

SECOND REGULAR SESSION

HOUSE BILL NO. 1014

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BEARDEN.

Read 1st time January 27, 2004, and copies ordered printed.

STEVEN S. DAVIS, Chief Clerk

2414L.011

AN ACT

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2004.

Be it enacted by the General Assembly of the state of Missouri, as follows:

2 There is appropriated out of the State Treasury, chargeable to the fund and for the agency
and purpose designated, for the period ending June 30, 2004, as follows:

Section 14.005. To the Department of Elementary and Secondary Education

2 For distributions to the free public schools under the School Foundation

3 Program as provided in Chapter 163, RSMo, for the Early

4 Childhood Special Education Program

5 From Lottery Proceeds Fund \$14,980,488

Section 14.010. To the Department of Elementary and Secondary Education

2 For State Board of Education operated school programs

3 Expense and Equipment

4 From General Revenue Fund \$1,004,000

5 From Federal Funds 1,000,000

6 Total \$2,004,000

Section 14.015. To the Department of Elementary and Secondary Education

2 For the Division of Special Education

3 Personal Service

4 From General Revenue Fund \$10,135

Section 14.020. To the Department of Elementary and Secondary Education

2 For grants to rural and low income schools

3 From Federal Funds \$300,000

Section 14.025. To the Department of Elementary and Secondary Education

2 For the First Steps Program

3 From General Revenue Fund \$7,863,648

Section 14.030. To the Department of Higher Education

2 For the Public Service Officer or Employee Survivor Grant Program

3 pursuant to Section 173.260, RSMo

4 From General Revenue Fund \$22,460

Section 14.035. To the Department of Higher Education

2 For the Vietnam Veterans Survivors Scholarship Program pursuant to

3 Section 173.235, RSMo

4 From General Revenue Fund \$23,370

Section 14.040. To the Department of Higher Education

2 For the Missouri Guaranteed Student Loan Program

3 Expense and Equipment

4 From Guaranty Agency Operating Fund \$500,000

Section 14.045. To the Department of Transportation

2 For the Rail Program

3 For state participation in the joint federal/state Amtrak Rail Passenger

4 Service Program

5 From General Revenue Fund \$1,063,602

Section 14.050. To the Office of Administration

2 For the Commissioner’s Office

3 For paying an amount in aid to the counties that is the net amount of costs
4 in criminal cases, transportation of convicted criminals to the state
5 penitentiaries, and costs for reimbursement of the expenses
6 associated with extradition, less the amount of unpaid city or
7 county liability to furnish public defender office space and utility
8 services pursuant to Section 600.040, RSMo

9 From General Revenue Fund \$5,715,000

Section 14.055 To the Office of Administration

2 For the Children’s Services Commission

3 Expense and Equipment

4 From Children’s Services Commission Fund \$7,000

Section 14.060. To the Department of Agriculture

2 There is hereby transferred out of the State Treasury, chargeable
3 to the General Revenue Fund, to the Single-Purpose Animal
4 Facilities Loan Guarantee Fund

5 From General Revenue Fund \$1E

Section 14.065. To the Department of Agriculture

2 For the purpose of funding loan guarantees as provided in Section
3 348.190, RSMo

4 From Single-Purpose Animal Facilities Loan Guarantee Fund \$1E

Section 14.070. To the Department of Agriculture

2 There is hereby transferred out of the State Treasury, chargeable
3 to the General Revenue Fund, to the Agricultural Products
4 Utilization and Business Development Loan Guarantee Fund

5 From General Revenue Fund \$1E

Section 14.075. To the Department of Agriculture

2	For the purpose of funding loan guarantees as provided in Section	
3	348.409, RSMo	
4	From Agricultural Products Utilization and Business Development Loan	
5	Guarantee Fund	\$1E

Section 14.080. To the Department of Economic Development

2	For the Division of Administrative Services	
3	For the Missouri Downtown and Rural Economic Stimulus Act	
4	Expense and Equipment	
5	From General Revenue Fund	\$100,000

Section 14.085. To the Department of Economic Development

2	For the Division of Business Services	
3	Personal Service	\$26,388
4	Expense and Equipment	<u>17,444</u>
5	From General Revenue Fund	\$43,832

Section 14.090. To the Department of Economic Development

2	For the Division of Community Development	
3	Personal Service	\$26,388
4	Expense and Equipment	<u>17,444</u>
5	From General Revenue Fund	\$43,832

Section 14.095. To the Department of Economic Development

2	For the Missouri Downtown Economic Stimulus Act, as provided in	
3	Sections 99.915 to 99.980, RSMo	
4	From State Supplemental Downtown Development Fund	\$1E
5	For the Missouri Rural Economic Stimulus Act, as provided in Sections	
6	99.1000 to 99.1060, RSMo	
7	From State Supplemental Rural Development Fund	<u>1E</u>
8	Total	\$2

