

**SENATE BILL No. 207**

By Committee on Ways and Means

2-4

9 AN ACT making and concerning appropriations for the fiscal years ending  
10 June 30, 2010, June 30, 2011, June 30, 2012, June 30, 2013, and June  
11 30, 2014, for the department on aging, the department of social and  
12 rehabilitation services and the department of health and environment  
13 — division of health; authorizing certain transfers, capital improve-  
14 ment projects and fees, imposing certain restrictions and limitations,  
15 and directing or authorizing certain receipts, disbursements and acts  
16 incidental to the foregoing.  
17

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

19 Section 1. (a) For the fiscal years ending June 30, 2010, June 30, 2011,  
20 June 30, 2012, June 30, 2013, and June 30, 2014, appropriations are  
21 hereby made, restrictions and limitations are hereby imposed, and trans-  
22 fers, capital improvement projects, fees, receipts, disbursements and acts  
23 incidental to the foregoing are hereby directed or authorized as provided  
24 in this act.

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

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

29 Sec. 2.

30 DEPARTMENT ON AGING

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

33 LTC — medicaid assistance — HCBS/FE — waiting list priority  
34 For the fiscal year ending June 30, 2010..... \$1,600,000  
35 For the fiscal year ending June 30, 2011..... \$1,600,000

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

39 For the fiscal year ending June 30, 2012..... \$1,600,000

40 *Provided*, That any unencumbered balance in the LTC — medicaid as-  
41 sistance — HCBS/FE — waiting list priority account in excess of \$100  
42 as of June 30, 2011, is hereby reappropriated for fiscal year 2012.

43 LTC — medicaid assistance — HCBS/FE — community capacity expan-

1 sion

2 For the fiscal year ending June 30, 2010..... \$500,000

3 For the fiscal year ending June 30, 2011..... \$500,000

4 *Provided*, That any unencumbered balance in the LTC — medicaid as-

5 sistance — HCBS/FE — community capacity expansion account in excess

6 of \$100 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.

7 For the fiscal year ending June 30, 2012..... \$500,000

8 *Provided*, That any unencumbered balance in the LTC — medicaid as-

9 sistance — HCBS/FE — community capacity expansion account in excess

10 of \$100 as of June 30, 2011, is hereby reappropriated for fiscal year 2012.

11 Any unencumbered balance in excess of \$100 as of June 30, 2012, in each

12 of the following accounts is hereby reappropriated for fiscal year 2013:

13 LTC — medicaid assistance — HCBS/FE — waiting list priority; LTC

14 — medicaid assistance — HCBS/FE — community capacity expansion.

15 (b) During the fiscal years ending June 30, 2010, June 30, 2011, June

16 30, 2012, and June 30, 2013, all expenditures by the department on aging

17 from the LTC — medicaid assistance — HCBS/FE — waiting list priority

18 account of the state general fund shall be for the purposes of providing

19 services for persons on the waiting lists for the home and community

20 based services waiver for the frail elderly.

21 (c) During the fiscal years ending June 30, 2010, June 30, 2011, June

22 30, 2012, and June 30, 2013, all expenditures by the department on aging

23 from the LTC — medicaid assistance — HCBS/FE — community ca-

24 pacity expansion account of the state general fund shall be for increased

25 rates of payment to service providers under the home and community

26 based services waiver for the frail elderly.

27 Sec. 3.

28 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

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 Community based services — waiting list priority — DD

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

33 For the fiscal year ending June 30, 2011..... \$10,000,000

34 *Provided*, That any unencumbered balance in the community based serv-

35 ices — waiting list priority — DD account in excess of \$100 as of June

36 30, 2010, is hereby reappropriated for fiscal year 2011.

37 For the fiscal year ending June 30, 2012..... \$10,000,000

38 *Provided*, That any unencumbered balance in the community based serv-

39 ices — waiting list priority — DD account in excess of \$100 as of June

40 30, 2011, is hereby reappropriated for fiscal year 2012.

41 For the fiscal year ending June 30, 2013..... \$15,000,000

42 *Provided*, That any unencumbered balance in the community based serv-

43 ices — waiting list — DD account in excess of \$100 as of June 30, 2012,

1 is hereby reappropriated for fiscal year 2013.

