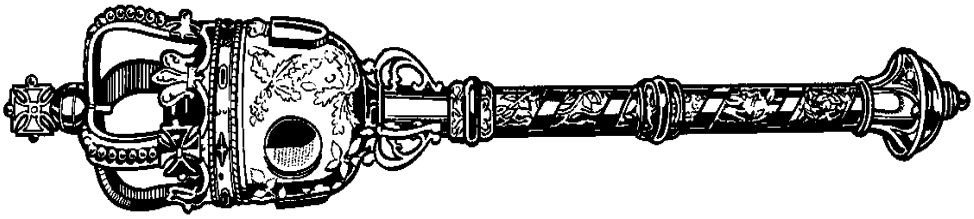
House Appropriations Committee



Amendments to House Bill 29

February 21, 2016

INTRODUCTION

This document contains proposed amendments to House Bill 29, the 2014-2016 Appropriations Act. The amendments are presented in the following order: Part 1 - Operating Expenses; Part 2 - Capital Outlay; Part 3 - Miscellaneous; and Part 4 - General Provisions. For ease of review, each amendment is listed sequentially by item number. A brief explanation of the purpose of each amendment also is provided.

Increased or (decreased) appropriations are drawn to program totals which appear under columns labeled "Appropriations". Fund sources are designated in the amendments either as General Fund (GF) or Non-General Fund (NGF).

Approved changes are then entered at the appropriate sub-program level in the "Item Details" columns, when the bill is enrolled. Please contact our staff at (804) 698-1590 if you desire any information on these amendments.

S. Chris Jones
Chairman

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Item 0 #1h

Revenues

Revenues Language

Language:

Page 1 strike lines 25 through 37 and insert:

	"First Year	Second Year	Total
Unreserved Balance, June 30, 2014	$835,153,067	$0	$835,153,067
Additions to Balance	($219,394,360)	($426,542,862)	($645,937,222)
Official Revenue Estimates	$17,186,022,255	$18,308,867,069	$35,494,889,324
Revenue Stabilization Fund	$470,000,000	$235,000,000	$705,000,000
Transfers	$644,994,561	$573,716,613	$1,218,711,174
Total General Fund Revenues Available for Appropriation	$18,916,775,523	$18,691,040,820	37,607,816,343"

Page 1, strike lines 39 through 46.

Page 2, strike lines 1 through 6 and insert:

	"First Year	Second Year	Total
Balance June 30, 2014	$4,945,503,350	-	$4,945,503,350
Official Revenue Estimates	$25,734,466,497	$26,468,118,074	$52,202,584,571
Lottery Proceeds Fund	$557,555,450	$559,251,467	$1,116,806,917
Internal Service Fund	$1,771,892,976	$1,908,509,481	$3,680,402,457
Bond Proceeds	$792,874,586	$248,608,000	$1,041,482,586
Total Nongeneral Fund Revenues Available for Appropriations	$33,802,292,859	$29,184,487,022	$62,986,779,881
TOTAL PROJECTED REVENUES	$52,719,068,382	$47,875,527,842	$100,594,596,224"

Explanation:

(This amendment contains the resource adjustments included in the House Appropriations Committee Amendments to House Bill 29 as introduced.)

Item 70 #1h

Administration

Compensation Board Language

Language:

Page 16, line 35, after "fee", insert:
"Effective July 1, 2015, as provided in § 19.2-349, Code of Virginia, treasurers not being compensated on a contingency basis as of January 1, 2015 shall be prohibited from being compensated on a contingency basis but shall be instead compensated administrative cost pursuant to § 58.1-3958, Code of Virginia. Treasurers currently collecting a contingency fee shall be eligible to contract on a contingency fee basis. Effective July 1, 2016, the collection of delinquent court fines, costs, forfeitures, and penalties shall be made consistent with § 19.2-349, Code of Virginia."

Explanation:

(This amendment restores the policy adopted by the 2015 General Assembly concerning court debt collections by local treasurers.)

Item 135 #1h

Education	**FY14-15**	**FY15-16**	
Direct Aid to Public Education	$0	$123,000	GF

Language:

Page 28, line 12, strike "$22,066,149" and insert "$22,189,149".
Page 28, line 38, after "year", insert "and $123,000 the second year."

Explanation:

(This amendment provides $123,000 the second year from the general fund to Norton City Public School Division to address a technical adjustment needed relative to the school-aged population estimate reported by Weldon Cooper Center but was inadvertently overlooked.)

Item 136 #1h

Education	**FY14-15**	**FY15-16**	
Direct Aid to Public Education	$0	($1,271,186)	GF

Language:

Page 33, line 1, strike "$6,404,066,640" and insert "$6,402,795,454".
Page 33, line 46, strike "$5,739,977" and insert "$4,209,784".
Page 34, line 6, strike "$25,324,478" and insert "$25,583,485".
Page 34, line 9, strike "$5,541,815,321" and insert "$5,540,544,135".
Page 34, line 51, strike "$8,824,359" and insert "$9,115,167".
Page 35, line 18, strike "$84,943,308" and insert "$83,122,307".
Page 35, line 31, strike "$60,882,610" and insert "$62,412,803".
Page 46, line 8, strike "$5,739,977" and insert "$4,209,784".
Page 46, line 9, strike "$60,882,610" and insert "$62,412,803".
Page 49, line 23, strike "$25,324,478" and insert "$25,583,485".
Page 59, line 28, strike "$84,943,308" and insert "$83,122,307".
Page 60, line 47, strike "$8,824,359" and insert "$9,115,167".

