

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2022

Introduced By: Senators Pearson, and DiPalma

Date Introduced: March 04, 2022

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 162, under the heading of "Office of Health and Human Services" in  
2 Article 1, Section 1, of the Public Laws of 2021, entitled "AN ACT MAKING APPROPRIATIONS  
3 FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2022" is  
4 hereby amended to read as follows:

5 Office of Health and Human Services  
6 Central Management  
7 General Revenues 44,961,144  
8 Federal Funds 121,027,873  
9 Restricted Receipts 22,897,651  
10 Total – Central Management 188,886,668  
11 Medical Assistance  
12 General Revenues  
13 Managed Care 344,346,294  
14 Hospitals 94,772,895  
15 Of the general revenue funding, \$2.0 million shall be provided for Graduate Medical  
16 Education programs of which \$1.0 million is for hospitals designated as a Level I Trauma Center  
17 and \$1.0 million is for hospitals providing Neonatal Intensive Care Unit level of care.  
18 Nursing Facilities 147,255,515  
19 Home and Community Based Services 43,405,421

1 Other Services 128,944,587  
2 Pharmacy 69,142,220  
3 Rhody Health 188,362,579  
4 Other Programs 39,000,000  
5 Federal Funds  
6 Managed Care 509,180,803  
7 Hospitals 120,363,721  
8 Nursing Facilities 201,490,261  
9 Home and Community Based Services 59,310,041  
10 Other Services 751,902,189  
11 Pharmacy 57,780  
12 Rhody Health 255,260,108  
13 Other Programs ~~36,288,580~~ 66,124,901.

14 Provided that this amount shall be financed by the American Rescue Plan enhanced FMAP  
15 on home and community based services pursuant to the Rhode Island Spending Plan for the  
16 Implementation of the American Rescue Plan Act of 2021, Section 9817, as submitted and  
17 approved by the Centers for Medicare and Medicaid Services (CMS).

18 Restricted Receipts ~~17,792,796~~ 49,254,506.

19 Provided this amount, 31,461,710, shall be financed by the American Rescue Plan  
20 enhanced FMAP on home and community based services pursuant to the Rhode Island Spending  
21 Plan for the Implementation of the American Rescue Plan Act of 2021, Section 9817, as submitted  
22 and approved by the Centers for Medicare and Medicaid Services (CMS).

23 Total – Medical Assistance 3,006,875,790

24 Grand Total – Office of Health and Human Services 3,195,762,458

25 SECTION 2. Section 35-4-27 of the General Laws in Chapter 35-4 entitled "State Funds"  
26 is hereby amended to read as follows:

27 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

28 Indirect cost recoveries of ten percent (10%) of cash receipts shall be transferred from all  
29 restricted-receipt accounts, to be recorded as general revenues in the general fund. However, there  
30 shall be no transfer from cash receipts with restrictions received exclusively: (1) From contributions  
31 from nonprofit charitable organizations; (2) From the assessment of indirect cost-recovery rates on  
32 federal grant funds; or (3) Through transfers from state agencies to the department of administration  
33 for the payment of debt service. These indirect cost recoveries shall be applied to all accounts,  
34 unless prohibited by federal law or regulation, court order, or court settlement. The following

- 1 restricted receipt accounts shall not be subject to the provisions of this section:
- 2 Executive Office of Health and Human Services
  - 3 Organ Transplant Fund
  - 4 HIV Care Grant Drug Rebates
  - 5 Health System Transformation Project
  - 6 Department of Human Services
  - 7 Veterans' home -- Restricted account
  - 8 [HCBS Enhanced FMAP](#)
  - 9 Veterans' home -- Resident benefits
  - 10 Pharmaceutical Rebates Account
  - 11 Demand Side Management Grants
  - 12 Veteran's Cemetery Memorial Fund
  - 13 Donations -- New Veterans' Home Construction
  - 14 Department of Health
  - 15 Pandemic medications and equipment account
  - 16 Miscellaneous Donations/Grants from Non-Profits
  - 17 State Loan Repayment Match
  - 18 Healthcare Information Technology
  - 19 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals
  - 20 Eleanor Slater non-Medicaid third-party payor account
  - 21 Hospital Medicare Part D Receipts
  - 22 RICLAS Group Home Operations
  - 23 Commission on the Deaf and Hard of Hearing
  - 24 Emergency and public communication access account
  - 25 Department of Environmental Management
  - 26 National heritage revolving fund
  - 27 Environmental response fund II
  - 28 Underground storage tanks registration fees
  - 29 De Coppet Estate Fund
  - 30 Rhode Island Historical Preservation and Heritage Commission
  - 31 Historic preservation revolving loan fund
  - 32 Historic Preservation loan fund -- Interest revenue
  - 33 Department of Public Safety
  - 34 E-911 Uniform Emergency Telephone System