Section 14.100. To the Department of Economic Development

2	There is hereby transferred out of the State Treasury, chargeable	
3	to the State Supplemental Downtown Development Fund to the	
4	General Revenue Fund	
5	From State Supplemental Downtown Development Fund	\$1E
6	There is hereby transferred out of the State Treasury, chargeable	
7	to the State Supplemental Rural Development Fund to the General	
8	Revenue Fund	
9	From State Supplemental Rural Development Fund	<u>1E</u>
10	Total	\$2

Section 14.105. To the Department of Economic Development

2	For the Division of Community Development	
3	For the Delta Regional Authority, provided that funds may be expended	
4	only if federal funds are appropriated to the Authority pursuant to	
5	the Consolidated Farm and Rural Development Act (7 U.S.C.	
6	1921 et seq.)	
7	From General Revenue Fund	\$80,000

Section 14.110. To the Department of Economic Development

2	For the Office of Public Counsel	
3	Expense and Equipment	
4	From General Revenue Fund	\$20,850

Section 14.115. To the Department of Economic Development

2	For general administration of Utility Regulation activities	
3	For the Public Service Commission	
4	Personal Service	\$87,812
5	Expense and Equipment	<u>60,599</u>
6	From Public Service Commission Fund	\$148,411

Section 14.120. To the Department of Labor and Industrial Relations

2	For the Division of Workers' Compensation	
3	For payment of special claims	
4	From Workers' Compensation - Second Injury Fund	\$1,500,000E

Section 14.125. To the Department of Labor and Industrial Relations

- 2 For the Missouri Commission on Human Rights
- 3 Personal Service
- 4 From Federal Funds \$42,673E

Section 14.130. To the Department of Public Safety

- 2 For the National Forensic Sciences Improvement Act Program
- 3 From Federal Funds \$305,226

Section 14.135. To the Department of Public Safety

- 2 For the State Highway Patrol
- 3 For the Enforcement Program
- 4 Expense and Equipment
- 5 From Criminal Record System Fund \$1,210,000

Section 14.140. To the Department of Public Safety

- 2 For the State Highway Patrol
- 3 For Technical Services
- 4 Expense and Equipment
- 5 From State Highways and Transportation Department Fund \$892,778

Section 14.145. To the Department of Public Safety

- 2 For the State Water Patrol
- 3 Expense and Equipment
- 4 From Federal Funds \$90,000

Section 14.150. To the Adjutant General

- 2 For the Veterans' Recognition Program
- 3 Expense and Equipment
- 4 From Veterans' Commission Capital Improvement Trust Fund \$752,472

Section 14.155. To the Department of Corrections

- 2 For the purpose of funding the expense of fuel and utilities department wide
- 3 Expense and Equipment
- 4 From General Revenue Fund \$51,246

Section 14.160. To the Department of Mental Health

- 2 For the Division of Alcohol and Drug Abuse
- 3 For treatment of alcohol and drug abuse
- 4 From General Revenue Fund \$327,508

Section 14.165. To the Department of Mental Health

- 2 For the Division of Comprehensive Psychiatric Services
- 3 For the purpose of funding adult community programs provided that up to
- 4 ten percent of this appropriation may be used for services for youth
- 5 From General Revenue Fund \$1,211,292

Section 14.170. To the Department of Health and Senior Services

- 2 For the Office of the Director
- 3 For the purpose of funding federal grants which may become available
- 4 between sessions of the General Assembly
- 5 Personal Service \$347,653
- 6 Expense and Equipment 1,323,066
- 7 From Federal Funds \$1,670,719

Section 14.175. To the Department of Health and Senior Services

- 2 For the Division of Environmental Health and Communicable Disease
- 3 Prevention
- 4 Personal Service \$27,117
- 5 Expense and Equipment 10,266
- 6 From Missouri Public Health Services Fund \$37,383

Section 14.180. To the Department of Social Services

- 2 For the Family Support Division
- 3 For the purpose of funding the electronic benefit transfers (EBT) system
- 4 to reduce fraud, waste, and abuse
- 5 From General Revenue Fund \$428,331
- 6 From Federal Funds 375,442
- 7 Total \$803,773

Section 14.185. To the Department of Social Services

2 For the Family Support Division

3 For the purpose of funding nursing care payments to aged, blind, or
4 disabled persons, provided a portion of this appropriation may be
5 transferred to the Department of Mental Health for persons
6 removed from the Supplemental Nursing Care Program and placed
7 in the Supported Housing Program, resulting in a reduction of
8 Department of Mental Health supplemental nursing home clients
9 and for personal funds to recipients of Supplemental Nursing Care
10 payments as required by section 208.030, RSMo