Explanation:

(This amendment captures a net savings of $1.3 million in the second year from the general fund from revising the student participation totals for several programs. The Special Education - Regional Tuition costs decreased by $1.8 million, the cost for Foster Care increased by about $290,808, and Remedial Summer School increased by $259,007.)

Item 136 #2h

Education

Direct Aid to Public Education — Language

Language:

Page 35, line 36, strike "$71,163,200" and insert "$66,880,700".
Page 51, line 46, strike "$71,163,200" and insert "$66,880,700".
Page 52, line 11, strike "$71,163,200" and insert "$66,880,700".

Explanation:

(This technical amendment updates the language for the Virginia Public School Authority (VPSA) Educational Technology total for the revised Spring 2016 issuance of debt based on actual participation.)

Item 136 #3h

Education	**FY14-15**	**FY15-16**	
Direct Aid to Public Education	$0	($4,834,727)	GF

Language:

Page 33, line 1, strike "$6,404,066,640" and insert "$6,399,231,913".
Page 33, line 5, strike "$5,734,699,322" and insert "$5,729,864,595".
Page 33, line 42, strike "$3,061,853,753" and insert "$3,068,019,026".
Page 33, line 44, strike "$1,327,900,000" and insert "$1,316,900,000".
Page 34, line 9, strike "$5,541,815,321" and insert "$5,536,980,594".
Page 35, line 27, strike "$987,797" and insert "$986,771".
Page 35, line 31, strike "$60,882,610" and insert "$60,883,636".
Page 46, line 9, strike "$60,882,610" and insert "$60,883,636".
Page 46, line 36, strike "$370,000,000" and insert "$366,700,000".
Page 46, line 44, strike "$246,700,000" and insert "$244,500,000".
Page 46, line 53, strike "$123,300,000" and insert "$122,200,000".

Explanation:

(This technical amendment captures $4.8 million in the second year from the general fund to reflect the net result of the sales tax estimated revenue for the mid-year forecast decrease of $11.0 million and the SOQ Basic Aid account increase of $6.2 million to offset the state's share of the decreased sales tax. This amendment also revises language related to the estimated transfer to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund.)

Item 290 #1h

Health and Human Resources	**FY14-15**	**FY15-16**	
Department of Health	$0	($22,455)	NGF

Language:

Page 86, line 8, strike "$238,707,003" and insert "$238,684,548".
Page 87, strike lines 46 through 49.

Explanation:

(This amendment eliminates $22,455 the second year in Temporary Assistance to Needy Families block grant funds and language and one position to develop a pilot program in the Virginia Department of Health to expand access to long-acting reversible contraceptives.)

Item 307.10 #1h

Health and Human Resources	**FY14-15**	**FY15-16**	
Behavioral Health and Developmental Services, Department of	$0	$400,000	GF

Language:

Page 118, after line 1, insert:

"307.10 Administrative and Support Services		$71,784,395	$76,285,382	
Fund Sources:	General	$44,268,192	$48,136,305	
	Special	$16,653,770	$15,756,506	
	Federal Trust	$10,862,433	$12,392,571	"

Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at the beginning of each fiscal year, establish the current capacity for each facility within the system. When a facility becomes full, the commissioner or his designee shall give notice of the fact to all sheriffs.

B. The Commissioner, Department of Behavioral Health and Developmental Services shall work in conjunction with community services boards to develop and implement a graduated plan for the discharge of eligible facility clients to the greatest extent possible, utilizing savings generated from statewide gains in system efficiencies.

C. Notwithstanding § 4-5.09 of this act and paragraph C of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. The trust fund will receive any savings resulting from facility restructuring. Thereafter, the fund will be used to enhance services to individuals with mental illness, intellectual disability and substance abuse problems.

D. The Department of Behavioral Health and Developmental Services shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of acute-care psychiatric beds for children and adolescents.

E. The Department of Behavioral Health and Developmental Services, in cooperation with the Department of Juvenile Justice, where appropriate, shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of residential beds for the treatment of juveniles with behavioral health

treatment needs, including those who are mentally retarded, aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.

F. Out of this appropriation, $656,538 the first year and $656,538 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.

G. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund shall be used to pay for legal and medical examinations needed for individuals living in the community and in need of guardianship services.

H. Out of this appropriation, $2,059,930 the first year and $2,419,930 the second year from the general fund shall be provided for services for the civil commitment of sexually violent predators including the following: (i) clinical evaluations and court testimony for sexually violent predators who are being considered for release from state correctional facilities and who will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment, (ii) conditional release services, including treatment, and (iii) costs associated with contracting with a Global Positioning System service to closely monitor the movements of individuals who are civilly committed to the sexually violent predator program but conditionally released.

I. Out of this appropriation, $136,715 the first year and $146,871 the second year from the general fund shall be used to operate a real-time reporting system for public and private acute psychiatric beds in the Commonwealth.

J. The Department of Behavioral Health and Developmental Services shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than December 1 of each year for the preceding fiscal year that provides information on the operation of Virginia's publicly-funded behavioral health and developmental services system. The report shall include a brief narrative and data on the numbers of individuals receiving state facility services or CSB services, including purchased inpatient psychiatric services, the types and amounts of services received by these individuals, and CSB and state facility service capacities, staffing, revenues, and expenditures. The annual report also shall describe major new initiatives implemented during the past year and shall provide information on the accomplishment of systemic outcome and performance measures during the year.

K. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be used for a comprehensive statewide suicide prevention program. The Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS), in collaboration with the Departments of Health, Education, Veterans Services, Aging and Rehabilitative Services, and other partners shall develop and implement a statewide program of public education, evidence-based training, health and behavioral health provider capacity-building, and related suicide prevention activity.

L.1. Beginning October 1, 2013, the Commissioner of the Department of Behavioral Health

and Developmental Services shall provide quarterly reports to the House Appropriations and Senate Finance Committees on progress in implementing the plan to close state training centers and transition residents to the community. The reports shall provide the following information on each state training center: (i) the number of authorized representatives who have made decisions regarding the long-term type of placement for the resident they represent and the type of placement they have chosen; (ii) the number of authorized representatives who have not yet made such decisions; (iii) barriers to discharge; (iv) the general fund and nongeneral fund cost of the services provided to individuals transitioning from training centers; and (v) the use of increased Medicaid reimbursement for congregate residential services to meet exceptional needs of individuals transitioning from state training centers.

2. At least six months prior to the closure of a state intellectual disabilities training center, the Commissioner of Behavioral Health and Developmental Services shall complete a comprehensive survey of each individual residing in the facility slated for closure to determine the services and supports the individual will need to receive appropriate care in the community. The survey shall also determine the adequacy of the community to provide care and treatment for the individual, including but not limited to, the appropriateness of current provider rates, adequacy of waiver services, and availability of housing. The Commissioner shall report quarterly findings to the Governor and Chairmen of the House Appropriations and Senate Finance Committees.

3. The department shall convene quarterly meetings with authorized representatives, families, and service providers in Health Planning Regions I, II, III and IV to provide a mechanism to (i) promote routine collaboration between families and authorized representatives, the department, community services boards, and private providers; (ii) ensure the successful transition of training center residents to the community; and (iii) gather input on Medicaid waiver redesign to better serve individuals with intellectual and developmental disability. In its Medicaid waiver redesign, the department shall include as stakeholders and eligible participants, individuals with acquired brain injury regardless of age in which the injury was sustained, who have serious physical, cognitive, and/or behavioral health issues who are at risk for institutionalization or who are institutionalized but could live in the community with adequate supports.

4. In the event that provider capacity cannot meet the needs of individuals transitioning from training centers to the community, the department shall work with community services boards and private providers to explore the feasibility of developing (i) a limited number of small community group homes or intermediate care facilities to meet the needs of residents transitioning to the community, and/or (ii) a regional support center to provide specialty services to individuals with intellectual and developmental disabilities whose medical, dental, rehabilitative or other special needs cannot be met by community providers. The Commissioner shall report on these efforts to the House Appropriations and Senate Finance Committees as part of the quarterly report, pursuant to paragraph L.1.

M. The State Comptroller shall provide the Department of Behavioral Health and

Developmental Services an interest-free anticipation loan not to exceed $3,100,000 to serve as an advance stream of funds in anticipation of Medicare Meaningful Use funds related to successful implementation of the Electronic Health Records project at state-operated behavioral health and intellectual disability facilities. The loan will be repaid no later than June 30, 2015.

N.1. A joint subcommittee of the House Appropriations and Senate Finance Committees, in collaboration with the Secretary of Health and Human Resources and the Department of Behavioral Health and Developmental Services, shall continue to monitor and review the closure plans for the three remaining training centers scheduled to close by 2020. As part of this review process the joint subcommittee may evaluate options for those individuals in training centers with the most intensive medical and behavioral needs to determine the appropriate types of facility or residential settings necessary to ensure the care and safety of those residents is appropriately factored into the overall plan to transition to a more community-based system. In addition, the joint subcommittee may review the plans for the redesign of the Intellectual Disability, Developmental Disability and Day Support Waivers.

2. To assist the joint subcommittee, the Department of Behavioral Health and Developmental Services shall provide a quarterly accounting of the costs to operate and maintain each of the existing training centers at a level of detail as determined by the joint subcommittee. The quarterly reports shall be submitted to the joint subcommittee 20 days after the close of each quarter with the first report due October 20, 2015 and every three months thereafter.

O. The Department of Behavioral Health and Developmental Services in collaboration with the Department of Medical Assistance Services shall provide a detailed report for each fiscal year on the budget, expenditures, and number of recipients for each specific intellectual disability (ID) and developmental disability (DD) service provided through the Medicaid program or other programs in the Department of Behavioral Health and Developmental Services. This report shall also include the overall budget and expenditures for the ID, DD and Day Support waivers separately. The Department of Medical Assistance Services shall provide the necessary information to the Department of Behavioral Health and Developmental Services 90 days after the end of each fiscal year. This information shall be published on the Department of Behavioral Health and Developmental Services' website within 120 days after the end of each fiscal year.

P. The Department of Behavioral Health and Developmental Services shall report on the number of individuals with acquired brain injury exhibiting behavioral/mental health problems requiring services in state mental health facilities and/or community services boards to the House Appropriations and Senate Finance Committees by October 1 of each year. The report shall provide, to the extent possible, the following information: (i) the general fund and nongeneral fund cost of the services provided to individuals; and (ii) the types and amounts of services received by these individuals.

