

SENATE No. 2177

The Commonwealth of Massachusetts

—————
In the One Hundred and Ninetieth General Court
(2017-2018)
—————

SENATE, October 12, 2017

The committee on Ways and Means, on House, No. 3951, amended, reported, in part, a “Bill making appropriations for the fiscal year 2017 to provide for supplementing certain existing appropriations and for certain other activities and projects” (Senate, No. 2177).
[Direct Appropriation: \$85,317,026]

For the committee,
Karen E. Spilka

SENATE No. 2177

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act making appropriations for the fiscal year 2017 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make supplemental appropriations for fiscal year 2017 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. To provide for supplementing certain items in the general appropriation act
2 and other appropriation acts for fiscal year 2017, the sums set forth in section 2 are hereby
3 appropriated from the General Fund unless specifically designated otherwise in this act or in
4 those appropriation acts, for the several purposes and subject to the conditions specified in this
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2017. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items. These sums shall be
8 made available until June 30, 2018.

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10 SECTION 2.

DISTRICT ATTORNEYS

Hampden District Attorney

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16 0340-0500\$150,215

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18 *Northwestern District Attorney*

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20 0340-0600\$142,798

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22 *Bristol District Attorney*

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24 0340-0998\$19,393

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26 *Cape and Islands District Attorney*

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28 0340-1000\$257,578

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31 INDEPENDENTS

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33 *Secretary of the Commonwealth*

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35 0521-0000\$105,203

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38 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

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40 *Reserves*

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42 1599-8910\$20,408,910

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44 *Human Resources Division*

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46 1750-0100\$250,000

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49 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

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51 *Department of Fish and Game*

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53 2330-0300\$1,000,000

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56 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

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58 *Department of Transportation*

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60 1595-6368\$49,828,056

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61 Commonwealth Transportation Fund100%

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EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Military Division

8700-1150\$8,700,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2017. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. These sums shall be made available until June 30, 2018.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-3224 For a reserve for costs associated with taxes owed to the city of Boston for the property at 100 Cambridge street.....\$1,429,179

SECTION 2B. To provide for supplementing certain intragovernmental chargeback authorizations in the general appropriation act and other appropriation acts for fiscal year 2017, to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for an alteration of purpose for current intragovernmental chargeback authorizations, and to meet certain requirements of law, the sums set forth in this section are hereby authorized from the Intragovernmental Service Fund for the several purposes specified in this section or in the appropriation acts, and subject to the provisions of law regulating the disbursement of public funds for the fiscal year ending June 30, 2017. These sums shall be in addition to any amounts previously authorized and made available for the purposes of those items. These sums shall be made available until June 30, 2018.

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102 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

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104 *Office of the Secretary*

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106 4000-0102\$353,021
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109 SECTION 2C.I. For the purpose of making available in fiscal year 2018 balances of
110 appropriations which otherwise would revert on June 30, 2017, the unexpended balances of the
111 appropriations listed below, not to exceed the amount specified below for each item, are hereby
112 re-appropriated for the purposes of and subject to the conditions stated for the corresponding
113 item in section 2 of chapter 133 of the acts of 2016. However, for items which do not appear in
114 section 2 of the general appropriation act, the amounts in this section are re-appropriated for the
115 purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of
116 this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund
117 or funds designated for the corresponding item in section 2 of said chapter 133; provided,
118 however, that for items which do not appear in section 2 of said chapter 133, the amounts in this
119 section are re-appropriated from the fund or funds designated for the corresponding item in
120 section 2 or 2A of this act or in prior appropriation acts. The unexpended balance of each
121 appropriation in the Massachusetts management accounting and reporting system with a
122 secretariat code of 01 or 17 is hereby re-appropriated for the purposes of and subject to the
123 conditions stated for the corresponding item in said section 2 of said chapter 133. The sums re-
124 appropriated in this section shall be in addition to any amounts available for said purposes.

