

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in Part A by striking out all of section 19 and inserting the following:

‘**Sec. A-19. 5 MRSA §20005, sub-§6**, as amended by PL 2011, c. 542, Pt. A, §6, is further amended to read:

**6. Contracts and licensing.** Through the ~~director~~commissioner:

A. Administer all contracts with community service providers for the delivery of alcohol and drug abuse services;

A-1. Administer all contracts with community service providers for the delivery of gambling addiction counseling services; and

B. Establish operating and treatment standards and inspect and issue certificates of approval for approved treatment facilities, drug abuse treatment facilities or programs, including residential treatment centers, community-based service providers and facilities that are private nonmedical institutions pursuant to section 20024 and subchapter 5.

The commissioner may delegate contract and licensing duties under this subsection to the ~~Department of Health and Human Services~~, the Department of Corrections or other divisions of the department as long as that delegation ensures that contracting for alcohol and other drug abuse services provided in community settings ~~are~~is consolidated within the ~~Department of Health and Human Services~~department, that contracting for alcohol and other drug abuse services delivered within correctional facilities ~~are~~is consolidated within the Department of Corrections and that contracting for alcohol and other drug abuse services delivered within mental health facilities or as a component of programs serving persons with intellectual disabilities or autism ~~are~~is consolidated within the department.

The commissioner may not delegate contract and licensing duties if that delegation results in increased administrative costs.

The commissioner may not issue requests for proposals for existing contract services until the commissioner has adopted rules in accordance with the Maine Administrative Procedure Act to ensure that the reasons for which existing services are placed out for bid and the performance standards and manner in which compliance is evaluated are specified and that any change in provider is accomplished in a manner that fully protects the consumer of services.

The commissioner shall establish a procedure to obtain assistance and advice from consumers of alcohol and other drug abuse services regarding the selection of contractors when requests for proposals are issued;’

Amend the bill in Part A in section 25 in §20007 in the first paragraph in the first line (page 6, line 31 in L.D.) by striking out the following: "~~office~~department and council" and inserting the following: '~~office and council~~department'

Amend the bill in Part A by striking out all of section 68 and inserting the following:

'**Sec. A-68. 22 MRSA §7249**, as amended by PL 2011, c. 477, Pt. K, §1, is further amended to read:

## **§ 7249. Reporting of prescription monitoring information**

**1. Information required.** Each dispenser shall submit to the ~~office~~department, by electronic means or other format specified in a waiver granted by the ~~office~~department, specific items of information regarding dispensed controlled substances determined by the office from the following list:

- A. The dispenser identification number;
- B. The date the prescription was filled;
- C. The prescription number;
- D. Whether the prescription is new or is a refill;
- E. The National Drug Code (NDC) for the drug dispensed;
- F. The quantity dispensed;
- G. The dosage;
- H. The patient identification number;
- I. The patient name;
- J. The patient address;
- K. The patient date of birth;
- L. The prescriber identification number;
- M. The date the prescription was issued by the prescriber; and
- N. The ~~office-issued~~department-issued serial number if the ~~office~~department chooses to establish a serial prescription system.

**2. Frequency.** Each dispenser shall submit the information required under subsection 1 as frequently as specified by the ~~office~~department.

**3. Waiver.** The ~~office~~department may grant a waiver of the electronic submission requirement under subsection 1 to any dispenser for good cause, including financial hardship, as determined by the ~~office~~department. The waiver must state the format and frequency with which the dispenser is required to submit the required information.

**4. Immunity from liability.** A dispenser is immune from liability for disclosure of information if the disclosure was made pursuant to and in accordance with this chapter.

**5. Participation requirements.** If less than 90% of the prescribers in a class of prescribers described in paragraphs A to F are registered in the program on January 1, 2014, then all the members of that class of prescribers shall register in the program by March 1, 2014. The following are the classes of prescribers that are subject to the provisions of this subsection:

- A. Allopathic physicians licensed pursuant to Title 32, chapter 48, subchapter 2;
- B. Osteopathic physicians licensed pursuant to Title 32, chapter 36;
- C. Dentists licensed pursuant to Title 32, chapter 16, subchapter 3;
- D. Physician assistants licensed pursuant to Title 32, chapter 48, subchapter 2;
- E. Podiatrists licensed pursuant to Title 32, chapter 51; and
- F. Advanced practice registered nurses licensed pursuant to Title 32, chapter 31, subchapter 3.'