1 Forfeited property -- Retained  
2 Forfeitures -- Federal  
3 Forfeited property -- Gambling  
4 Donation -- Polygraph and Law Enforcement Training  
5 Rhode Island State Firefighter's League Training Account  
6 Fire Academy Training Fees Account  
7 Attorney General  
8 Forfeiture of property  
9 Federal forfeitures  
10 Attorney General multi-state account  
11 Forfeited property -- Gambling  
12 Department of Administration  
13 OER Reconciliation Funding  
14 Health Insurance Market Integrity Fund  
15 RI Health Benefits Exchange  
16 Information Technology Investment Fund  
17 Restore and replacement -- Insurance coverage  
18 Convention Center Authority rental payments  
19 Investment Receipts -- TANS  
20 OPEB System Restricted Receipt Account  
21 Car Rental Tax/Surcharge-Warwick Share  
22 Grants Management Administration  
23 Executive Office of Commerce  
24 Housing Resources Commission Restricted Account  
25 Housing Production Fund  
26 Department of Revenue  
27 DMV Modernization Project  
28 Jobs Tax Credit Redemption Fund  
29 Legislature  
30 Audit of federal assisted programs  
31 Department of Children, Youth and Families  
32 Children's Trust Accounts -- SSI  
33 Military Staff  
34 RI Military Family Relief Fund

1 RI National Guard Counterdrug Program  
2 Treasury  
3 Admin. Expenses -- State Retirement System  
4 Retirement -- Treasury Investment Options  
5 Defined Contribution -- Administration - RR  
6 Violent Crimes Compensation -- Refunds  
7 Treasury Research Fellowship  
8 Business Regulation  
9 Banking Division Reimbursement Account  
10 Office of the Health Insurance Commissioner Reimbursement Account  
11 Securities Division Reimbursement Account  
12 Commercial Licensing and Racing and Athletics Division Reimbursement Account  
13 Insurance Division Reimbursement Account  
14 Historic Preservation Tax Credit Account  
15 Judiciary  
16 Arbitration Fund Restricted Receipt Account  
17 Third-Party Grants  
18 RI Judiciary Technology Surcharge Account  
19 Department of Elementary and Secondary Education  
20 Statewide Student Transportation Services Account  
21 School for the Deaf Fee-for-Service Account  
22 School for the Deaf -- School Breakfast and Lunch Program  
23 Davies Career and Technical School Local Education Aid Account  
24 Davies -- National School Breakfast & Lunch Program  
25 School Construction Services  
26 Office of the Postsecondary Commissioner  
27 Higher Education and Industry Center  
28 Department of Labor and Training  
29 Job Development Fund  
30 Rhode Island Council on the Arts  
31 Governors' Portrait Donation Fund  
32 Statewide records management system account  
33 SECTION 3. Section 42-7.2-10 of the General Laws in Chapter 42-7.2 entitled "Office of  
34 Health and Human Services" is hereby amended to read as follows:

1           **42-7.2-10. Appropriations and disbursements.**

2           (a) The general assembly shall annually appropriate such sums as it may deem necessary  
3 for the purpose of carrying out the provisions of this chapter. The state controller is hereby  
4 authorized and directed to draw his or her orders upon the general treasurer for the payment of such  
5 sum or sums, or so much thereof as may from time to time be required, upon receipt by him or her  
6 of proper vouchers approved by the secretary of the executive office of health and human services,  
7 or his or her designee.

8           (b) For the purpose of recording federal financial participation associated with qualifying  
9 healthcare workforce development activities at the state's public institutions of higher education,  
10 and pursuant to the Rhode Island designated state health programs (DSHP), as approved by the  
11 Centers for Medicare & Medicaid Services (CMC) October 20, 2016, in the 11-W-00242/1  
12 amendment to Rhode Island's section 1115 Demonstration Waiver, there is hereby established a  
13 restricted-receipt account entitled "Health System Transformation Project" in the general fund of  
14 the state and included in the budget of the office of health and human services.

15           (c) For the purposes of recording federal financial participation associated with the  
16 American Rescue Plan enhanced FMAP for all state expenditures on home and community based  
17 services and pursuant to the Rhode Island Spending Plan for the Implementation of the American  
18 Rescue Plan Act of 2021, Section 9817, as submitted and approved by the Centers for Medicare  
19 and Medicaid Services (CMS), there is hereby established a restricted-receipt account entitled  
20 "HCBS Enhanced FMAP" in the general fund of the state and included in the budget of the office  
21 of health and human services.

22           SECTION 4. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2022

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1           This act would increase the budget amounts of the office of health and human services for  
2 Other Programs and Restricted Receipts. This act would also establish a restricted-receipt account  
3 entitled "HCBS Enhanced FMAP".

4           This act would take effect upon passage.

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