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126 INDEPENDENTS

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128 *Office of the Treasurer and Receiver-General*

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130 0610-0010\$350,000
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132 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

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134 *Reserves*

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136 1599-0044\$80,000
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138	1599-0054	\$1,162,177
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140	1599-0840	\$300,000
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142	1599-4445	\$300,000
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146	1599-1450	\$233,997
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148	1599-2004	\$83,326
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152	4100-0060	\$1,772,625
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157	1790-0300	\$2,653,323
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164	5046-0000	\$900,000
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168	4800-0091	\$160,000
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172	1410-0018	\$139,396
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176	4180-1100	\$128,995
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180	4190-0300	\$30,000
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182	4190-1100	\$587,579
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Health Policy Commission

Center for Health Information and Analysis

MASSACHUSETTS OFFICE OF INFORMATION TECHNOLOGY

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Department of Mental Health

Department of Children and Families

Department of Veteran Services

Chelsea Soldiers Home

Holyoke Soldiers Home

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COMMUNITY COLLEGES

Northern Essex Community College

7510-0200\$1,000,000

SECTION 3. Section 172 of chapter 6 of the General Laws, as appearing in the 2016

Official Edition, is hereby amended by adding the following subsection:

(o) Notwithstanding any other provision of this section or any other general or special law to the contrary, all gaming service employees shall be required to register with the investigations and enforcement bureau established in section 6 of chapter 23K but the Massachusetts gaming commission may, in its discretion, exempt certain gaming service employees by job position from the registration requirement. The commission and the bureau may require a gaming service employee to produce any information deemed necessary.

SECTION 4. Section 5 of chapter 18 of the General Laws, as so appearing, is hereby amended by striking out, in lines 71 and 72, the words “and shall have a caseload of not more than 60 recipients”.

SECTION 5. Section 2QQQ of chapter 29 of the General Laws is hereby amended by striking out, in lines 4 and 5, as so appearing, the words “supplemental and incentive”.

SECTION 6. Subsection (b) of section 2XXXX of said chapter 29, as appearing in section 22 of chapter 47 of the acts of 2017, is hereby amended by inserting after the third sentence the following sentence:- For the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur

209 expenses and the comptroller may certify for payment amounts not to exceed the lower of this
210 authorization or the most recent revenue estimate as reported in the state accounting system.

211 SECTION 7. Section 5H of said chapter 29, as appearing in the 2016 Official Edition, is
212 hereby amended by striking out the second sentence and inserting in place thereof the following
213 2 sentences:- Not later than October 31, the state treasurer shall certify the amount of actual
214 receipts and distributions to claimants of abandoned property for the previous fiscal year and,
215 beginning in fiscal year 2013, the comptroller shall transfer 75 per cent of the growth in
216 abandoned property net revenue to the Commonwealth Stabilization Fund established in section
217 2H; provided, however, that such transfer shall be made prior to the certification of the
218 consolidated net surplus for the previous fiscal year as provided in section 5C. For the purposes
219 of this section, “abandoned property net revenue” shall mean the difference between abandoned
220 property receipts and distributions to claimants that exceeds the amount of net revenue collected
221 during the previous fiscal year.

222 SECTION 8. Section 23 of chapter 119 of the General Laws, as so appearing, is hereby
223 amended by striking out, in line 93, the word “or” and inserting in place thereof the following
224 words:- , including the parents of siblings who have custody of the siblings, or.

225 SECTION 9. Subsection (a) of section 29B of said chapter 119, as so appearing, is
226 hereby amended by striking out the last 2 sentences and inserting in place thereof the following 4
227 sentences:- No child under the age of 16 shall have a permanency plan for another permanent
228 planned living arrangement. The department shall file a permanency plan prior to a permanency
229 hearing that shall address the above placement alternatives. The court shall consult with the child
230 in an age-appropriate manner about the permanency plan developed for the child, including for

231 children and young adults whose permanency plan is another permanency planned living
232 arrangement, asking the child or young adult their desired permanency plan. At each hearing
233 where the court determines that a permanency plan for a child is another permanency planned
234 living arrangement, the court shall specify why this plan is in the child's best interest and the
235 compelling reasons why it is not in the child's best interest to: (i) return home; (ii) be placed for
236 adoption; (iii) be placed with a legal guardian; or (iv) be placed in a permanency planned living
237 arrangement with other relatives.