Amend the bill in Part A by striking out all of section 75.

Amend the bill in Part B by inserting after section 4 the following:

**'Sec. B-5. 22 MRSA §5104, sub-§4,** as repealed and replaced by PL 1973, c. 793, §3, is repealed.

Amend the bill in Part B by striking out all of section 8 and inserting the following:

**'Sec. B-8. 22 MRSA §5106,** as amended by PL 2011, c. 542, Pt. A, §§39 and 40, is further amended to read:

### **§ 5106. Powers and duties**

The ~~bureau~~department shall establish, in accordance with the purposes and intent of this Part, ~~with the advice of the committee and subject to the direction of the commissioner,~~ the overall planning, policy, objectives and priorities for all functions and activities conducted or supported in the State ~~which~~that relate to Maine's aging population and incapacitated and dependent adults. In order to carry out the above, the ~~bureau shall have~~department has the power and duty to:

**1. Encourage and assist development.** Encourage and assist development of more coordinated use of existing and new resources and services relating to Maine's aging population and incapacitated and dependent adults;

**2. Information system.** Develop and maintain an up-to-date information system related to Maine's aging population and incapacitated and dependent adults. The information ~~shall~~must be available for use by the people of Maine, the political subdivisions, public and private nonprofit agencies and the State. Educational materials ~~shall~~must be prepared, published and disseminated. Objective devices and research methodologies ~~shall~~must be continuously developed. Maintaining statistical information through uniform methods ~~which~~that are reasonably feasible and economically efficient ~~shall~~must be specified for use by public and private agencies, organizations and individuals. Existing sources of information ~~shall~~must be used to the fullest extent possible, while maintaining confidentiality safeguards of state and federal law. Information may be requested and ~~shall~~ be received from any ~~State Government~~state government or public or private agency. To the extent reasonable and feasible, information ~~shall~~must maintain compatibility with federal information sharing standards.

Functions of this information system ~~shall~~ include, but are not be limited to:

- A. Conducting research on the causes and nature of problems relating to Maine's aging population and incapacitated and dependent adults;
- B. Collecting, maintaining and disseminating such knowledge, data and statistics related to Maine's aging population and incapacitated and dependent adults as will enable the ~~bureau~~department to fulfill its responsibilities;
- C. Determining through a detailed survey the extent of problems relating to Maine's aging population and incapacitated and dependent adults and the needs and priorities for solving such problems in the state and political subdivisions;
- D. Maintaining an inventory of the types and quantity of facilities, programs and services operated under public or private auspices for Maine's aging population and incapacitated and dependent adults. This function ~~shall~~must include: ~~The~~the unduplicated count, location and characteristics of people served by each facility, program or service; and the amount, type and source of resources supporting functions related to Maine's aging population and incapacitated and dependent adults; and
- E. Conducting a continuous evaluation of the impact, quality and value of facilities, programs and services, including their administrative adequacy and capacity. Activities operated by or with the assistance of the State and ~~the Federal Government~~Government must be evaluated. Activities to be included, but to which the ~~bureau~~department is not limited, are those relating to education, employment and vocational services, income, health, housing, transportation, community, social, rehabilitation, protective services and public guardianship or conservatorship for older people and incapacitated and dependent adults and programs such as the supplemental security income program, Medicare, Medicaid, property tax refunds and the setting of standards for the licensing of nursing, intermediate care and boarding homes. Included are activities as authorized by this and so much of the several Acts and amendments to them enacted by the people of the State and those authorized by United States Acts and amendments to them such as the:

- (1) Elderly Householders Tax and Rent Refund Act of 1971;

