

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE BILL NO. 2012
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the department of human services; to provide an exemption; to provide legislative intent; and to provide for a legislative management study.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of human services for the purpose of defraying the expenses of its various divisions, for the biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

Subdivision 1.

	MANAGEMENT		
	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$14,231,353	\$2,226,715	\$16,458,068
Operating expenses	46,548,787	15,735,631	62,284,418
Capital assets	<u>0</u>	<u>138,400</u>	<u>138,400</u>
Total all funds	\$60,780,140	\$18,100,746	\$78,880,886
Less estimated income	<u>34,477,817</u>	<u>13,285,595</u>	<u>47,763,412</u>
Total general fund	\$26,302,323	\$4,815,151	\$31,117,474

Subdivision 2.

	PROGRAM AND POLICY		
	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$41,389,716	\$8,330,668	\$49,720,384
Operating expenses	75,461,417	16,961,863	92,423,280
Capital assets	8,580	(8,580)	0
Grants	452,990,742	34,015,295	487,006,037
Grants - Medical assistance	<u>1,300,642,323</u>	<u>300,182,682</u>	<u>1,600,825,005</u>
Total all funds	\$1,870,492,778	\$359,481,928	\$2,229,974,706
Less estimated income	<u>1,381,801,240</u>	<u>115,058,125</u>	<u>1,496,859,365</u>
Total general fund	\$488,691,538	\$244,423,803	\$733,115,341

Subdivision 3.

	HUMAN SERVICE CENTERS AND INSTITUTIONS		
	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Northwest human service center	\$8,452,001	\$222,567	\$8,674,568
North central human service center	19,208,018	1,694,208	20,902,226
Lake region human service center	10,886,645	357,661	11,244,306
Northeast human service center	25,768,431	2,321,019	28,089,450
Southeast human service center	30,139,636	7,868,498	38,008,134
South central human service center	15,567,495	1,291,516	16,859,011
West central human service center	24,683,076	1,669,367	26,352,443
Badlands human service center	10,857,338	850,716	11,708,054
State hospital	65,641,609	7,581,591	73,223,200

Developmental center	<u>52,939,281</u>	<u>(1,130,034)</u>	<u>51,809,247</u>
Total all funds	\$264,143,530	\$22,727,109	\$286,870,639
Less estimated income	<u>132,787,875</u>	<u>(7,198,220)</u>	<u>125,589,655</u>
Total general fund	\$131,355,655	\$29,925,329	\$161,280,984

Subdivision 4.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$646,349,516	\$279,164,283	\$925,513,799
Grand total special funds	<u>1,549,066,932</u>	<u>121,145,500</u>	<u>1,670,212,432</u>
Grand total all funds	\$2,195,416,448	\$400,309,783	\$2,595,726,231
Full-time equivalent positions	2,216.88	(27.53)	2,189.35

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-THIRD LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
Developmental disabilities rate study	\$100,000	\$0
Supplemental payment	400,000	0
Extraordinary repairs	3,443,692	0
Federal stimulus funds	88,033,205	519,175
Supplemental payment	0	400,000
Equipment over \$5,000	352,606	0
State hospital capital projects	<u>0</u>	<u>1,800,000</u>
Total all funds	\$92,329,503	\$2,719,175
Less estimated income	<u>88,033,205</u>	<u>919,175</u>
Total general fund	\$4,296,298	\$1,800,000

The 2011-13 one-time funding amounts are not a part of the entity's base budget for the 2013-15 biennium. The department of human services shall report to the appropriations committees of the sixty-third legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 3. FUNDING TRANSFERS - EXCEPTION - AUTHORIZATION. Notwithstanding section 54-16-04, the department of human services may transfer appropriation authority between line items within each subdivision of section 1 of this Act and between subdivisions within section 1 of this Act for the biennium beginning July 1, 2011, and ending June 30, 2013. The department shall notify the office of management and budget of any transfer made pursuant to this section. The department shall report to the budget section after June 30, 2012, any transfers made in excess of \$50,000 and to the appropriations committees of the sixty-third legislative assembly regarding any transfers made pursuant to this section.

SECTION 4. EXEMPTION. The amount appropriated for the replacement of the medicaid management information system in chapter 50 of the 2007 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation approved under section 54-44.1-11 for continuation into the 2009-11 biennium are available for the completion of the medicaid management information system project during the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 5. GENERAL FUND TRANSFER TO BUDGET STABILIZATION FUND - EXCEPTION - USE OF GENERAL FUND AMOUNTS. Notwithstanding section 54-27.2-02, the state treasurer and the office of management and budget may not include in the amount used to determine general fund transfers to the budget stabilization fund at the end of the 2009-11 biennium under chapter 54-27.2 any general fund amounts resulting from the increased federal share of medical assistance payments

resulting from federal medical assistance percentage changes under the American Recovery and Reinvestment Act of 2009 and H.R. 1586. The state treasurer and the office of management and budget shall separately account for these amounts resulting from federal medical assistance percentage changes under the American Recovery and Reinvestment Act of 2009 and H.R. 1586 and use these amounts to defray the expenses of continuing program costs of the department of human services from the general fund, for the biennium beginning July 1, 2011, and ending June 30, 2013, including \$23,451,104 for inflationary increases for human services providers.

SECTION 6. REPORT ON THE DEMENTIA CARE SERVICES PROGRAM. During the 2011-12 interim, the department of human services shall periodically report to the legislative management regarding the status of the dementia care services program. The reports must include information on budgeted and actual program expenditures, program services, and program outcomes.

SECTION 7. RISK BEHAVIOR PREVENTION GRANTS - MATCHING REQUIREMENTS. The department of human services shall use \$250,000 of federal funding appropriated in subdivision 2 of section 1 of this Act for the mental health and substance abuse division for providing grants to support a statewide school and community-based youth network dedicated to implementing risk behavior prevention efforts, for the biennium beginning July 1, 2011, and ending June 30, 2013. The department shall require an entity receiving a grant under this section to provide \$1 of matching funds for each \$1 of state funds provided.

SECTION 8. LEGISLATIVE INTENT - DEVELOPMENTAL DISABILITIES GRANTS. It is the intent of the legislative assembly that the department of human services use any anticipated unexpended appropriation authority relating to developmental disabilities grants resulting from caseload or cost changes during the 2011-13 biennium for costs associated with transitioning individuals from the developmental center to communities during the 2011-13 biennium.

SECTION 9. LEGISLATIVE MANAGEMENT STUDY - QUALIFIED SERVICE PROVIDER SYSTEM. During the 2011-12 interim, the legislative management shall consider studying and evaluating the state's qualified service provider system. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly.

SECTION 10. SUPPLEMENTAL PAYMENT - HEALTH CARE TRUST FUND. The grants - medical assistance line item in subdivision 2 of section 1 of this Act includes \$400,000 from the health care trust fund which the department shall provide as a one-time grant, for the biennium beginning July 1, 2011, and ending June 30, 2013. The department shall provide a grant of \$200,000 to the government nursing facility that participated in the intergovernmental transfer payment program in a city with a population of more than six hundred according to the 2000 census and a grant of \$200,000 to the hospital in a city with a population of less than five hundred according to the 2000 census which also has a government nursing facility that participated in the intergovernmental transfer payment program.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2012.

Senate Vote: Yeas 46 Nays 1 Absent 0

House Vote: Yeas 86 Nays 7 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State