Q. Effective July 1, 2015, the Department of Behavioral Health and Developmental Services shall not charge any fee to Community Services Boards or private providers for use of the

knowledge center, an on-line training system.

R. The Department of Behavioral Health and Developmental Services shall undertake a review of Piedmont Geriatric and Catawba Hospitals. This review shall evaluate the operational, maintenance and capital costs of these hospitals, and study alternate options of care, especially geriatric psychiatric care for patients residing in these hospitals. The department shall develop recommendations and report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2015.

S. The Department of Behavioral Health and Developmental Services in collaboration with the Community Services Boards shall compile and report all available information regarding the services and support needs of the individuals on waiting lists for Intellectual and Developmental Disability (I/DD) waiver services, including an estimate of the number of graduates with I/DD who are exiting secondary education each fiscal year. The department shall submit a report to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2015.

T. 1. Out of this appropriation, $~~400,000~~ $8*00,000* the second year from the general fund is included to provide compensation to individuals who were involuntarily sterilized pursuant to the Virginia Eugenical Sterilization Act and who were living as of February 1, 2015. *Any funds that are appropriated but remain unspent at the end of the fiscal year may be carried forward into the subsequent fiscal year in order to provide compensation to individuals who qualify for compensation.*

2. A claim may be submitted on behalf of an individual by a person lawfully authorized to act on the individual's behalf. A claim may be submitted by the estate of or personal representative of, an individual who dies on or after February 1, 2015.

3. Reimbursement shall be contingent on the individual or their representative providing appropriate documentation and information to verify the claim under guidelines established by the department.

4. Reimbursement per verified claim shall be $25,000 and shall be contingent on funding being available, with disbursements being prioritized based on the date at which sufficient documentation is provided.

5. Should the funding provided for compensation be exhausted prior to the end of fiscal year 2016, the department shall continue to collect applications. The department shall provide a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on a quarterly basis on the number of additional individuals who have been applied.

6. The Department of Medical Assistance Services shall seek federal authority to ensure that funds received through this act shall not be counted in determination of Medicaid eligibility.

7. In order for the Department of Behavioral Health and Developmental Services, and the Department of Medical Assistance Services to implement the provisions of this act, both

departments shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act."

Explanation:

(This amendment adds $400,000 in the second year from the general fund for compensation for victims of sterilization pursuant to the Virginia Eugenical Sterilization Act and who were living as of February 1, 2015. Language is added to allow any funds that remain unspent at the end of the fiscal year to be carried over into the subsequent fiscal year for purposes of compensation of these individuals. This amendment will be enrolled in Item 307, Chapter 665, 2015 Acts of Assembly, during enrolling of House Bill 29.)

Item 307.10 #2h

Health and Human Resources		**FY14-15**	**FY15-16**
Behavioral Health and Developmental Services, Department of			

Language:

Page 118, after line 1, insert:

"307.10 Administrative and Support Services		$71,784,395	$75,885,382	
Fund Sources:	General	$44,268,192	$47,736,305	
	Special	$16,653,770	$15,756,506	
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A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at the beginning of each fiscal year, establish the current capacity for each facility within the system. When a facility becomes full, the commissioner or his designee shall give notice of the fact to all sheriffs.

B. The Commissioner, Department of Behavioral Health and Developmental Services shall work in conjunction with community services boards to develop and implement a graduated plan for the discharge of eligible facility clients to the greatest extent possible, utilizing savings generated from statewide gains in system efficiencies.

C. Notwithstanding § 4-5.09 of this act and paragraph C of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. The trust fund will receive any savings resulting from facility restructuring. Thereafter, the fund will be used to enhance services to individuals with mental illness, intellectual disability and substance abuse problems.

D. The Department of Behavioral Health and Developmental Services shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of acute-care psychiatric beds for children and

adolescents.

E. The Department of Behavioral Health and Developmental Services, in cooperation with the Department of Juvenile Justice, where appropriate, shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of residential beds for the treatment of juveniles with behavioral health treatment needs, including those who are mentally retarded, aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.

F. Out of this appropriation, $656,538 the first year and $656,538 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.

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H. Out of this appropriation, $2,059,930 the first year and $2,419,930 the second year from the general fund shall be provided for services for the civil commitment of sexually violent predators including the following: (i) clinical evaluations and court testimony for sexually violent predators who are being considered for release from state correctional facilities and who will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment, (ii) conditional release services, including treatment, and (iii) costs associated with contracting with a Global Positioning System service to closely monitor the movements of individuals who are civilly committed to the sexually violent predator program but conditionally released.

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J. The Department of Behavioral Health and Developmental Services shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than December 1 of each year for the preceding fiscal year that provides information on the operation of Virginia's publicly-funded behavioral health and developmental services system. The report shall include a brief narrative and data on the numbers of individuals receiving state facility services or CSB services, including purchased inpatient psychiatric services, the types and amounts of services received by these individuals, and CSB and state facility service capacities, staffing, revenues, and expenditures. The annual report also shall describe major new initiatives implemented during

the past year and shall provide information on the accomplishment of systemic outcome and performance measures during the year.