- (2) Priority Social Services Act of 1973;
- (3) Chapter 470 of the public laws of 1969 creating the State Housing Authority;
- (4) United States Social Security Act of 1935;
- (5) United States Housing Act of 1937;
- (6) United States Older Americans Act of 1965;
- (7) United States Age Discrimination Act of 1967;
- (8) Home Based Care Act of 1981;
- (9) Congregate Housing Act of 1979;
- (10) Adult Day Care Services Act of 1983;
- (11) Adult Day Care Licensing Act of 1987;
- (12) Adult Protective Services Act of 1981;
- (13) The Uniform Probate Code, Title 18-A;
- (14) The Americans with Disabilities Act of 1990;
- (15) The Developmental Disabilities Assistance and Bill of Rights Act of 2000; and
- (16) The ADA Amendments Act of 2008;

**3. Coordination of efforts.** Assist, ~~with the advice of the committee,~~ the Legislative and Executive Branches of State Government, especially the Governor, ~~Commissioner of Health and Human Services and the~~ Bureau of the Budget, to coordinate all State Government efforts relating to Maine's aging population and incapacitated and dependent adults, by:

A. Submitting to each branch of State Government no later than September 1st of each year an annual report covering its activities for the immediately past fiscal year and future plans, including recommendations for changes in state and federal laws, ~~and including reports of the committee;~~

B. Reviewing all proposed legislation, fiscal activities, plans, policies and other administrative functions relating to Maine's aging population and incapacitated and dependent adults made by or requested of all state agencies. ~~The bureau shall have~~department has the authority to submit to those bodies findings, comments and recommendations, which ~~shall bear~~is advisory. Such findings and comments ~~shall~~must recommend what modification in proposals or actions ~~shall be taken~~is required to make proposed legislation, fiscal activities and administrative activities consistent with such policies and priorities; and

C. Making recommendations to the respective branches of State Government related to improving the quality of life of Maine's aging population and incapacitated and dependent adults, and shall consult with and be consulted by all responsible state agencies regarding the policies, priorities and objectives of functions related to Maine's aging population and incapacitated and dependent adults;

**4. Comprehensive state plan.** Prepare and administer a comprehensive state plan relating to Maine's aging population and incapacitated and dependent adults, developed by the ~~bureau with the advice of the committee and~~department subject to the direction of the commissioner. The comprehensive state plan ~~shall~~must be implemented for the purpose of coordinating all activities and of assuring compliance with applicable state and federal laws and regulations relating to Maine's aging population and incapacitated and dependent adults. Implementation of this duty ~~shall mean~~means that the ~~bureau shall have~~department has the authority, through a review process, to advise on the preparation and administration of any portion of any state plan relating to Maine's aging population and incapacitated and dependent adults, prepared and administered by any agency of State Government for submission to the Federal Government to obtain federal funding under federal legislation. Such state plans, or portions thereof, ~~shall~~must include, but are not be limited to, all state plans dealing with education, employment and vocational services, income, health, housing, protective services, public guardianship and conservatorship, rehabilitation, social services, transportation and welfare. The ~~bureau~~department shall advise the commissioner and Governor on preparation of and provisions to be included in such plans relating to Maine's aging population and incapacitated and dependent adults;

**5. Programs.** Plan, establish and maintain necessary or desirable programs for individuals or groups of individuals. The ~~bureau~~department may use the full range of its powers and duties to serve Maine's aging population and incapacitated and dependent adults through indirect services provided by agreement and through direct services provided by state employees;

**6. Organizational unit.** Function as the organizational unit of State Government with sole responsibility for conducting and coordinating, ~~with the advice of the committee and~~ subject to the direction of the commissioner, programs authorized by this Part and so much of the several Acts, amendments and successors to them enacted by the people of the State and those authorized by the United States Acts, amendments and successors to them as relate to Maine's aging population and incapacitated and dependent adults:

- A. The 1973 Act of Maine's Elderly;
- B. The Priority Social Service Act of 1973, including only meals for older people, transportation for older people and coordinated elderly programs;
- C. The United States Older Americans Act of 1965; and
- D. Adult Protective Services Act of 1981.

