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HEALTHCARE

## ABH Preliminary Analysis of the Senate Ways and Means FY 2012 Budget May 18, 2011

May 18, 2011

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

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

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

- Eliminates \$1.9 billion budget deficit through \$1.5 billion in spending reductions and \$440 million in one-time solutions
- Includes reduction of \$750 in spending on health care from projected full funding for FY12
- Reduces local aid to cities and towns by \$65 million
- Increases funding for the Department of Mental Health by \$16 million over projected final FY11 spending
- Provides funding for all BSAS line items and meets federal maintenance of effort requirements
- Increases funding for the Children's Behavioral Health Initiative by \$100 million
- Includes a new line item within the Operational Services Division to conduct vendor audits “to identify vendor areas at high risk of fraud, overbilling, or unallowable expenses”

The Senate will debate its budget next week. Then 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 amendments.

### **ABH Community Conversation**

ABH will be hosting a **Community Conversation conference call on Friday, May 20 at 8:00 a.m. for all of our members to discuss in more detail the Senate’s proposal.** Please call 800-714-9583 to participate. The access code is 973472.



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### 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 FY '12	Senate 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	\$26,484,325
<b>5042-5000</b> Child/Adolescent Services	\$73,819,535	\$72,184,407	\$71,773,509	\$69,773,509	\$71,773,509	\$69,773,509
<b>5046-0000</b> Adult Community Services	\$292,372,305	\$302,913,735	\$323,755,801	\$320,755,801	\$323,197,164 \$328,755,801 ++	\$329,255,801
<b>5046-2000</b> Statewide Homelessness Initiative	\$20,210,919	\$20,134,424	\$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	\$35,122,197	\$34,214,489
<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	\$8,097,163
<b>5046-4000</b> CHOICE program RR	\$125,000	\$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	\$146,732,857
<b>5095-0017</b> Trust Fund Contributions						\$10,000,000
<b>TOTAL</b>	<b>\$648,964,958</b>	<b>\$634,014,849</b>	<b>\$628,295,298</b>	<b>\$606,993,222</b>	<del>\$612,698,009</del> <b>\$619,256,646 ++</b>	<b>\$644,817,568</b>

\*GAA= General Appropriation Act  
\*\*Includes FY 2010 and FY 2011 supplemental budgets  
++Includes \$5,558,637 in one-time trust fund monies



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### **Overview:**

The Department of Mental Health is funded at \$644,817,568. This is \$16.5 million more than the FY 2011 appropriation (which includes a supplemental budget), \$38 million more than Governor Patrick's budget proposal and \$25.5 million more than the House appropriation (which takes into account a transfer of \$5.5 million of DMH Trust Fund monies). The Senate Ways and Means FY 2012 budget includes a \$2 million cut to DMH child and adolescent services. It does, however, create a new line item that authorizes the Department of Mental Health to expend \$10 million in DMH Trust Fund monies for DMH inpatient and adult community services.

**5011-0100 Operations.** This account is funded at \$26.4 million, the same amount appropriated by Governor Patrick's FY 2012 budget proposal and at approximately the same level as the FY 2011 budget and the House FY 2012 budget.

**5042-5000 Child/Adolescent Services.** The Senate Ways and Means budget funds this account at \$69.7 million, which represents a \$2 million cut from the FY 2011 budget. This is the same amount appropriated by the Governor's budget, but \$2 million less than the final House budget.

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.

Account language also states that funds are to be used for the Child Psychiatry Access Project (MCPAP).

**5046-0000 Adult Community Services.** This account is funded at \$329 million. This is \$5.5 million over the FY 2011 appropriation and \$8.5 million over Governor Patrick's budget proposal. This appropriation is also \$500,000 over the final House budget (which takes into account a \$5.5 million transfer from the DMH Trust Fund).

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.



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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, but \$1 million less than the final House budget. Unlike previous budgets, this line item does not contain language requiring DMH to continue its interagency service agreement (ISA) with EOHHS for the purchase of services. It also does not contain language requiring emergency service programs to "take all reasonable steps to identify and invoice the third party insurer of all persons serviced by the programs" nor does it include language requiring DMH to develop a "performance specification...for safe aftercare options for adults upon release from acute inpatient mental health care services".