238 SECTION 10. Subsection (c) of said section 29B of said chapter 119, as so appearing, is
239 hereby amended by striking out the third sentence and inserting in place thereof the following 2
240 sentences: In the case of a child who has attained age 14 or any young adult, the permanency
241 plan shall also address the services needed to assist the child or young adult in making the
242 transition from foster care to a successful adulthood; provided, however, that the court shall
243 consult with the child or young adult in an age-appropriate manner about the permanency plan. If
244 the permanency plan for the child is another permanency planned living arrangement, the
245 permanency plan shall address the efforts the department has made to place the child or young
246 adult with a parent or relative or in a guardianship or adoption placement.

247 SECTION 11. Chapter 224 of the acts of 2012 is hereby amended by inserting after
248 section 254 the following section:-

249 Section 254A. (a) For the purposes of this section, the following words shall have the
250 following meanings unless the context clearly requires otherwise:

251 “Behavior management monitoring”, monitoring of a child’s behavior, the
252 implementation of a behavior plan and reinforcing implementation of a behavior plan by the
253 child’s parent or other caregiver.

254 “Behavior management therapy”, therapy that addresses challenging behaviors that
255 interfere with a child’s successful functioning; provided, however, that “behavior management
256 therapy” shall include assessment, development of a behavior plan and supervision and
257 coordination of interventions to address specific behavioral objectives or performance, including
258 the development of a crisis-response strategy; and provided further, that “behavior management
259 therapy” may include short-term counseling and assistance.

260 “Child” a person under the age of 21.

261 “Family support and training”, a service provided to a parent or other caregiver of a child
262 to improve the capacity of the parent or caregiver to ameliorate or resolve the child’s emotional
263 or behavioral needs and to parent; provided, however, that such service shall be provided where
264 the child resides, including in the child’s home, a foster home, a therapeutic foster home or
265 another community setting.

266 “In-home behavioral services”, a combination of behavior management therapy and
267 behavior management monitoring; provided, however, that such services shall be provided where
268 the child resides, including in the child’s home, a foster home, a therapeutic foster home or
269 another community setting.

270 “In-home therapy”, therapeutic clinical intervention or ongoing training and therapeutic
271 support; provided however, that the intervention or support shall be provided where the child

272 resides, including in the child’s home, a foster home, a therapeutic foster home or another
273 community setting.

274 “Mobile crisis intervention”, a short-term, mobile, on-site, face-to-face therapeutic
275 response service that is available 24 hours a day, 7 days a week to a child experiencing a
276 behavioral health crisis to identify, assess, treat and stabilize a situation and reduce the
277 immediate risk of danger to the child or others; provided, however, that the intervention shall be
278 consistent with the child’s risk management or safety plan, if any.

279 “Ongoing therapeutic training and support”, services that support implementation of a
280 treatment plan pursuant to therapeutic clinical intervention that shall include, but not be limited
281 to, teaching the child to understand, direct, interpret, manage and control feelings and emotional
282 responses to situations and assisting the family in supporting the child and addressing the child’s
283 emotional and mental health needs.

284 “Therapeutic clinical intervention”, intervention that shall include: (i) a structured and
285 consistent therapeutic relationship between a licensed clinician and a child and the child’s family
286 to treat the child’s mental health needs, including improvement of the family’s ability to provide
287 effective support for the child and promotion of healthy functioning of the child within the
288 family; (ii) the development of a treatment plan; and (iii) using established psychotherapeutic
289 techniques, working with the family or a subset of the family to enhance problem solving, limit
290 setting, communication, emotional support or other family or individual functions.