The ~~bureau~~department is designated as the single agency of State Government solely responsible for administering, subject to the direction of the commissioner, any state plans as may be required by the above Acts, and for administering programs of Acts of the State or United States relating to Maine's aging population and incapacitated and dependent adults ~~which~~that are not the specific responsibility of another state agency under state or federal law;

**7. Mobilize resources.** Help communities mobilize their resources to benefit Maine's aging population and incapacitated and dependent adults. The ~~bureau~~department shall provide or coordinate the provision of information, technical assistance and consultation to state, regional and local governments, and to public and private nonprofit agencies, institutions, organizations and individuals. The help ~~shall be~~ for the purpose of encouraging, developing and assisting with the initiation, establishment and administration of any plans, programs or services with a view to the establishment of a statewide network of comprehensive, coordinated services and opportunities for Maine's aging population and incapacitated and dependent adults. Included in this duty is authority to coordinate the efforts and enlist the assistance of all public and private agencies, organizations and individuals interested in Maine's aging population and incapacitated and dependent adults;

**8. Funds.** Seek and receive funds from the Federal Government and private sources to further its activities. Included in this function is authority to solicit, accept, administer, disburse and coordinate for the State in accordance with the intent, objectives and purposes of this Part; and within any limitation ~~which~~that may apply from the sources of such funds, the efforts to obtain and the use of any funds from any source to benefit Maine's aging population and incapacitated and dependent adults. Any gift of money or property made by will or otherwise, and any grant or other funds appropriated, services or property available from the Federal Government, the State or any political subdivision thereof and from all other sources, public or private, may be accepted and administered. The ~~bureau~~department may do all things necessary to cooperate with the Federal Government or any of its agencies in making application for any funds. Included in this duty is authority to advise regarding the disbursement of all state funds, or funds administered through agencies of State Government, appropriated or made available to benefit Maine's aging population and incapacitated and dependent adults;

**9. Agreements.** Enter into agreements necessary or incidental to the performance of its duties. Included is the power to make agreements with qualified community, regional and state level, private nonprofit and public agencies, organizations and individuals in this and other states to develop or provide facilities, programs and services for Maine's aging population and incapacitated and dependent adults. Agreements with such agencies, organizations and individuals ~~shall~~may be executed only with agencies reviewed by the ~~committee pursuant to section 5112, subsection 4,~~ and the area agency pursuant to section

5116, subsection 1, paragraph B. The ~~bureau~~department may engage expert advisors and assistants, who may serve without compensation or may be compensated to the extent funds may be available by appropriation, grant or allocation from a state department. The ~~bureau~~department may pay for such expert advisors or assistants;

**10. Rules.** Prepare, adopt, amend, rescind and administer, ~~with the advice of the committee and~~ subject to the direction of the commissioner, policies, priorities, procedures,and rules ~~and regulations~~ to govern its affairs and the development and operation of facilities, programs and services. The ~~bureau~~department may adopt rules to carry out the powers and duties pursuant to this Part and in accordance with the purpose and objectives of this Part. It shall especially adopt such rules ~~and regulations~~ as may be necessary to define contractual terms, conditions of agreements and all other rules as are necessary for the proper administration of this Part. Such adoption, amendment and rescission ~~shall~~must be made as provided under the Maine Administrative Procedure Act, Title 5, ~~chapter 375~~;

**11. Educational program.** Develop and implement, as an integral part of programs, an educational program. ~~Assist; assist~~ in the development of, and cooperation with, educational programs for employees of state and local governments and businesses and industries in the State. ~~Convene; and convene~~ and conduct conferences of public and private nonprofit organizations concerned with the development and operation of programs for Maine's aging population and incapacitated and dependent adults. Included ~~shall be~~is the power to sponsor ~~in cooperation with the committee~~ the Blaine House Conference on Aging;

**11-A. Elderly Legal Services Program.** Support and maintain an Elderly Legal Services Program, by agreement with such nonprofit organization as the ~~bureau~~department finds best able to provide direct services to those of Maine's elderly in greatest economic and social need throughout the State;

**11-B. Adult protective services.** Administer a program of protective services as provided in chapter 958-A designed to protect incapacitated and dependent adults from abuse, neglect, exploitation and physical danger. The program is described in the Adult Protective Services Act;

**11-C. Long-term care ombudsman program.** Support and maintain a long-term care ombudsman program, in accordance with the federal 1987 Older Americans Act, 42 United States Code, as amended, by agreement with such nonprofit organization as the ~~bureau~~department finds best able to provide the services;

**12. Training programs.** Foster, develop, organize, conduct or provide for the conduct of training programs for persons in the field of serving Maine's aging population and incapacitated and dependent adults;

**13. Coordinate activities.** Coordinate activities and cooperate with programs in this and other states for the common advancement of programs for Maine's aging population and incapacitated and dependent adults; and

**14. Establish and maintain an office.** ~~Establish and maintain an office; and~~

**15. Duties.** Do such other acts and exercise such other powers necessary or convenient to execute and carry out the purposes and authority expressly granted in this Part.’

