH consumers	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000

### Human Services Salaries Reserve/POS Reform

Line item/program	Final FY '09 (post-9C Cuts)	Final FY '10	Final FY '11	Governor's FY '12	House Ways and Means FY '12
<b>1599-6901</b> Human Services Salaries/POS Reform	\$23,000,000	\$0	\$0	\$0	\$0

### Other Reserves

Line item/program	Final FY '09 (post-9C Cuts)	Governor's FY'10	Final FY '11	Governor's FY '12	House Ways and Means FY '12
<b>1599-1004</b> Homelessness Commission Reserve	\$8,250,000	\$0	\$0	\$0	\$0
<b>1599-7050</b> Rosie D. Reserve	\$19,283,600	\$0 (Moved to MassHealth budget)	\$0 (Moved to MassHealth budget. Now line item 4000-0950)	\$0 (Now line item 4000-0950)	Now line item 4000-0950



## ABH Preliminary Analysis of the House Ways and Means FY 2012 Budget

April 13, 2011

### OTHER ITEMS OF INTEREST

The House Ways and Means FY 2012 budget appropriates \$1 million to the **compulsive gamblers treatment program** (line item 4512-0225), which is funded with unclaimed lottery monies.

The House Ways and Means budget appropriated \$3,569,444 for the **Department of Public Health's Statewide Suicide Prevention & Intervention Program (4513-1026)**. This same amount was appropriated in the Governor's budget proposal.

The **Department of Public Health's HIV/AIDS Program (4512-0103)** is funded at \$31 million. It was funded at \$33 million in FY 2011.

The **HIV/AIDS drug assistance program at DPH (4512-0106)** is funded at \$1.5 million.

\$750,000 is appropriated for a **Department of Early Education and Care line item (3000-6075)** to early childhood mental health consultation services. Preference is to be given to services designed to limit the number of expulsions and suspensions.

## ABH Preliminary Analysis of the House Ways and Means FY 2012 Budget

April 13, 2011

### Outside Sections

**Section 24. Health Information Technology and Build America Bonds Trust Funds.** This section establishes a Health Information Technology Trust Fund to be administered by the Secretary of Health and Human Services. The fund shall be credited with federal health information technology revenues and any other funds that the Commonwealth may receive “for the support of the health care provider incentive payment program and for the promotion of electronic health record adoption and health information exchange.” Funds from the trust will be appropriated to “eligible Massachusetts Medicaid health care providers for the adoption, implementation, upgrade or meaningful use of certified electronic health record technology.”

**Section 51 & 52. Co-pays for Prescription Drugs.** This section gives MassHealth authority to restructure benefits as allowed by federal law and increases MassHealth co-pays for brand name prescription drugs from \$3 to \$5 (co-pays for Commonwealth Care will increase by the same amount).

**Section 80. Indigency Verification Program.** This section directs the Commissioner of Probation to examine the cost and feasibility of an indigency verification program that would provide same-day verification.

**Section 83. Health Safety Net Audit.** This section authorizes the Office of Inspector General to use funds from the Health Safety Net Trust Fund to maintain a pool audit unit.

**Section 87. Nursing Home Assessment.** This section states that the nursing home assessment shall “be sufficient...to generate \$220,000,000 in fiscal year 2012.”

**Section 90. Electronic Monitoring System.** This section directs the Commissioner of Transitional Assistance and the Commissioner of Revenue to examine the feasibility of “implementing an electronic monitoring system to prevent the purchase of alcohol, tobacco products, firearms and lottery tickets through the use of electronic benefit cards.”

**Section 92. MassHealth Audit.** The section authorizes the Office of the Inspector General to use funds from the Health Safety Net Trust Fund to audit MassHealth.

## ABH Preliminary Analysis of the House Ways and Means FY 2012 Budget

April 13, 2011

**Section 98. MassHealth Benefits.** This section authorizes the Secretary of Health and Human Services to restructure MassHealth benefits as allowed by federal law.

**Sections 99 and 100. MassHealth Dental Benefits.** These sections hold children under the age of 21 and clients of the Department of Developmental Services harmless from MassHealth dental cuts. Reduces dental benefits to January 1, 2002 levels and provides EOHHS with the authority to decide which optional services to provide.

**Section 101. UMass/Health and Human Services Interagency Service Agreements.** This section reauthorizes EOHHS to enter into interdepartmental services agreements with the UMass. Medical School to perform administrative activities relative to Medicaid and other federal programs. Activities include administrative services, utilization management activities, determining eligibility, supporting case management activities, consulting services related to quality assurance, program evaluation and development, etc. and services pursuing FFP or cost avoidance. Federal reimbursement for any expenditure made by the medical school for services under ISA or contract to EOHHS will go directly to the school. EOHHS would be permitted to negotiate contingency fees up to \$40 million per year for up to three years for the pursuit of federal reimbursement or cost avoidance. EOHHS would be required to make quarterly reports on the projects and activities taking place under this authorization.

**Section 102. Health Safety Net Transfer.** This section transfers \$45 million from the General Fund to Health Safety Net Trust Fund.