**5095-0015 State Psychiatric Hospitals/CMHCs.** This account is funded at \$146,732,857. This is an \$18 million increase over the House appropriation, a \$19 million increase over the Governor's budget proposal and \$2.8 million over the FY 2011 budget (when taking into account the FY 2011 supplemental budgets).

The account contains similar language to previous budgets directing DMH to discharge clients in inpatient facilities to "residential services in the community when the following criteria 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.

Finally, the Department of Mental Health is required to notify the Joint Committee on Mental Health and Substance Abuse and the House and Senate Committees on Ways and Means 45 days prior to the closure of "any inpatient state hospital beds or community mental health programs and shall report to the committees any associated cost savings of any such consolidation or closure."



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**5095-0017 Trust Fund Contributions.** The Senate Ways and Means FY 2012 budget creates this new line item that authorizes DMH to spend \$10 million in DMH Trust Fund monies to “support inpatient or community services.” DMH must submit a plan to the House and Senate Committees on Ways and Means 30 days before transferring any money.



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**ABH Preliminary Analysis of the Senate Ways and Means FY 2012 Budget**  
**May 18, 2011**

**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 FY '12	Senate Ways and Means FY '12
<b>4512-0200</b> BSAS Programming & Operations	\$77,666,206	\$75,924,448	\$75,185,802	\$75,185,802	<del>\$75,185,802</del> \$75,310,802	\$74,685,802
<b>4512-0201</b> Step-Down Services	\$4,800,000	\$4,800,000	\$4,800,000	\$4,800,000	<del>\$2,400,000</del> \$4,800,000	\$4,800,000
<b>4512-0202</b> Secure Treatment Facilities for Opiate Addiction/Pilot Jail Diversion	\$0	\$2,000,000	\$2,000,000	\$2,000,000	\$0	\$2,000,000
<b>4512-0203</b> Intervention, Care Management, and Young Adult Treatment Pilot Program	--	\$1,500,000	\$1,500,000	\$1,500,000	\$0	\$1,500,000
<b>TOTAL</b>	<b>\$82,466,206</b>	<b>\$84,224,448</b>	<b>\$83,485,802</b>	<b>\$83,485,802</b>	<del><b>\$77,585,802</b></del> <b>\$80,110,802</b>	<b>\$82,985,802</b>

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

**Overview:**

The Senate Ways and Means budget funds the Bureau of Substance Abuse Services at \$82.9 million, including full-funding for step-down services, secure treatment facilities, and family intervention and care. According to BSAS, this appropriation meets federal Maintenance of Effort requirements.

**4512-0200 BSAS Programming and Operations.** This account is funded at \$74.7 million.

**4512-0201 Step-Down Services.** This account is funded at \$4.8 million, the same amount appropriated in FY 2011 and in the FY 2012 House 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.”



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**4512-0202 Secure Treatment Facilities.** This account was not funded in the FY 2012 House budget, but is level funded at \$2 million by the Senate Ways and Means budget. The account appropriates \$2 million for 60-bed pilot jail diversion programs primarily for nonviolent offenders with OxyContin or heroin addiction (the number of programs is not specified). The programs will be procured by the Department of Public Health and are to be in separate counties “in a location deemed suitable by the Department of Public Health”. This account is funded by the creation of a Commonwealth Substance Abuse Prevention and Treatment Fund. The pilot programs “shall provide clinical assessment services to the respective courts, inpatient treatment for up to 90 days and ongoing case management services for up to 1 year.” However, “not more than \$500,000 shall be used to support the ongoing treatment needs of clients after 90 days for which there is no other payer.

Language also states that an individual may be diverted to this or other programs by a district attorney (in conjunction with the Commissioner of Probation) if:

- a.) there is reason to believe that the individual being diverted suffers from an addiction to OxyContin or heroin, or other substance use disorder; and
- b.) the diversion of an individual is clinically appropriate and consistent with established clinical and public safety criteria;

Language also requires the Department of Public Health to report to the Joint Committee on Mental Health and Substance Abuse and the House and Senate Committees on Ways and Means on the program outcomes and costs by August 2, 2011.

**4512-0203 Family Intervention and Care.** This account was not funded in the FY 2012 House budget, but is level funded at \$2 million by the Senate Ways and Means budget. Language states that this appropriation is “for family intervention and care management services programs, a young adult treatment program and early intervention services for individuals who are dependent on or addicted to alcohol or controlled substances or both alcohol and controlled substances.”