11 From General Revenue Fund \$458,937

Section 14.190. To the Department of Social Services

2 For the Division of Medical Services

3 For funding long-term care services

4 For the purpose of funding home health, respite care, homemaker chore,
5 personal care, advanced personal care, adult day care, AIDS,
6 children’s waiver services, Program for All-Inclusive Care for the
7 Elderly, and other related services under the Medicaid fee-for-
8 service and managed care programs. Provided that an individual
9 eligible for or receiving nursing home care must be given the
10 opportunity to have those Medicaid dollars follow them to the
11 community to the extent necessary to meet their unmet needs as
12 determined by 13 CSR 15 9.030(5) and further be allowed to
13 choose the personal care program option in the community that
14 best meets the individuals’ unmet needs. This includes the
15 Consumer Directed Medicaid State Plan Amendment that is
16 administered by the Division of Vocational Rehabilitation in the
17 Department of Elementary and Secondary Education. And further
18 provided that individuals eligible for the Medicaid Personal Care
19 Option must be allowed to choose, from among all the program
20 options, that option which best meets their unmet need as
21 determined by 13 CSR 15 9.030(5); and also be allowed to have
22 their Medicaid funds follow them to the extent necessary to meet
23 their unmet needs whichever option they choose. This language
24 does not create any entitlements not established by statute. The

25 single state agency administering the Medicaid program is only
 26 authorized to reimburse for benefits that exceed a recipient’s spend
 27 down amount. Monies are not appropriated for coverage of
 28 medical assistance for persons whose incomes, calculated using
 29 less restrictive income methodologies, as authorized in 42 USC
 30 Section 1396(r)(2), exceeds ninety percent of the federal poverty
 31 level, and those persons whose income exceeds ninety percent of
 32 the federal poverty level will not be eligible for old age assistance
 33 benefits, permanent and total disability benefits, or aid to the blind
 34 benefits

35 From Federal Funds \$593,200

Section 14.195. To the Department of Social Services

2 For the Division of Medical Services

3 For the purpose of funding all other non-institutional services, including,
 4 but not limited to, rehabilitation, optometry, audiology, ambulance,
 5 non-emergency medical transportation, durable medical
 6 equipment, and eyeglasses following cataract surgery under the
 7 Medicaid fee-for-service and managed care programs. A portion
 8 of this funding allows for contracted services related to prior
 9 authorization of certain Medicaid services. The single agency
 10 administering the Medicaid program is only authorized to
 11 reimburse for benefits that exceed a recipients’ spend down
 12 amount. Monies are not appropriated for coverage of medical
 13 assistance for persons whose incomes, calculated using less
 14 restrictive income methodologies, as authorized in 42 USC Section
 15 1396(r)(2), exceeds ninety percent of the federal poverty level, and
 16 those persons whose income exceeds ninety percent of federal
 17 poverty level will not be eligible for old age assistance benefits,
 18 permanent and total disability benefits, or aid to the blind benefits

19 From General Revenue Fund \$8,803

20 From Federal Funds 14,044

21 Total \$22,847

Section 14.200. To the Department of Social Services

2 For the Division of Medical Services

3 For the purpose of funding the payment to comprehensive prepaid health
 4 care plans or for payments to providers of health care services for
 5 persons eligible for medical assistance under the Medicaid fee-for-
 6 service programs or State Medical Program as provided by federal
 7 or state law or for payments to programs authorized by the Frail
 8 Elderly Demonstration Project Waiver as provided by the Omnibus
 9 Budget Reconciliation Act of 1990 (P.L. 101-508, Section 4744)
 10 and by Section 208.152 (22), RSMo. The single agency
 11 administering the Medicaid program is only authorized to
 12 reimburse for benefits that exceed a recipient's spend down
 13 amount. Monies are not appropriated for coverage of medical
 14 assistance for persons whose incomes, calculated using less
 15 restrictive income methodologies, as authorized in 42 USC Section
 16 1396(r)(2), exceeds ninety percent of the federal poverty level, and
 17 those persons whose income exceeds ninety percent of the federal
 18 poverty level will not be eligible for old age assistance benefits,
 19 permanent and total disability benefits, or aid to the blind benefits

