

**WEST VIRGINIA LEGISLATURE**

**EIGHTIETH LEGISLATURE**

**REGULAR SESSION, 2012**



**ENROLLED**

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2012 MAR 20 PM 4:02

FILED

SB 650

**Senate Bill No. 650**

(By SENATORS KESSLER (MR. PRESIDENT) AND HALL,  
By REQUEST OF THE EXECUTIVE)

[PASSED MARCH 8, 2012; IN EFFECT FROM PASSAGE.]

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AN ACT making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2012, organization 0511, by supplementing and amending the appropriation for the fiscal year ending June 30, 2012.

WHEREAS, The Governor submitted to the Legislature the Executive Budget Documents which included a statement of the State Fund, General Revenue, dated January 11, 2012, setting forth therein the cash balance as of July 1, 2011, and further included the estimate of revenues for fiscal year 2012, less net appropriation balances forwarded and regular appropriations for the fiscal year 2012; and

WHEREAS, It appears from the Governor's Executive Budget Documents statement of the State Fund, General Revenue there now remains an unappropriated balance in the State Treasury which is available for appropriation during the fiscal year ending June 30, 2012; therefore

*Be it enacted by the Legislature of West Virginia:*

That the total appropriation for the fiscal year ending June 30, 2012, to fund 0403, fiscal year 2012, organization 0511, be supplemented and amended to read as follows:

1	<b>TITLE II—APPROPRIATIONS.</b>		
2	<b>Section 1. Appropriations from General Revenue.</b>		
3	<b>DEPARTMENT OF HEALTH AND HUMAN</b>		
4	<b>RESOURCES</b>		
5	<i>67—Division of Human Services</i>		
6	(WV Code Chapters 9, 48 and 49)		
7	Fund 0403 FY 2012 Org 0511		
8			<b>General</b>
9		<b>Act-</b>	<b>Revenue</b>
10		<b>ivity</b>	<b>Funds</b>
11	1	Personal Services . . . . .	001 \$ 27,315,518
12	2	Annual Increment . . . . .	004 771,638
13	3	Employee Benefits . . . . .	010 12,354,350
14	4	Unclassified . . . . .	099 15,452,857
15	5	Child Care Development . . . . .	144 775,933
16	6	Medical Services Contracts and Office	
17	7	of Managed Care . . . . .	183 1,835,469
18	8	Medical Services (R) . . . . .	189 230,550,319
19	9	Social Services . . . . .	195 75,571,254
20	10	Family Preservation Program . . . . .	196 1,565,000
21	11	Family Resource Networks (R) . . . . .	274 1,905,367
22	12	Domestic Violence Legal Services	
23	13	Fund . . . . .	384 400,000
24	14	James "Tiger" Morton Catastrophic	
25	15	Illness Fund . . . . .	455 698,797
26	16	MR/DD Waiver . . . . .	466 88,753,483
27	17	Child Protective Services Case	
28	18	Workers . . . . .	468 19,142,591
29	19	OSCAR and RAPIDS . . . . .	515 5,086,356
30	20	Title XIX Waiver for Seniors -	
31	21	Surplus . . . . .	526 2,500,000

32	22	Title XIX Waiver for Seniors . . . .	533	9,587,500
33	23	WV Teaching Hospitals		
34	24	Tertiary/Safety Net . . . . .	547	6,356,000
35	25	Specialized Foster Care . . . . .	566	621,895
36	26	Child Welfare System . . . . .	603	1,731,795
37	27	Medical Services - Surplus . . . . .	633	2,009,222
38	28	In-Home Family Education . . . . .	688	900,000
39	29	WV Works Separate		
40		State Program . . . . .	698	4,750,000
41	30	Child Support Enforcement . . . . .	705	6,135,598
42	31	Medicaid Auditing . . . . .	706	605,618
43	32	Temporary Assistance for Needy		
44	33	Families/Maintenance of Effort	707	22,969,096
45	34	Child Care Maintenance of		
46	35	Effort Match . . . . .	708	5,693,743
47	36	Child and Family Services . . . . .	736	2,850,000
48	37	Grants for Licensed Domestic Violence		
49	38	Programs and Statewide		
50		Prevention . . . . .	750	2,500,000
51	39	Capital Outlay and		
52		Maintenance (R) . . . . .	755	11,875
53	40	Medical Services Administrative		
54	41	Costs . . . . .	789	24,501,916
55	42	Indigent Burials (R) . . . . .	851	2,550,000
56	43	BRIM Premium . . . . .	913	834,187
57	44	Rural Hospitals Under 150 Beds .	940	2,596,000
58	45	Children's Trust Fund - Transfer	951	300,000
59	46	Traumatic Brain Injury Waiver ..	835	800,000
60	47	Total . . . . .		\$ 582,983,377