2 Community based services — community capacity expansion — DD

3 For the fiscal year ending June 30, 2010..... \$15,000,000

4 For the fiscal year ending June 30, 2011..... \$10,000,000

5 *Provided*, That any unencumbered balance in the community based serv-

6 ices — community capacity expansion — DD account in excess of \$100

7 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.

8 For the fiscal year ending June 30, 2012..... \$10,000,000

9 *Provided*, That any unencumbered balance in the community based serv-

10 ices — community capacity expansion — DD account in excess of \$100

11 as of June 30, 2011, is hereby reappropriated for fiscal year 2012.

12 For the fiscal year ending June 30, 2013..... \$10,000,000

13 *Provided*, That any unencumbered balance in the community based serv-

14 ices — community capacity expansion — DD account in excess of \$100

15 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

16 Community based services — waiting list priority — PD

17 For the fiscal year ending June 30, 2010..... \$3,470,030

18 For the fiscal year ending June 30, 2011..... \$3,470,030

19 *Provided*, That any unencumbered balance in the community based serv-

20 ices — waiting list priority — PD account in excess of \$100 as of June

21 30, 2010, is hereby reappropriated for fiscal year 2011.

22 For the fiscal year ending June 30, 2012..... \$3,470,030

23 *Provided*, That any unencumbered balance in the community based serv-

24 ices — waiting list priority — PD account in excess of \$100 as of June

25 30, 2011, is hereby reappropriated for fiscal year 2012.

26 Community based services — community capacity expansion — PD

27 For the fiscal year ending June 30, 2010..... \$2,000,000

28 For the fiscal year ending June 30, 2011..... \$2,000,000

29 *Provided*, That any unencumbered balance in the community based serv-

30 ices — community capacity expansion — PD account in excess of \$100

31 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.

32 For the fiscal year ending June 30, 2012..... \$2,000,000

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, 2011, is hereby reappropriated for fiscal year 2012.

36 Community based services — waiting list priority — TBI

37 For the fiscal year ending June 30, 2010..... \$800,000

38 For the fiscal year ending June 30, 2011..... \$800,000

39 *Provided*, That any unencumbered balance in the community based serv-

40 ices — waiting list priority — TBI account in excess of \$100 as of June

41 30, 2010, is hereby reappropriated for fiscal year 2011.

42 For the fiscal year ending June 30, 2012..... \$800,000

43 *Provided*, That any unencumbered balance in the community based serv-

1 ices — waiting list priority — TBI account in excess of \$100 as of June  
2 30, 2011, is hereby reappropriated for fiscal year 2012.

3 Community based services — community capacity expansion — TBI  
4 For the fiscal year ending June 30, 2010..... \$200,000  
5 For the fiscal year ending June 30, 2011..... \$200,000  
6 *Provided*, That any unencumbered balance in the community based serv-  
7 ices — community capacity expansion — TBI account in excess of \$100  
8 as of June 30, 2010, is hereby reappropriated for fiscal year 2011.  
9 For the fiscal year ending June 30, 2012..... \$200,000  
10 *Provided*, That any unencumbered balance in the community based serv-  
11 ices — community capacity expansion — TBI account in excess of \$100  
12 as of June 30, 2011, is hereby reappropriated for fiscal year 2012.

13 Community based services — waiting list priority — autism  
14 For the fiscal year ending June 30, 2010..... \$937,446  
15 For the fiscal year ending June 30, 2011..... \$937,446  
16 *Provided*, That any unencumbered balance in the community based serv-  
17 ices — waiting list priority — autism account in excess of \$100 as of June  
18 30, 2010, is hereby reappropriated for fiscal year 2011.  
19 For the fiscal year ending June 30, 2012..... \$937,446  
20 *Provided*, That any unencumbered balance in the community based serv-  
21 ices — waiting list priority — autism account in excess of \$100 as of June  
22 30, 2011, is hereby reappropriated for fiscal year 2012.

23 Any unencumbered balance in excess of \$100 as of June 30, 2012, in each  
24 of the following accounts is hereby reappropriated for fiscal year 2013:  
25 Community based services — waiting list priority — PD; community  
26 based services — community capacity expansion — PD; community  
27 based services — waiting list priority — TBI; community based services  
28 — community capacity expansion — TBI; community based services —  
29 waiting list priority — autism.