20	From General Revenue Fund	\$3,508,099
21	From Federal Funds	<u>5,582,595</u>
22	Total	\$9,090,694

Section 14.205. To the Department of Social Services

2 For the Division of Medical Services

3 For the purpose of funding hospital care under the Medicaid fee-for-
 4 service and managed care programs. The Division of Medical
 5 Services may adjust SFY 2004 costs of the uninsured payments to
 6 hospitals to reflect the impact on hospitals of the elimination of
 7 Medicaid coverage for adults with incomes above 77 percent of the
 8 federal poverty level and who were covered through a Section
 9 1931 transfer. The single agency administering the Medicaid
 10 program is only authorized to reimburse for benefits that exceed
 11 a recipient's spend down amount. Monies are not appropriated for
 12 coverage of medical assistance for persons whose incomes,
 13 calculated using less restrictive income methodologies, as

14 authorized in 42 USC Section 1396(r)(2), exceeds ninety percent
 15 of the federal poverty level, and those persons whose income
 16 exceeds ninety percent of the federal poverty level will not be
 17 eligible for old age assistance benefits, permanent and total
 18 disability benefits, or aid to the blind benefits

19	From General Revenue Fund	\$2,292,613
20	From Federal Funds	<u>3,604,653</u>
21	Total	\$5,897,266

Section 14.210. To the Department of Social Services

2 For the Division of Medical Services

3 For funding programs to enhance access to care for uninsured children
 4 using fee-for-services, prepaid health plans, or other alternative
 5 service delivery and reimbursement methodology approved by the
 6 director of the Department of Social Services. Provided that the
 7 Department shall implement co-payments as provided in Sections
 8 208.631 to 208.657, RSMo. In order to be eligible, and pursuant
 9 to the provisions of Sections 208.631 to 208.657, RSMo, parents
 10 and guardians of uninsured children with incomes between two
 11 hundred twenty-six and three hundred percent of the federal
 12 poverty level shall submit with their application two health
 13 insurance quotes from insurers providing services in their
 14 community. Said quotes shall exceed one hundred thirty-three
 15 percent of the average monthly premium currently required in the
 16 Missouri Consolidated Health Care Plan. The single agency
 17 administering the Medicaid program is only authorized to
 18 reimburse for benefits that exceed a recipient's spend down
 19 amount. Monies are not appropriated for coverage of medical
 20 assistance for persons whose incomes, calculated using less
 21 restrictive income methodologies, as authorized in 42 USC Section
 22 1396(r)(2), exceeds ninety percent of the federal poverty level, and
 23 those persons whose income exceeds ninety percent of the federal
 24 poverty level will not be eligible for old age assistance benefits,
 25 permanent and total disability benefits, or aid to the blind benefits

26	From General Revenue Fund	\$350,822
27	From Federal Funds	<u>946,245</u>
28	Total	\$1,297,067

Section 14.215. To the Department of Social Services

2 For the Division of Medical Services

3 For the purpose of funding appropriations for any medical service under
4 the Medicaid fee-for-service, managed care, or State Medical
5 programs, including related services. Appropriations shall not be
6 used to provide reimbursement for adult dental services provided
7 after July 1, 2003. Monies are not appropriated for coverage of
8 medical assistance for persons whose incomes, calculated using
9 less restrictive income methodologies, as authorized in 42 USC
10 Section 1396(r)(2), exceeds ninety percent of the federal poverty
11 level, and those persons whose income exceeds ninety percent of
12 the federal poverty level will not be eligible for old age assistance
13 benefits, permanent and total disability benefits, or aid to the blind
14 benefits. The single agency administering the Medicaid program
15 is only authorized to reimburse for benefits that exceed a
16 recipient's spend down amount

17	From General Revenue Fund	\$13,211,671
18	From Federal Funds	94,245,071
19	From Uncompensated Care Fund	<u>81,900,000</u>
20	Total	\$189,356,742

Section 14.220. To the Governor

2 For conducting special audits

3	From General Revenue Fund	\$50,000
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Section 14.225. To the Secretary of State

2 For the Missouri State Library

3 For the purpose of funding costs related to library automation

4	From General Revenue Fund	\$103,204
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Section 14.230. To the Attorney General

2	Personal Service and/or Expense and Equipment	
3	From Federal Funds	\$59,505

Section 14.235. To the Supreme Court

2	Personal Service	\$21,033
3	Expense and Equipment	<u>5,266</u>
4	From the Basic Civil Legal Services Fund	\$26,299

Section 14.240. To the Supreme Court

2	Expense and Equipment	
3	From Drug Court Resources Fund	\$250,000

Section 14.245. To the Senate

2	For the Joint Committee on Transportation	
3	From General Revenue Fund	\$27,775

Section 14.250. To the Committee on Legislative Research - Administration

2	For payment of expenses of members, salaries and expenses of employees,	
3	and other necessary operating expenses	
4	From General Revenue Fund	\$40,381