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### 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 FY '12	Senate 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 \$83,734,473	\$84,000,300
<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 \$3,875,835,669	\$3,754,835,669
<b>4000-0650</b> Community First Waiver	\$5,543,000	\$0	\$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	\$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	\$157,016,626
<b>4000-1405</b> MassHealth Essential	\$304,600,000	\$324,450,150	\$389,757,408	\$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	\$314,743,708
<b>4000-0309</b> MassHealth Auditing						\$1,000,000

\*For remaining DMH-eligible and EAEDC populations.

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

**4000-0300 Administrative.** This account is funded at the same level as the Governor's budget proposal, but \$2.97 less than the FY 2011 budget and \$200,000 less than the House budget.





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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.

Language also authorizes expenditures for the Office of Health Equity and authorizes the Office of Health Equity to prepare an annual health disparities report card.

Language states that federal funds received from “claims filed based on in-kind administrative services related to outreach and eligibility activities performed by certain community organizations, under the ‘covering kids initiative’” may be used for administrative services.



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The Executive Office of Health and Human Services is directed to provide a detailed analysis of savings to be achieved in FY 2012 to the House and Senate Committees on Ways and Means by September 1, 2011. This report is to include “savings from provider rate cuts, reprocurement of contracts and changes to MassHealth benefits.” In addition, EOHHS must report to the House and Senate Committees on Ways and Means by February 1, 2012 on the savings achieved during the first half of FY 2012 and must report to the House and Senate Committees on Ways and Means on its planned FY 2012 expenditures by September 1, 2011. Finally, EOHHS must report on any deficiencies 90 days before funding is expected to be exhausted and include “an explanation of said deficiencies, including but not limited to updated utilization caseload information, as well as initiatives that did not generate expected savings.”

**4000-0500 Managed Care Plans.** This account is funded at \$3,754,835,669, this is \$121 million less than the House budget, \$118 million less than the Governor’s budget proposal and \$18 million less than FY 2011.

The Senate Ways & Committee includes MassHealth consumer protection language that prohibits the unilateral *reassignment* of MassHealth members to a different managed care plan without the member’s written or verbal consent to the reassignment. The language is replicated below for your reference:

The Secretary of Health and Human Services shall not, without prior written or verbal consent, reassign the behavioral health benefit of any eligible person to a managed care plan under contract with the Office of MassHealth if the benefit is already managed by MassHealth’s specialty behavioral health managed care contractor.

**4000-0700 MassHealth Fee-for-Service Payments.** This line item is funded at \$2,026,206,633; this is \$16.75 million above FY 2011 and at the same level as the Governor’s budget proposal and the FY 2012 House budget. 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 House and the Governor’s budget proposal, but \$8.3 million below the FY 2011 budget.



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**4000-0950 Children’s Behavioral Health Initiative.** This account is funded at \$100 million more than the House budget and the FY 2011 budget. 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 biennially 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.” Any unexpended funds will revert to the General Fund on June 30, 2012. Funds may not be transferred from this line item unless the House and Senate Committees on Ways and Means are notified 30 days prior to the transfer.

**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 and the FY 2012 House budget. 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.

**4000-0309 MassHealth Auditing.** This Senate Ways and Means budget appropriates \$1 million to this new line item to expand MassHealth’s auditing activities. Language authorizes MassHealth to conduct a trial to “determine the effectiveness of various fraud management tools to identify potential fraud at claims submission and validation...” Language also authorizes MassHealth to use actual claims data to identify suspicious billing patterns, etc.