Amend the bill in Part E by striking out all of sections 3 and 4 and inserting the following:

‘**Sec. E-3. 34-B MRSA §1223, sub-§10, ¶B**, as amended by PL 2011, c. 542, Pt. A, §68, is further amended to read:

B. ~~The chief advocate and the manager of adult protective services in the Office of Adults with Cognitive and Physical Disability Services within~~advocacy agency designated pursuant to Title 5, section 19502, or the department, when requested by the board or pursuant to a written agreement with the board, shall release to the board information pertaining to alleged abuse, exploitation or neglect or alleged dehumanizing practice or violation of rights of a person with intellectual disabilities or autism. The board shall maintain the confidentiality of information disclosed to it or discovered by it as required by section 1207.

**Sec. E-4. 34-B MRSA §5005**, as amended by PL 2011, c. 542, Pt. A, §§85 to 90, is repealed.

Amend the bill in Part E by striking out all of sections 7 and 8 and inserting the following:

‘**Sec. E-7. 34-B MRSA §5604, sub-§3, ¶A**, as amended by PL 2011, c. 542, Pt. A, §127, is further amended to read:

A. The department shall provide easily accessible and regular notice of the grievance process to persons with intellectual disabilities or autism served by the department. This notice must be included in informational materials provided to such persons, as well as to guardians, families, correspondents and allies. Notice of the right to appeal must be prominently displayed in regional offices and on the department’s publicly accessible website and must be readily available from provider agencies. Notice of the right to appeal must be included in all substantive correspondence regarding personal planning. Written notice of the right to appeal must also be provided when there is a denial or reduction of services or supports to persons served by the department. All notices and information regarding the grievance process must be written in language that is plain and understandable and must include the address and telephone number of the ~~Office of Advocacy and~~ the protection and advocacy agency designated pursuant to Title 5, section 19502.

**Sec. E-8. 34-B MRSA §5604-A, sub-§3**, as amended by PL 2011, c. 542, Pt. A, §128, is further amended to read:

**3. Violation.** All persons with knowledge of an alleged violation of the rights of an individual with an intellectual disability or autism as set out in section 5605 shall promptly report the details of the alleged violation to the ~~Office of Advocacy~~advocacy agency designated pursuant to Title 5, section 19502 as set forth in department rules.’

Amend the bill in Part E by striking out all of section 10 and inserting the following:

‘**Sec. E-10. 34-B MRSA §5605, sub-§14-A**, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

**14-A. Restraints.** A person with an intellectual disability or autism is entitled to be free from restraint unless:

- A. The restraint is a short-term step to protect the person from imminent injury to that person or others; or
- B. The restraint has been approved as a behavior management program in accordance with this section.

A restraint may not be used as punishment, for the convenience of the staff or as a substitute for habilitative services. A restraint may impose only the least possible restriction consistent with its purpose and must be removed as soon as the threat of imminent injury ends. A restraint may not cause physical injury to the person receiving services and must be designed to allow the greatest possible comfort and safety.

Daily records of the use of restraints identified in paragraph A must be kept, which may be accomplished by meeting reportable event requirements.

Daily records of the use of restraints identified in paragraph B must be kept, and a summary of the daily records pertaining to the person must be made available for review by the person's planning team, as defined in section 5461, subsection 8-C, on a schedule determined by the team. The review by the personal planning team may occur no less frequently than quarterly. The summary of the daily records must state the type of restraint used, the duration of the use and the reasons for the use. A monthly summary of all daily records pertaining to all persons must be relayed to the ~~Office of Advocacy~~advocacy agency designated pursuant to Title 5, section 19502.'