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L.1. Beginning October 1, 2013, the Commissioner of the Department of Behavioral Health and Developmental Services shall provide quarterly reports to the House Appropriations and Senate Finance Committees on progress in implementing the plan to close state training centers and transition residents to the community. The reports shall provide the following information on each state training center: (i) the number of authorized representatives who have made decisions regarding the long-term type of placement for the resident they represent and the type of placement they have chosen; (ii) the number of authorized representatives who have not yet made such decisions; (iii) barriers to discharge; (iv) the general fund and nongeneral fund cost of the services provided to individuals transitioning from training centers; and (v) the use of increased Medicaid reimbursement for congregate residential services to meet exceptional needs of individuals transitioning from state training centers.

2. At least six months prior to the closure of a state intellectual disabilities training center, the Commissioner of Behavioral Health and Developmental Services shall complete a comprehensive survey of each individual residing in the facility slated for closure to determine the services and supports the individual will need to receive appropriate care in the community. The survey shall also determine the adequacy of the community to provide care and treatment for the individual, including but not limited to, the appropriateness of current provider rates, adequacy of waiver services, and availability of housing. The Commissioner shall report quarterly findings to the Governor and Chairmen of the House Appropriations and Senate Finance Committees.

3. The department shall convene quarterly meetings with authorized representatives, families, and service providers in Health Planning Regions I, II, III and IV to provide a mechanism to (i) promote routine collaboration between families and authorized representatives, the department, community services boards, and private providers; (ii) ensure the successful transition of training center residents to the community; and (iii) gather input on Medicaid waiver redesign to better serve individuals with intellectual and developmental disability. ~~In its Medicaid waiver redesign, the department shall include as~~

~~stakeholders and eligible participants, individuals with acquired brain injury regardless of age in which the injury was sustained, who have serious physical, cognitive, and/or behavioral health issues who are at risk for institutionalization or who are institutionalized but could live in the community with adequate supports.~~

4. In the event that provider capacity cannot meet the needs of individuals transitioning from training centers to the community, the department shall work with community services boards and private providers to explore the feasibility of developing (i) a limited number of small community group homes or intermediate care facilities to meet the needs of residents transitioning to the community, and/or (ii) a regional support center to provide specialty services to individuals with intellectual and developmental disabilities whose medical, dental, rehabilitative or other special needs cannot be met by community providers. The Commissioner shall report on these efforts to the House Appropriations and Senate Finance Committees as part of the quarterly report, pursuant to paragraph L.1.

M. The State Comptroller shall provide the Department of Behavioral Health and Developmental Services an interest-free anticipation loan not to exceed $3,100,000 to serve as an advance stream of funds in anticipation of Medicare Meaningful Use funds related to successful implementation of the Electronic Health Records project at state-operated behavioral health and intellectual disability facilities. The loan will be repaid no later than June 30, 2015.

N.1. A joint subcommittee of the House Appropriations and Senate Finance Committees, in collaboration with the Secretary of Health and Human Resources and the Department of Behavioral Health and Developmental Services, shall continue to monitor and review the closure plans for the three remaining training centers scheduled to close by 2020. As part of this review process the joint subcommittee may evaluate options for those individuals in training centers with the most intensive medical and behavioral needs to determine the appropriate types of facility or residential settings necessary to ensure the care and safety of those residents is appropriately factored into the overall plan to transition to a more community-based system. In addition, the joint subcommittee may review the plans for the redesign of the Intellectual Disability, Developmental Disability and Day Support Waivers.

2. To assist the joint subcommittee, the Department of Behavioral Health and Developmental Services shall provide a quarterly accounting of the costs to operate and maintain each of the existing training centers at a level of detail as determined by the joint subcommittee. The quarterly reports shall be submitted to the joint subcommittee 20 days after the close of each quarter with the first report due October 20, 2015 and every three months thereafter.

O. The Department of Behavioral Health and Developmental Services in collaboration with

the Department of Medical Assistance Services shall provide a detailed report for each fiscal year on the budget, expenditures, and number of recipients for each specific intellectual disability (ID) and developmental disability (DD) service provided through the Medicaid program or other programs in the Department of Behavioral Health and Developmental Services. This report shall also include the overall budget and expenditures for the ID, DD and Day Support waivers separately. The Department of Medical Assistance Services shall provide the necessary information to the Department of Behavioral Health and Developmental Services 90 days after the end of each fiscal year. This information shall be published on the Department of Behavioral Health and Developmental Services' website within 120 days after the end of each fiscal year.

P. The Department of Behavioral Health and Developmental Services shall report on the number of individuals with acquired brain injury exhibiting behavioral/mental health problems requiring services in state mental health facilities and/or community services boards to the House Appropriations and Senate Finance Committees by October 1 of each year. The report shall provide, to the extent possible, the following information: (i) the general fund and nongeneral fund cost of the services provided to individuals; and (ii) the types and amounts of services received by these individuals.

Q. Effective July 1, 2015, the Department of Behavioral Health and Developmental Services shall not charge any fee to Community Services Boards or private providers for use of the knowledge center, an on-line training system.

R. The Department of Behavioral Health and Developmental Services shall undertake a review of Piedmont Geriatric and Catawba Hospitals. This review shall evaluate the operational, maintenance and capital costs of these hospitals, and study alternate options of care, especially geriatric psychiatric care for patients residing in these hospitals. The department shall develop recommendations and report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2015.

S. The Department of Behavioral Health and Developmental Services in collaboration with the Community Services Boards shall compile and report all available information regarding the services and support needs of the individuals on waiting lists for Intellectual and Developmental Disability (I/DD) waiver services, including an estimate of the number of graduates with I/DD who are exiting secondary education each fiscal year. The department shall submit a report to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2015.