61 Any unexpended balances remaining in the appropria-  
62 tions for Medical Services (fund 0403, activity 189), Family  
63 Resource Networks (fund 0403, activity 274), Capital Outlay  
64 and Maintenance (fund 0403, activity 755), and Indigent  
65 Burials (fund 0403, activity 851) at the close of the fiscal year  
66 2011 are hereby reappropriated for expenditure during the  
67 fiscal year 2012.

68 The above appropriation for James "Tiger" Morton  
69 Catastrophic Illness Fund (activity 455) shall be transferred

70 to the James "Tiger" Morton Catastrophic Illness Fund (fund  
71 5454) as provided by Article 5Q, Chapter 16 of the code.

72 The above appropriation for Domestic Violence Legal  
73 Services Fund (activity 384) shall be transferred to the  
74 Domestic Violence Legal Services Fund (fund 5455).

75 Notwithstanding the provisions of Title I, section three  
76 of this bill, the secretary of the Department of Health and  
77 Human Resources shall have the authority to transfer funds  
78 within the above account: *Provided*, That no more than five  
79 percent of the funds appropriated to one line item may be  
80 transferred to other line items: *Provided, however*, That no  
81 funds from other line items shall be transferred to the  
82 personal services line item.

83 From the above appropriation for Child Support En-  
84 forcement (fund 0403, activity 705) an amount not to exceed  
85 \$300,000 may be transferred to a local banking depository to  
86 be utilized to offset funds determined to be uncollectible.

87 From the above appropriation for the Grants for Li-  
88 censed Domestic Violence Programs and Statewide Preven-  
89 tion (activity 750), fifty percent of the total shall be divided  
90 equally and distributed among the fourteen (14) licensed  
91 programs and the West Virginia Coalition Against Domestic  
92 Violence (WVCADV). The balance remaining in the appro-  
93 priation for Grants for Licensed Domestic Violence Pro-  
94 grams and Statewide Prevention (activity 750), shall be  
95 distributed according to the formula established by the  
96 Family Protection Services Board.

97 The secretary shall have authority to expend funds for  
98 the educational costs of those children residing in out-of-  
99 state placements, excluding the costs of special education  
100 programs.

101 The above appropriation for Children's Trust Fund -  
102 Transfer (activity 951) shall be transferred to the Children's  
103 Fund (fund 5469, org 0511).

104 From the above appropriation for Unclassified (fund  
105 0403, activity 099) \$100,000 is provided for a one-time pilot  
106 program for at-risk youth. The funds are to be administered  
107 as a reimbursement grant and may only be drawn down on  
108 a one-to-one matching basis.

109 Included in the above appropriation for Social Services  
110 fund 0403, activity 195) is an additional \$78,365 for continu-  
111 ing education requirements relating to the practice of social  
112 work.

113 From the above appropriation for WV Works Separate  
114 State Program (activity 698), funding shall be transferred to  
115 the WV Works Separate State College Program Fund (fund  
116 5467), and to the WV Works Separate State Two-Parent  
117 Program Fund (fund 5468).

118 The purpose of this supplemental appropriation bill is to  
119 supplement, amend, and increase an item of appropriation in  
120 the aforesaid account for the designated spending unit for  
121 expenditure during the fiscal year 2012.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

  
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Chairman Senate Committee

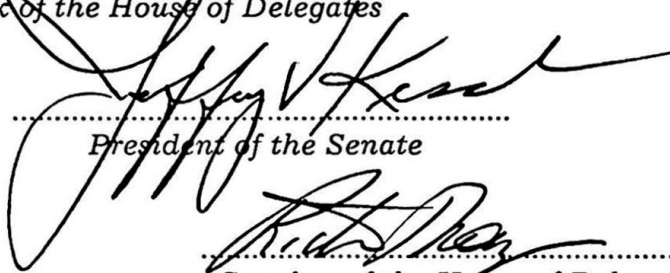
  
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Chairman House Committee

Originated in the Senate.

In effect from passage.

  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker of the House of Delegates

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

The within is approved this the 20<sup>th</sup>  
Day of March, 2012.

  
.....  
Governor

**PRESENTED TO THE GOVERNOR**

MAR 15 2012

Time 1:45 pm