Amend the bill by striking out all of Parts F and G and inserting in the following:

## **PART F**

**Sec. F-1. Restructuring.** The Commissioner of Health and Human Services shall review the current organizational structure, systems and operations of the Department of Health and Human Services and restructure the department in order to achieve the provisions of this Act. Notwithstanding any other provision of law, the State Budget Officer shall transfer positions, appropriations and allocations between accounts and line categories by financial order upon approval of the Governor in order to achieve the provisions of this Act. Transfers by the State Budget Officer made prior to September 1, 2012 are considered adjustments to authorized position count, appropriations and allocations in fiscal year 2012-13. On or before December 1, 2012, the commissioner and the State Budget Officer shall provide the joint standing committees of the Legislature having jurisdiction over health and human services matters and appropriations and financial affairs a report outlining the progress towards the new organizational structure and any transferred amounts. On or before June 30, 2013, the commissioner and the State Budget Officer shall provide the joint standing committees of the Legislature having jurisdiction over health and

human services matters and appropriations and financial affairs a report updating the progress towards the new organizational structure and any transferred amounts made subsequent to the December 1, 2012 report.

## PART G

**Sec. G-1. Appropriations and allocations.** The following appropriations and allocations are made.

### HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

#### Developmental Services - Community 0122

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Elder and Adult Services and Office of Adults with Cognitive and Physical Disability Services.

GENERAL FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	0.000	(3.000)
Personal Services	\$0	(\$224,577)
	\$0	(\$224,577)
GENERAL FUND TOTAL	\$0	(\$224,577)

#### Mental Health Services - Children 0136

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Child and Family Services.

GENERAL FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	0.000	(9.000)
Personal Services	\$0	(\$704,020)
	\$0	(\$704,020)
GENERAL FUND TOTAL	\$0	(\$704,020)

#### Mental Health Services - Community 0121

Initiative: Eliminates 17 Intensive Case Manager positions, 2 Mental Health Caseworker Supervisor positions, one Mental Health Worker III position and one Social Services Manager I position in the Mental Health Services - Community program and increases All Other funding to expand the Projects for Assistance in Transition from Homelessness program to a statewide model. The remaining savings will be used to contract for case management services.

GENERAL FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	0.000	(21.000)

Personal Services	\$0	(\$1,041,182)
All Other	\$0	\$1,041,182
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GENERAL FUND TOTAL	\$0	\$0

**Mental Health Services - Community 0121**

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Substance Abuse and Office of Adult Mental Health Services.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(4.000)
Personal Services	\$0	(\$216,208)
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GENERAL FUND TOTAL	\$0	(\$216,208)

**Office of Advocacy - BDS 0632**

Initiative: Eliminates one Public Service Manager II position and 6 full-time and one part-time Advocate positions to reflect the elimination of the Office of Advocacy and increases the current All Other appropriation of \$38,292 by \$291,763 in order to provide \$330,055 for a contract for advocacy services. This request will reduce General Fund undedicated revenue by \$140,259.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(7.500)
Personal Services	\$0	(\$419,384)
All Other	\$0	\$291,763
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GENERAL FUND TOTAL	\$0	(\$127,621)

**Office of Substance Abuse 0679**

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Substance Abuse and Office of Adult Mental Health Services.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$15,000
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GENERAL FUND TOTAL	\$0	\$15,000

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
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Personal Services	\$0	\$5,907
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$5,907

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
GENERAL FUND	\$0	(\$1,257,426)
FEDERAL BLOCK GRANT FUND	\$0	\$5,907
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>(\$1,251,519)</b>

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Bureau of Child and Family Services - Central 0307**

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Child and Family Services.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	35.000
Personal Services	\$0	\$774,988
All Other	\$0	\$1,151,783
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$1,926,771</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(27.000)
Personal Services	\$0	(\$1,727,713)
All Other	\$0	(\$2,656,179)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$4,383,892)</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$1,479,798
All Other	\$0	(\$2,668,528)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$1,188,730)</b>