T. 1. Out of this appropriation, $400,000 the second year from the general fund is included to provide compensation to individuals who were involuntarily sterilized pursuant to the

Virginia Eugenical Sterilization Act and who were living as of February 1, 2015.

2. A claim may be submitted on behalf of an individual by a person lawfully authorized to act on the individual's behalf. A claim may be submitted by the estate of or personal representative of, an individual who dies on or after February 1, 2015.

3. Reimbursement shall be contingent on the individual or their representative providing appropriate documentation and information to verify the claim under guidelines established by the department.

4. Reimbursement per verified claim shall be $25,000 and shall be contingent on funding being available, with disbursements being prioritized based on the date at which sufficient documentation is provided.

5. Should the funding provided for compensation be exhausted prior to the end of fiscal year 2016, the department shall continue to collect applications. The department shall provide a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on a quarterly basis on the number of additional individuals who have been applied.

6. The Department of Medical Assistance Services shall seek federal authority to ensure that funds received through this act shall not be counted in determination of Medicaid eligibility.

7. In order for the Department of Behavioral Health and Developmental Services, and the Department of Medical Assistance Services to implement the provisions of this act, both departments shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act."

Explanation:

(This amendment strikes language contained in Chapter 665, 2015 Virginia Acts of Assembly related to Department of Behavioral Health and Developmental Services quarterly meetings with stakeholders on training center closures and Intellectual and Developmental Disability waiver redesign. Language is eliminated including stakeholders with acquired brain injuries regardless of age. The Centers for Medicare and Medicaid determined that including services for individuals with acquired brain injury regardless of age as part of the waiver redesign was not consistent with CMS regulations. This amendment will be enrolled in Item 307, Chapter 665, 2015 Acts of Assembly, during enrolling of House Bill 29.)

Item 308 #1h

Health and Human Resources	**FY14-15**	**FY15-16**	
Grants to Localities	$0	$1,500,000	NGF

Language:

Page 118, line 2, strike "$379,715,193" and insert "$381,215,193".
Page 121, after line 16, insert
"EE.1. Out of this appropriation, $1,500,000 the second year from the Behavioral Health and Developmental Services Trust Fund, established pursuant to § 37.2-318 of the Code of Virginia, shall be used for one-time capital and transition costs associated with the development of two community-based waiver group homes and/or community-based intermediate care facilities for individuals with intellectual disabilities who are transitioning to community living from either Southwestern Virginia Training Center or Central Virginia Training Center. The two housing options shall be located in Virginia no farther than 100 miles from the Southwestern Virginia Training Center.
2. Expenditures of any remaining balances in the Behavioral Health and Developmental Services Trust Fund shall be subject to an appropriation included in an appropriation bill passed by the General Assembly.
3. Any remaining balances in the Behavioral Health and Developmental Services Trust Fund shall be carried forward to the subsequent fiscal year."

Explanation:

(This amendment appropriates $1.5 million the second year from proceeds from sale of land at state training centers that have been deposited in the Behavioral Health and Developmental Services Trust Fund for one-time capital and transition costs associated with the development of community living options for individuals with intellectual disability who are transitioning from either Southwestern Virginia Training Center or Central Virginia Training Center. The community living options must be located in Virginia within 100 miles of Southwestern Virginia Training Center.)

Item 335 #1h

Health and Human Resources

Department of Social Services — Language

Language:

Page 124, line 28, strike "82,268,689" and insert "79,29,138".
Page 124, line 37, strike "64,062,303" and insert "59,062,303".
Page 124, line 54, strike "63,378,512" and insert "68,699,045".

Explanation:

(This technical amendment makes changes to the service areas for the Temporary Assistance to Needy Families (TANF) program to accurately reflect the amount provided for TANF income benefits and TANF child care subsidies and At-risk child care subsidies in the introduced budget. In addition, language is modified to accurately reflect the balance in the TANF program at the end of fiscal year 2016.)

Item 339 #1h

Health and Human Resources

Department of Social Services Language

Language:

Page 129, after line 36, insert:
"L.1. The Department of Social Services shall establish a pilot program to partner with Patrick Henry Family Services in Planning District 11 for the temporary placements of children in families in crisis. This pilot program would allow a parent or legal custodian of a minor, with the assistance of Patrick Henry Family Services, to delegate to another person, by a properly executed power of attorney, any powers regarding care, custody, or property of the minor for a temporary placement for a period that is not greater than 90 days. This program would allow for an option of a one-time 90 day extension. Prior to the expiration of the 180 day period, if the child is unable to return to his home, then Patrick Henry Family Services shall contact the local department of social services and request an assessment of the child and an evaluation of services needed and to determine if a petition to assess the care and custody of the child should be filed in the local juvenile and domestic relations court. DSS shall ensure that this pilot program meets the following specific programmatic and safety requirements outlined in Virginia Administrative Code § 22 VAC 40-131 and § 22 VAC 40-191.