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### 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 FY '12	Senate 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	\$62,616,711
<b>4800-0025</b> Foster care review	\$2,799,282	\$2,677,181	\$2,671,274	\$3,035,868	\$2,824,059	\$3,035,868
<b>4800-0030</b> Service Coordination/Admin.	\$18,278,821	\$7,000,000	\$6,000,000	\$10,300,000	\$0	\$9,300,000
<b>4800-1100</b> Social workers for case mgmt.	\$156,302,697	\$155,091,220	\$155,132,354	\$161,022,453	\$159,452,441	\$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	\$1,000,000
<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	\$242,173,947
<b>4800-0036</b> Sexual abuse intervention	\$723,551	\$697,508	\$697,508	\$699,031	\$697,508	\$697,508
<b>4800-0041</b> Group care	\$224,066,091	\$219,854,417	\$201,586,480	\$192,364,169	\$192,364,169	\$192,364,169
<b>4800-0151</b> Overnight non-secure placements	\$317,256	\$270,919	\$270,919	\$276,243	\$276,243	\$270,919
<b>4800-0091</b> Social worker development	\$2,672,812	\$2,133,535	\$2,058,735	\$1,858,735	\$2,058,735	\$1,858,735
<b>4800-1400</b> Domestic Violence services	\$23,441,406	\$21,422,460	\$20,094,458	\$20,129,711	\$20,125,062	\$20,770,858
<b>4800-0040</b> Family Support & Stabilization			\$40,950,000	\$39,989,000	<del>\$39,500,000</del> \$39,750,000	\$34,789,000
<b>TOTAL</b>	<b>\$816,042,313</b>	<b>\$775,676,358</b>	<b>\$742,987,038</b>	<b>\$737,860,098</b>	<del>\$725,483,105</del> \$725,733,105	<b>\$728,330,156</b>

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



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### Overview:

The Senate Ways and Means budget at \$728 million. This is \$2.6 million more than the final House appropriation, but \$9.5 million below the Governor's budget proposal and \$14.7 below the FY 2011 appropriation. The Senate Ways and Means budget includes funding for the Service Coordination/Administration (4800-0030) account.

**4800-0015 Operations Account.** This account is funded at \$62.6 million. This is \$1 million less than the House appropriation and the Governor's budget. It is also \$1.4 million below the FY 2011 appropriation.

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 4800-0030, 4800-0038, 4800-0040, 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.

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. Language prohibits a waiting list for supportive child care services and mandates that all children eligible for services under item 3000-3050 (Supportive Early Education and Care) receive said services.

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

- 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.



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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
- Congregate 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.

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;
- The number of kinship guardianship subsidies provided in the month covered by the report for each area office;
- The number of kinship guardian subsidies provided in that month for which federal reimbursement was received;
- Total spending on services other than case management services provided to families for the purpose of keeping a child with his family

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or reunifying the child with his parents, spending by type of service and the unduplicated number of families that receive the services for each area office;

- For each area office, the total number of families in the month residing in shelter paid for by the department, a list of where families are sheltered, the total cost and average cost per family of those shelters and a description of how the department determines who qualifies for shelter; and,
- For each area office, broken down by type of service, 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.

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.

Finally, language states that DCF may set the quarterly clothing allotments at the same rates as FY 1997.

**4800-0030 DCR Regional Administration.** This account is funded at \$9.3 million, approximately \$1 million less than the Governor's appropriation, but \$3.3 million more than the FY 2011 appropriation. This account was not funded by the House. The account appropriates funds for "the continuation of local and regional administration and coordination of services provided by lead agencies and regional resource centers" provided that "flex services provided by these agencies" are funded from the account.

**4800-0016 Transitional Employment Program.** This account is funded at \$1 million, which is \$1 million less than the House appropriation and the FY 2011 appropriation. 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 \$242.1 million, approximately \$330,000 less than the House appropriation and \$5.2 million less than the FY 2011 appropriation.

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The account funds stabilization, unification, reunification, permanency, adoption, guardianship and foster care services, including shelter services, substance abuse treatment, family reunification networks, young parent programs, parent aides, education and counseling services, family preservation services, foster care, adoption and guardianship subsidies, tiered reimbursements used to promote the foster care placement of children with special medical 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, juvenile fire setter programs, supervised visitation programs, children's advocacy centers, services for child victims of sexual abuse and assault, family support and stabilization services, and community-based support and education programs helping low-income, female-headed families break the cycle of poverty.

**4800-0040 Family Support and Stabilization.** This account is funded at \$34.8 million. This is \$4.9 million below the House appropriation, \$5.2 million below the Governor's budget proposal and \$6 million below the FY 2011 appropriation. Language states "that services shall include family support and stabilization services provided by the department."