30 Any unencumbered balance in excess of \$100 as of June 30, 2013, in each  
31 of the following accounts is hereby reappropriated for fiscal year 2014:  
32 Community based services — waiting list priority — DD; community  
33 based services — community capacity expansion — DD.

34 (b) During the fiscal years ending June 30, 2010, June 30, 2011, June  
35 30, 2012, June 30, 2013, and June 30, 2014, all expenditures by the de-  
36 partment of social and rehabilitation services from the community based  
37 services — waiting list priority — DD account of the state general fund  
38 shall be for the purposes of providing services for persons on the waiting  
39 lists for the home and community based services waiver for persons with  
40 developmental disabilities.

41 (c) During the fiscal years ending June 30, 2010, June 30, 2011, June  
42 30, 2012, June 30, 2013, and June 30, 2014, all expenditures by the de-  
43 partment of social and rehabilitation services from the community based

1 services — community capacity expansion — DD account of the state  
2 general fund shall be for increased rates of payment to service providers  
3 under the home and community based services waiver for persons with  
4 developmental disabilities.

5 (d) During the fiscal years ending June 30, 2010, June 30, 2011, June  
6 30, 2012, and June 30, 2013, all expenditures by the department of social  
7 and rehabilitation services from the community based services — waiting  
8 list priority — PD account of the state general fund shall be for the  
9 purposes of providing services for persons on the waiting lists for the  
10 home and community based services waiver for persons with physical  
11 disabilities.

12 (e) During the fiscal years ending June 30, 2010, June 30, 2011, June  
13 30, 2012, and June 30, 2013, all expenditures by the department of social  
14 and rehabilitation services from the community based services — com-  
15 munity capacity expansion — PD account of the state general fund shall  
16 be for increased rates of payment to service providers under the home  
17 and community based services waiver for persons with physical disabili-  
18 ties.

19 (f) During the fiscal years ending June 30, 2010, June 30, 2011, June  
20 30, 2012, and June 30, 2013, all expenditures by the department of social  
21 and rehabilitation services from the community based services — waiting  
22 list priority — TBI account shall be for the purposes of providing services  
23 for persons on the waiting lists for the home and community based serv-  
24 ices waiver for persons with traumatic brain injuries.

25 (g) During the fiscal years ending June 30, 2010, June 30, 2011, June  
26 30, 2012, and June 30, 2013, all expenditures by the department of social  
27 and rehabilitation services from the community based services — com-  
28 munity capacity expansion — TBI account shall be for increased rates of  
29 payment to service providers under the home and community based serv-  
30 ices waiver for persons with traumatic brain injuries.

31 (h) During the fiscal years ending June 30, 2010, June 30, 2011, June  
32 30, 2012, and June 30, 2013, all expenditures by the department of social  
33 and rehabilitation services from the community based services — waiting  
34 list priority — autism account shall be for purposes of providing services  
35 for persons on the waiting lists for the home and community based serv-  
36 ices waiver for persons with autism.

37 Sec. 4.

38 DEPARTMENT OF HEALTH AND ENVIRONMENT—  
39 DIVISION OF HEALTH

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

42 Infants and toddlers program  
43 For the fiscal year ending June 30, 2010..... \$1,100,000

1 For the fiscal year ending June 30, 2011..... \$1,100,000  
2 *Provided*, That any unencumbered balance in the infants and toddlers  
3 program account in excess of \$100 as of June 30, 2010, is hereby reap-  
4 propriated for fiscal year 2011.

5 For the fiscal year ending June 30, 2012..... \$1,100,000  
6 *Provided*, That any unencumbered balance in the infants and toddlers  
7 program account in excess of \$100 as of June 30, 2011, is hereby reap-  
8 propriated for fiscal year 2012.

9 Any unencumbered balance in excess of \$100 as of June 30, 2012, in each  
10 of the following accounts is hereby reappropriated for fiscal year 2013:  
11 Infants and toddlers program.

12 (b) During the fiscal years ending June 30, 2010, June 30, 2011, June  
13 30, 2012, and June 30, 2013, all expenditures by the department of health  
14 and environment — division of health from the infants and toddlers pro-  
15 gram account of the state general fund shall be for the purposes of pro-  
16 viding services for infants and toddlers through the IDEA, Part C pro-  
17 gram.

18 Sec. 5. This act shall take effect and be in force from and after its  
19 publication in the statute book.