291 “Therapeutic mentoring services”, services provided to a child designed to support age-
292 appropriate social functioning or to ameliorate deficits in the child’s age-appropriate social
293 functioning; provided, however, that such services may include supporting, coaching and

294 training the child in age-appropriate behaviors, interpersonal communication, problem solving,
295 conflict resolution and relating appropriately to other children and adolescents and to adults in
296 recreational and social activities; and provided further, that such services shall be provided where
297 the child resides, including in the child's home, a foster home, a therapeutic foster home or
298 another community setting.

299 (b) The annual report submitted by carriers and contractor pursuant to section 254 shall
300 include a certification that their coverage includes the following mental health home-based and
301 community-based services for a child: (i) intensive care coordination for a child with a serious
302 emotional disturbance; (ii) mobile crisis intervention; (iii) family support and training; (iv) in-
303 home therapy; (v) therapeutic mentoring services; and (vi) in-home behavioral services. The
304 certification shall substantiate that networks for the provided services are active and adequate to
305 ensure access.

306 (c) The commissioner may promulgate regulations or guidelines to implement this
307 section.

308 SECTION 12. Item 1233-2350 of section 2 of chapter 133 of the acts of 2016 is hereby
309 amended by striking out the words "State Lottery and Gaming Fund" and inserting in place
310 thereof the following words:- Gaming Local Aid Fund.

311 SECTION 13. Item 9110-1630 of said section 2 of said chapter 133 is hereby amended
312 by inserting after the word "program", in line 27, the following words:- ; provided further, that
313 the secretary of elder affairs may transfer funds appropriated in this item to item 9110-1500 for
314 the provision of enhanced home care services.

315 SECTION 14. Said item 9110-1630 of said section 2 is hereby further amended by
316 striking out the words

317 General Fund.....95%

318 Community First Trust Fund.....5%", inserted by section 29 of chapter 283 of the
319 acts of 2016, and inserting in place thereof the following words :-

320 General Fund.....86.32%

321 Community First Trust Fund.....13.68%

322 SECTION 15. The second paragraph of section 136 of chapter 219 of the acts of 2016 is
323 hereby amended by striking out, in line 3, the word "March" and inserting in place thereof the
324 following word:- December.

325 SECTION 16. Item 0940-0101 of section 2 of chapter 47 of the acts of 2017 is hereby
326 amended by striking out the figure "\$2,468,211" and inserting in place thereof the following
327 figure:- \$3,100,000.

328 SECTION 17. Said section 2 of said chapter 47 is hereby further amended by inserting
329 after item 1410-0018 the following item:-

330 1410-0022 For the operation of a comprehensive program to enhance employment
331 opportunities and outcomes among veterans by assisting businesses to attract, hire, train and
332 retain veterans under section 2C of chapter 115 of the General Laws \$100,000

333 SECTION 18. Said section 2 of said chapter 47 is hereby further amended by striking
334 out the item number 1599-1690 and inserting in place thereof the following item number:- 1599-
335 1691.

336 SECTION 19. Said item 1599-1690 of said section 2 of said chapter 47, as amended by
337 section 18, is hereby further amended by inserting after the words “said transfer”, the following
338 words:- ; provided further, that not more than \$13,511,090 from this item shall be expended for
339 payroll costs incurred in fiscal year 2017 by the 14 sheriffs’ offices; and.

340 SECTION 20. Said section 2 of said chapter 47 is hereby further amended by inserting
341 after item 1599-1977 the following 2 items:-

342 1599-2003 For the purpose of funding the Uniform Law Commission; provided, that
343 prior fiscal year payments may be payable from this item \$50,000

344 1599-3222 For a reserve to fund the administrative costs associated with the
345 implementation of an employer contribution including, but not limited to, costs of
346 commonwealth personnel, contracts and the purchase of new information technologies as
347 necessary; provided, that the secretary may transfer from this item to other items of appropriation
348 and allocations as are necessary to meet such costs where the amounts otherwise available are
349 insufficient for the purpose in accordance with a transfer plan which shall be filed in advance
350 with the house and senate committees on ways and means; and provided further, that the
351 secretary may only transfer such amounts to other items of appropriation and allocations within
352 the executive office for administration and finance, the executive office of health and human
353 services, the executive office of labor and workforce development, the department of revenue
354 and the department of unemployment assistance \$2,925,694.

