

2017 -- S 0743

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO HEALTH AND SAFETY -- DEPARTMENT OF HEALTH

Introduced By: Senator Walter S. Felag

Date Introduced: April 12, 2017

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-1-46 of the General Laws in Chapter 23-1 entitled "Department
2 of Health" is hereby amended to read as follows:

3 **23-1-46. Insurers.**

4 (a) Beginning January 1, 2016, a portion of the amount collected pursuant to § 42-7.4-3,
5 up to the actual amount expended or projected to be expended by the state for vaccines for
6 children that are recommended by the Advisory Committee on Immunization Practices (ACIP),
7 the American Academy of Pediatrics (AAP), and/or mandated by state law, less the federal share
8 determined by the Centers for Disease Control and Prevention, less any amount collected in
9 excess of the prior year's funding requirement as indicated in subsection (b) (the "child
10 immunization funding requirement") shall be deposited into the "childhood immunization
11 account" described in § 23-1-45(a). These funds shall be used solely for the purposes of the
12 "childhood immunization programs" described in § 23-1-44, and no other. Beginning January 1,
13 2016, a portion of the amount collected from the healthcare services funding method described in
14 § 42-7.4-3, up to the actual amount expended or projected to be expended by the state for adult
15 immunizations recommended by ACIP and/or mandated by state law, less the federal share
16 determined by the Centers for Disease Control and Prevention, less any amount collected in
17 excess of the prior year's funding requirement as indicated in subsection (b) (the "adult
18 immunization funding requirement") shall be deposited into the "adult immunization account"
19 described in § 23-1-45(c). These funds shall be used solely for the purposes of the "adult

1 immunization programs" described in § 23-1-44 and no other.

2 (b) The department of health shall submit to the general assembly an annual report on the
3 immunization programs and costs related to the programs, on or before February 1 of each year.

4 (c) Any funds collected in excess of funds needed to carry-out ACIP recommendations,
5 taking into account a reasonable annual carry forward surplus, shall be deducted from the
6 subsequent year's funding requirements.

7 (d) The childhood immunization account and the adult immunization account shall be
8 exempt from the indirect cost recovery provisions of §35-4-27.

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

11 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

12 Indirect cost recoveries of ten percent (10%) of cash receipts shall be transferred from all
13 restricted-receipt accounts, to be recorded as general revenues in the general fund. However, there
14 shall be no transfer from cash receipts with restrictions received exclusively: (1) From
15 contributions from non-profit charitable organizations; (2) From the assessment of indirect cost
16 recovery rates on federal grant funds; or (3) Through transfers from state agencies to the
17 department of administration for the payment of debt service. These indirect cost recoveries shall
18 be applied to all accounts, unless prohibited by federal law or regulation, court order, or court
19 settlement. The following restricted receipt accounts shall not be subject to the provisions of this
20 section:

21 Executive Office of Health and Human Services

22 Organ Transplant Fund

23 HIV Care Grant Drug Rebates

24 Department of Human Services

25 Veterans' home -- Restricted account

26 Veterans' home -- Resident benefits

27 Pharmaceutical Rebates Account

28 Demand Side Management Grants

29 Veteran's Cemetery Memorial Fund

30 Donations -- New Veterans' Home Construction

31 Department of Health

32 Providence Water Lead Grant

33 Childhood immunization account

34 Adult immunization account

1 Pandemic medications and equipment account
2 Miscellaneous Donations/Grants from Non-Profits
3 State Loan Repayment Match
4 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals
5 Eleanor Slater non-Medicaid third-party payor account
6 Hospital Medicare Part D Receipts
7 RICLAS Group Home Operations
8 Commission on the Deaf and Hard of Hearing
9 Emergency and public communication access account
10 Department of Environmental Management
11 National heritage revolving fund
12 Environmental response fund II
13 Underground storage tanks registration fees
14 Rhode Island Historical Preservation and Heritage Commission
15 Historic preservation revolving loan fund
16 Historic Preservation loan fund -- Interest revenue
17 Department of Public Safety
18 Forfeited property -- Retained
19 Forfeitures -- Federal
20 Forfeited property -- Gambling
21 Donation -- Polygraph and Law Enforcement Training
22 Rhode Island State Firefighter's League Training Account
23 Fire Academy Training Fees Account
24 Attorney General
25 Forfeiture of property
26 Federal forfeitures
27 Attorney General multi-state account
28 Forfeited property -- Gambling
29 Department of Administration
30 RI Health Benefits Exchange
31 Office of Management and Budget
32 Information Technology Investment Fund
33 Restore and replacement -- Insurance coverage
34 Convention Center Authority rental payments

1 Investment Receipts -- TANS
2 Car Rental Tax/Surcharge-Warwick Share
3 Housing Resources Commission Restricted Account
4 Department of Revenue
5 DMV Modernization Project
6 Jobs Tax Credit Redemption Fund
7 Legislature
8 Audit of federal assisted programs
9 Department of Children, Youth and Families
10 Children's Trust Accounts -- SSI
11 Military Staff
12 RI Military Family Relief Fund
13 RI National Guard Counterdrug Program
14 Treasury
15 Admin. Expenses -- State Retirement System
16 Retirement -- Treasury Investment Options
17 Defined Contribution -- Administration - RR
18 Violent Crimes Compensation -- Refunds
19 Treasury Research Fellowship
20 Business Regulation
21 Banking Division Reimbursement Account
22 Office of the Health Insurance Commissioner Reimbursement Account
23 Securities Division Reimbursement Account
24 Commercial Licensing and Racing and Athletics Division Reimbursement Account
25 Insurance Division Reimbursement Account
26 Historic Preservation Tax Credit Account.
27 Judiciary
28 Arbitration Fund Restricted Receipt Account
29 Third-Party Grants
30 RI Judiciary Technology Surcharge Account
31 Department of Elementary and Secondary Education
32 Statewide Student Transportation Services Account
33 School for the Deaf Fee for Service Account
34 Davies Career and Technical School Local Education Aid Account

- 1 Davies -- National School Breakfast & Lunch Program
- 2 Office of the Post-Secondary Commissioner
- 3 Westerly Higher Education and Industry Center
- 4 Department of Labor and Training
- 5 Job Development Fund
- 6 Department of Transportation
- 7 Rhode Island Highway Maintenance Account
- 8 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO HEALTH AND SAFETY -- DEPARTMENT OF HEALTH

- 1 This act would exempt the adult and child immunization accounts from recoupment of
- 2 indirect costs from the monies collected to fund the immunization programs.
- 3 This act would take effect upon passage.

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