**4800-0041 Group Care.** The Senate 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 and the House budget.

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; the same amount was appropriated by the House. 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 \$20.7 million (approximately \$600,000 above FY 2011). This account funds shelter and support services for people at risk for domestic violence. Funds are also to be used to "enhance counseling services for children who have witnessed domestic violence." In addition, language states that the Department's domestic violence specialists are to work in collaboration with the Department of Transitional Assistance to identify victims of domestic violence and assist victims in accessing community resources.





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### 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 FY '12	Senate 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	\$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 FY '12	Senate Ways and Means FY '12
<b>1599-6901</b> Human Services Salaries/POS Reform	\$23,000,000	\$0	\$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 FY '12	Senate Ways and Means FY '12
<b>1599-1004</b> Homelessness Commission Reserve	\$8,250,000	\$0	\$0	\$0	\$0	\$0

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### OTHER ITEMS OF INTEREST

Line item/program	Final FY '09 (post-9C Cuts)	Final FY '10 (Post-9C Cut)	Final FY '11	Governor's FY '12	House FY '12	Senate Ways and Means FY '12
<b>4513-1026</b> DPH Statewide Suicide Prevention & Intervention Program	\$4,142,239	\$3,219,444	\$3,228,120	\$3,569,444	\$3,569,444	\$2,248,776

Line item/program	Final FY '09 (post-9C Cuts)	Final FY '10 (Post-9C Cut)	Final FY '11	Governor's FY '12	House FY '12	Senate Ways and Means FY '12
<b>4512-0103</b> DPH HIV/AIDS Program	\$36,140,147	\$35,330,527	\$33,097,801	\$31,000,000	<del>\$31,097,810</del> \$33,597,810	\$31,097,810

Line item/program	Final FY '09 (post-9C Cuts)	Final FY '10 (Post-9C Cut)	Final FY '11	Governor's FY '12	House FY '12	Senate Ways and Means FY '12
<b>4512-0106</b> DPH HIV/AIDS Drug Assistance Program	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$4,000,000

Line item/program	Final FY '09 (post-9C Cuts)	Final FY '10 (Post-9C Cut)	Final FY '11	Governor's FY '12	House FY '12	Senate Ways and Means FY '12
3000-6075 DEEC Early Childhood Mental Health Consultation	\$2,900,000	\$1,000,000	\$1,000,000	\$750,000	\$750,000	\$600,000

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### Outside Sections

**Section 6.** *Caseload Forecasting Office.* This section creates a Caseload Forecasting Office to forecast caseloads for state-subsidized childcare, MassHealth, emergency assistance and housing programs, the GIC and direct benefits provided by the Department of Transitional Assistance.

**Section 62.** *MassHealth Co-Payments.* This section increases MassHealth co-payments from \$3 to \$5.

**Section 64.** *Commonwealth Care Co-Payments.* This section states that individuals enrolled in Commonwealth Care whose income is equal to or less than 100% FPL will only be required to pay co-payments that are equal to those paid by MassHealth enrollees.

**Section 96.** *MCO Substance Abuse Benefits.* This section transfers authority for MassHealth substance abuse benefits to the Commissioner of the Department of Public Health.

**Section 108.** *Stabilization Fund Transfers.* This section authorizes the transfer of \$200,000 from the Stabilization Fund to the General Fund. Less may be transferred if the Secretary of Administration and Finance requests to transfer less in writing.

**Section 112.** *MassHealth Benefits.* This section authorizes the Secretary of Health and Human Services to restructure MassHealth benefits as permitted by federal law. The Secretary must submit a report to the Executive Office for Administration and Finance and the House and Senate Committees on Ways and Means 90 days before restructuring any benefits.

**Section 113.** *MassHealth Benefits.* This section authorizes the Secretary of Health and Human Services to expend funds for which federal reimbursement is not available for “the equivalent of MassHealth Standard benefits for children under the age of 21 who are in the care and custody of the Department of Youth Services or the Department of Children and Families” and for “dental benefits provided to clients of the Department of Developmental Services who are age 21 or over.”

**Section 114.** *MassHealth and Commonwealth Care Dental Benefits.* This section reduces dental benefits to January 1, 2002 levels and provides EOHHS with the authority to decide which optional services to provide.



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**Section 122. DMH Trust Fund Contribution.** This section directs the Comptroller, in consultation with the Commissioner of Mental Health, to transfer \$10 million from the DMH Trust Fund.