355 SECTION 21. Item 2330-0100 of said section 2 of said chapter 47 is hereby amended by
356 inserting after the penultimate proviso the following proviso:- ; provided further, that not less
357 than \$450,000 shall be expended for a program of collaborative research by the division of
358 marine fisheries through the Massachusetts Marine Fisheries Institute, in collaboration with the
359 School for Marine Science and Technology at the University of Massachusetts at Dartmouth, that
360 applies innovative technology to assess the biomass of fish in the region managed by the New
361 England Fishery Management Council.

362 SECTION 22. Said section 2 of said chapter 47 is hereby further amended by inserting
363 after item 4000-0051 the following item:-

364 4000-0250 For the executive office of health and human Services which may expend for
365 the costs of the operations and maintenance of the health insurance exchange not more than
366 \$15,000,000 from monies received from the commonwealth health insurance connector
367 authority; provided, that for the purpose of accommodating timing discrepancies between the
368 receipt of retained revenues and related expenditures, the office may incur expenses and the
369 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
370 most recent revenue estimate as reported in the state accounting system; and provided further,
371 that any unspent balance at the close of fiscal year 2018 shall remain in the account and may be
372 expended for this item in fiscal year 2019.....\$15,000,000.

373 SECTION 23. Item 4513-1000 of said section 2 of said chapter 47 is hereby amended by
374 inserting after the penultimate proviso the following proviso:- ; provided further, that not less
375 than \$100,000 shall be expended for the program's critical congenital heart defects screening
376 activities.

377 SECTION 24. Said section 2 of said chapter 47 is hereby further amended by striking
378 out item 7002-1075.

379 SECTION 25. Item 8324-0000 of said section 2 of said chapter 47 is hereby amended by
380 inserting after the word "option" the following words: - ; provided further, that notwithstanding
381 any general or special law to the contrary, 100 per cent of the amount appropriated in this item
382 for the administration of the department of fire services, the state fire marshal's office, the
383 Massachusetts firefighting academy, critical incident stress management programs, the On-Site
384 Academy, other fire training academies, the regional dispatch centers, the radio and dispatch
385 center improvements and the associated fringe benefits costs of personnel paid from this item for
386 these purposes shall be assessed upon insurance companies writing fire, homeowners' multiple
387 peril or commercial multiple peril policies on property situated in the commonwealth and paid
388 within 30 days after receiving notice of the assessment from the commissioner of insurance.

389 SECTION 26. Item 2000-1701 of section 2B of said chapter 47 is hereby amended by
390 striking out the figure "\$1,535,671", and inserting in place thereof the following figure:-
391 \$3,150,000.

392 SECTION 27. Item 4000-0102 of said section 2B of said chapter 47 is hereby amended
393 by striking out the figure "\$8,878,161", and inserting in place thereof the following figure:-
394 \$11,914,066

395 SECTION 28. Section 2E of said chapter 47 is hereby amended by striking out item
396 1595-1068 and inserting in place thereof the following item:-

397 1595-1068 For an operating transfer to the MassHealth provider payment account in the
398 Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of the General Laws;