2. The Department of Social Services shall ensure that the pilot program organization shall meet the background check requirements described in Virginia Administrative Code § 22 VAC 40-191. The pilot program organization shall develop and implement written policies and procedures for governing active and closed cases, admissions, monitoring the administration of medications, prohibiting corporal punishment, ensuring that children are not subjected to abuse or neglect, investigating allegations of misconduct toward children, implementing the child's back-up emergency care plan, assigning designated casework staff, management of all records, discharge policies, and the use of seclusion and restraint pursuant to Virginia Administrative Code § 22 VAC 40-131-90. In addition, the pilot program organization shall provide pre-service and ongoing training for temporary placement providers and staff pursuant to Virginia Administrative Code § 22 VAC 40-131-210 and § 22 VAC 40-131-150.

3. The Department of Social Services shall evaluate the pilot program and determine if this model of prevention is effective. A report of the evaluation findings and recommendations shall be submitted to the Governor and Chairmen of the House Appropriations and Senate Finance Committees, and Commission on Youth by December 1, 2017."

Explanation:

(This amendment directs the Department of Social Service to establish a pilot program in Planning District 11 (Counties of Amherst, Appomattox, Bedford, Campbell Counties and the City of Lynchburg) for the temporary placements of children in families in crisis. It will

allow the Department of Social Services to examine the use of a power of attorney to delegate parental authority. Virginia statute already allows for limited use of a power of attorney for kinship care cases. However, many other states go further and follow the Uniform Guardianship and Protective Proceedings Act which allows a parent to delegate to another person, for a period (usually between six months and one year), any power regarding care, custody, or property of their child. The pilot program will take a similar approach. The department is required to evaluate the effectiveness of the program and report on it to the Governor and Chairmen of the House Appropriations and Senate Finance Committees and the Commission on Youth.)

Item 467 #1h

Central Appropriations	**FY14-15**	**FY15-16**	
Central Appropriations	$0	$188,884,220	GF

Language:

Page 174, line 34, strike "$226,659,581" and insert "$415,543,801".
Page 184, after line 39, insert:
"Z. On or before June 30, 2016, the State Comptroller shall deposit $188,884,220 from the general fund into the Virginia Retirement System (VRS) trust fund representing the expedited repayment to the VRS for the contributions that were deferred during the 2010-12 biennium. $161,807,946 from the deposit shall be allocated to the state employee plan, $8,465,759 shall be allocated to the Judicial Retirement System, $16,491,559 shall be allocated to the Virginia Law Officers Retirement System, and $2,118,956 shall be allocated to the State Police Officers Retirement System."

Explanation:

(This amendment provides $188.9 million from the general fund to expedite the repayment to the VRS of the 2010-12 biennium deferred retirement contributions for the four state employee plans.)

Item 468 #1h

Central Appropriations

Central Appropriations Language

Language:

Page 187, after line 53, insert:
"O. The Director, Department of Planning and Budget, shall increase the maximum employment level of the Virginia Conflict of Interest and Ethics Advisory Council by two full-time equivalent positions in the second year."

Explanation:

(This amendment is self-explanatory.)

Item 468 #2h

Central Appropriations

Central Appropriations Language

Language:

Page 187, after line 53, insert:
"O. On or before June 30, 2016, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $400,000, representing estimated Judicial agency balances."

Explanation:

(This amendment is self-explanatory.)

Item 468 #3h

Central Appropriations	**FY14-15**	**FY15-16**	
Central Appropriations	$0	($60,000)	GF

Language:

Page 184, line 40, strike "$13,613,298" and insert "$13,553,298".
Page 187, after line 53, insert:
"O. On or before June 30, 2016, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $60,000, representing amounts that had been appropriated for the Department of Conservation and Recreation for transition costs of Natural Bridge."

Explanation:

(This amendment removes $60,000 in the second year from the Department of Conservation and Recreation that was provided to fund costs associated with staffing at Natural Bridge. It is the intent of the General Assembly that this amendment will be set out in Item 358 F upon enrolling.)

Item 468 #4h

Central Appropriations	**FY14-15**	**FY15-16**	
Central Appropriations	$0	$349,835	NGF

Language:

Page 184, line 40, strike "$13,613,298" and insert "$13,963,133".
Page 187, after line 53, insert:
"O. The Director, Department of Planning and Budget, shall increase the dedicated special fund revenue appropriation set out in Item 6, Paragraph F, Chapter 665, Acts of Assembly, for the Chesapeake Bay Restoration Fund Advisory Committee by $349,835 in the second year."

Explanation:

(This amendment reflects the nongeneral fund license plate revenues dedicated to the Chesapeake Bay restoration. Because that item was not set out in House Bill 29 as introduced, it is the intent of the General Assembly that the item will be revised upon enrolling.)

Item 468 #5h

Central Appropriations	**FY14-15**	**FY15-16**	
Central Appropriations	$0	$800,000	GF

Language:

Page 184, line 41, strike "$13,613,298" and insert "$14,413,298".
Page 187, after line 53, insert:
"O. Out of this appropriation, $800,000 the second year from the general fund shall be provided to the Innovation and Entrepreneurship Investment Authority to support the operations of the authority."

Explanation:

(This amendment provides $800,000 from the general fund in fiscal year 2016 for the Innovation and Entrepreneurship Investment Authority (IEIA). The IEIA is currently projecting a revenue shortfall that would require the authority to lay off 20% of their staff. The newly appointed CEO has requested these funds to get through the current fiscal year and to allow him and the Board time to thoroughly review the authority's operations and business model.)