**Bureau of Child and Family Services - Regional 0452**

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Child and Family Services.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	16.000
Personal Services	\$0	(\$6,230,149)
All Other	\$0	\$432,191
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$5,797,958)</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$21,372)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$21,372)</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$7,322,251
All Other	\$0	\$975,406
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$8,297,657</b>

**Bureau of Medical Services 0129**

Initiative: Establishes 2 Public Service Coordinator I positions funded 50% General Fund and 50% Federal Expenditures Fund in the Bureau of Medical Services.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$83,362
All Other	\$0	\$5,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$88,362</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$83,362
All Other	\$0	\$6,341
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$89,703</b>

**Child Care Food Program 0454**

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Child and Family Services.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(2.000)
Personal Services	\$0	(\$82,533)
All Other	\$0	(\$327)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$82,860)</b>

**Child Care Services 0563**

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Child and Family Services.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	7.000
Personal Services	\$0	(\$140,825)
All Other	\$0	\$41,647
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>(\$99,178)</b>

**Child Support 0100**

Initiative: Establishes 8 Human Services Support Enforcement Agent positions funded 34% General Fund and 66% Federal Expenditures Fund in the Child Support program. The General Fund portion of the positions is funded by the additional undedicated revenue generated by these additional positions.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$174,240
All Other	\$0	\$15,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$189,240</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	8.000
Personal Services	\$0	\$338,240
All Other	\$0	\$30,667

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$368,907
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**Departmentwide 0640**

Initiative: Provides funds in the Departmentwide program within the Department of Health and Human Services. Funds may be transferred between accounts and line categories as needed within the department by financial order upon approval of the Governor.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	\$841,932
GENERAL FUND TOTAL	\$0	\$841,932

**IV-E Foster Care/Adoption Assistance 0137**

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Child and Family Services.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	\$1,418,655
GENERAL FUND TOTAL	\$0	\$1,418,655

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$15,143,042)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$15,143,042)

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$72,393)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$72,393)

**Office of Elder Services Adult Protective Services Z040**

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Elder and Adult Services and Office of Adults with Cognitive and Physical Disability Services.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	3.000
Personal Services	\$0	\$320,194
All Other	\$0	\$15,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$335,194</b>

**Purchased Social Services 0228**

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Child and Family Services.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$12,410
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$12,410</b>

**State-funded Foster Care/Adoption Assistance 0139**

Initiative: Provides for the restructuring of the Department of Health and Human Services' Office of Child and Family Services.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(14.000)
Personal Services	\$0	(\$1,173,774)
All Other	\$0	\$3,276,335
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$2,102,561</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$19,803
All Other	\$0	\$386,872
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$406,675</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$205,995
All Other	\$0	(\$5,652,788)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$5,446,793)</b>

**HEALTH AND HUMAN SERVICES, DEPARTMENT  
OF (FORMERLY DHS)**

	2011-12	2012-13
<b>DEPARTMENT TOTALS</b>		
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$1,117,167</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>(\$18,765,881)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$1,589,741</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>\$0</b>	<b>(\$99,178)</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>(\$16,158,151)</b>

	2011-12	2012-13
<b>SECTION TOTALS</b>		
<b>GENERAL FUND</b>	<b>\$0</b>	<b>(\$140,259)</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>(\$18,765,881)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$1,589,741</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>\$0</b>	<b>(\$93,271)</b>
<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>(\$17,409,670)</b>

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment is the majority report of the committee. The amendment clarifies that the authority of the Commissioner of Health and Human Services to restructure the Department of Health and Human Services is limited to actions to achieve the enacted provisions. The amendment corrects errors in the designation of fiscal years, requires the report from the Commissioner of Health and Human Services and the State Budget Officer by December 1, 2012 and requires another report by June 30, 2013. The amendment corrects appropriations and allocations in Part G. The amendment to Part G keeps as departmental personnel the intensive case managers who are connected to correctional facilities. The amendment retains the provisions of the bill that eliminate the positions of departmental personnel who are intensive case managers for adult mental health clients of the department and contract out that service.

This amendment also amends certain sections of the bill to incorporate changes to the laws in Public Law 2011, chapters 477 and 542.

**FISCAL NOTE REQUIRED  
(See attached)**