Item 468 #6h

Central Appropriations	**FY14-15**	**FY15-16**	
Central Appropriations	$0	$1,000,000	GF

Language:

Page 184, line 40, strike "$13,613,298" and insert "$14,613,298".
Page 187, after line 53, insert:
"O. Out of this appropriation, $1,000,000 from the general fund in the second year shall be transferred to the Commonwealth Opportunity Fund.
P. In addition to all other economic incentive payments already approved for the project, the Governor may authorize an additional $1,500,000 from the Commonwealth Opportunity Fund as needed to assist with site development improvements for a regional economic development project related to the location of a major automotive supplier manufacturer in Botetourt County."

Explanation:

(This amendment provides $1.0 million from the general fund in additional funding for the Commonwealth Opportunity Fund. In addition, the language allows the Governor to provide an additional $1,500, 000 from the Commonwealth Opportunity Fund to assist Botetourt County with site improvements related to the location of a major automotive supplier manufacturer to the Roanoke Valley Region if he deems it necessary and appropriate.)

Item C-41 #1h

Central Appropriations	**FY14-15**	**FY15-16**	
Central Capital Outlay	$0	($1,500,000)	GF

Language:

Page 202, line 12, strike "$86,000,000" and insert "$84,500,000".
Page 202, line 34, unstrike "$6,577,729".
Page 202, line 35, strike "$8,077,729".
Page 204, line 8, unstrike "$84,500,000".
Page 204, line 9, strike "$86,000,000".
Page 204, strike lines 37 through 38.

Explanation:

(This amendment eliminates proposed one-time funding. A companion amendment in House Bill 30 provides for on-going maintenance and repair efforts.)

Item 3-1.01 #1h

Transfers

Interfund Transfers Language

Language:

Page 211, line 35, after "II." insert "1.".
Page 211, after line 36, insert:
"2. On or before June 30, 2016, the State Comptroller shall transfer to the general fund an amount estimated at $1,000,000 from Special Fund balances of the Commission on the Virginia Alcohol Safety Action Program."

Explanation:

(This amendment transfers $1,000,000 in fiscal year 2016 from estimated special fund balances of the Commission on the Virginia Alcohol Safety Action Program to the general fund.)

Item 3-1.01 #2h

Transfers

Interfund Transfers Language

Language:

Page 215, after line 14, insert:
"AAA. On or before June 30, 2016, the State Comptroller shall transfer $598,327 from unobligated nongeneral fund cash balances within the Virginia Department of Game and Inland Fisheries (DGIF) to the Virginia Retirement System (VRS) representing DGIF's portion of the remaining liability from the VRS contributions that were deferred during the 2010-12 biennium."

Explanation:

(This amendment authorizes the transfer of $598,327 from the nongeneral fund cash balances to the Virginia Retirement System to expedite the repayment to the VRS of the 2010-12 biennium deferred contributions. A companion amendment in Item 467 deposits $188.9 million from the general fund into the VRS. In combination, these two amendments will fully repay the VRS for the deferred payments for the four state employee plans.)

Item 3-1.01 #3h

Transfers

Interfund Transfers Language

Language:

Page 207, line 47, strike "80,200,000" and insert "84,000,000".

Explanation:

(This amendment increases the transfer of net profits from the Department of Alcoholic Beverage Control to the general fund by $3,800,000 in fiscal year 2016. A companion amendment to Part 3 in House Bill 30 increases the transfer of net profits in fiscal years 2017 and 2018.)

Item 3-5.03 #1h

Adjustments and Modifications to Tax Collections

Implementation of Chapter 3, Acts of Assembly of 2004, Special Session I — Language

Language:

Page 222, line 24, strike "$370,000,000" and insert "$366,700,000".

Explanation:

(This amendment updates the estimated amount to be transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund. These funds are derived from the 0.375 cent increase in the state sales and use tax levied pursuant to § 58.1-638, Code of Virginia, and are used to meet the Commonwealth's responsibilities for the Standards of Quality prescribed pursuant to Article VIII, Section 2, of the Constitution of Virginia. The revised estimate is based on the Department of Taxation's Mid-session 2016 Standard Forecast.)

Item 3-6.05 #1h

Adjustments and Modifications to Fees

Deposit of Fines and Fees Language

Language:

Page 225, strike lines 19 through 42.
Page 225, after line 18, insert:
"Citations or summonses for any traffic infractions occurring on Interstate highways in Virginia shall be written under state statute."

Explanation:

(This amendment strikes existing language regarding the deposit of excess local fines and fees into the State Treasury, and inserts new language requiring all citations for traffic infractions occurring on Interstate highways shall be written under state traffic ordinances.)

Item 4-6.01 #1h

Positions and Employment

Employee Compensation Language

Language:

Page 265, after line 22, insert:
"t.1. Notwithstanding the salaries set out in Items 2, 4, 5, and 6, the Committee on Joint Rules may establish salary ranges for such agency heads consistent with the provisions and salary ranges included in § 4-6.01 of this act.
2. Notwithstanding the salaries listed in Item 3 of this act, the Commission on the Virginia Alcohol Safety Action Program may establish a salary range for the Executive Director of the program.
3. Notwithstanding the salaries listed in Item 30 of this act, the Joint Legislative Audit and Review Commission (JLARC) may establish a salary range for the Director of JLARC."

Explanation:

(This amendment authorizes the establishment of salary ranges for the Chief of the Capitol Police, the Executive Director of VASAP, and the Director of JLARC.)