399 provided, that these funds shall be expended for services provided during state or federal fiscal
400 year 2016, 2017 or 2018 or for public hospital transformation and incentive initiative payments
401 for state fiscal year 2017 or 2018 or for Medicaid care organization payments under 42 CFR
402 438.6(c) for rate year 2018; provided further, that all payments from the Medical Assistance
403 Trust Fund shall be: (i) subject to the availability of federal financial participation; (ii) made only
404 under federally-approved payment methods; (iii) consistent with federal funding requirements
405 and all federal payment limits as determined by the secretary of health and human services; and
406 (iv) subject to the terms and conditions of an agreement with the executive office of health and
407 human services; provided further, that the secretary of health and human services shall notify, in
408 writing, the house and senate committees on ways and means and the joint committee on health
409 care financing of increases or decreases in any payments made within the term of the current
410 1115 waiver or other state plan amendments within 15 days; and provided further, that the
411 secretary of health and human services shall utilize funds from the Medical Assistance Trust
412 Fund to make payments of up to \$492,955,903 to the Cambridge public health commission or to
413 Medicaid care organizations for payment to the Cambridge public health commission if the
414 Cambridge public health commission, in anticipation of receiving such payments, first
415 voluntarily transfers an amount equal to the nonfederal share of such payments to the Medical
416 Assistance Trust Fund using a federally-permissible source of funds.....\$747,100,000.

417 SECTION 29. Said section 2E of said chapter 47 is hereby further amended by inserting
418 after item 1595-1069 the following item under the following caption:-

419 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

420 Department of Career Services

421 1595-1075 For an operating transfer to the Workforce Competitiveness Trust Fund
422 established in section 2WWW of chapter 29 of the General Laws.....\$1,000,000

423 SECTION 30. Section 133 of said chapter 47 is hereby amended by striking out the first
424 sentence and inserting in place thereof the following sentence:- The registry of motor vehicles,
425 in cooperation with the department of conservation and recreation, shall offer for purchase an
426 annual MassParks pass and a senior MassParks pass to cover fees for parking for 1 calendar year
427 at state-owned facilities where parking fees are charged to applicants for the issuance or renewal
428 of a motor vehicle registration or license to operate a motor vehicle.

429 SECTION 31. Chapter 63 of the acts of 2017 is hereby amended by striking out section
430 15 and inserting in place thereof the following section:-

431 Section 15. Sections 1, 3, 5, 7 and 9 shall take effect on January 1, 2018.

432 SECTION 32. Notwithstanding section 10 of chapter 70B of the General Laws or any
433 other general or special law to the contrary, in determining the grant percentage for the fiscal
434 year 2018 approved school projects, the Massachusetts School Building Authority shall calculate
435 the community poverty factor by examining the proportion of economically disadvantaged
436 students from calendar year 2015 to the present and assigning whichever year's factor is the
437 highest as determined by the department of elementary and secondary education.

438 SECTION 33. Section 32 is hereby repealed.

439 SECTION 34. Notwithstanding any general or special law to the contrary, unexpended
440 balances from item 7004-9024 of section 2 of chapter 133 of the acts of 2016 shall revert to the
441 General Fund at the end of fiscal year 2017.

442 SECTION 35. Notwithstanding any general or special law to the contrary, before the
443 close of fiscal year 2017 and upon the recommendation of the secretary of administration and
444 finance and the secretary of health and human services or their designees, the comptroller shall
445 adjust any fiscal year 2017 appropriation fund split against or transferred out of the Community
446 First Trust Fund established in section 35AAA of chapter 10 of the General Laws to match final
447 department fiscal year 2017 Community First Trust Fund expenditures.

448 SECTION 36. Notwithstanding any general or special law to the contrary, the executive
449 office for administration and finance may transfer up to \$15,000,000 from the Commonwealth
450 Care Trust Fund established in section 2000 of chapter 29 of the General Laws to the Health
451 Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws.

452 SECTION 37. Notwithstanding any general or special law to the contrary, payments
453 from the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General
454 Laws may be made either as safety net care payments under the commonwealth's waiver
455 pursuant to section 1115 of the federal Social Security Act or as an adjustment to Title XIX
456 service rate payments or a combination of both. Other federally-permissible funding mechanisms
457 available for public service hospitals as defined by the regulations of the executive office of
458 health and human services may be used to reimburse up to \$70,000,000 of uncompensated care
459 pursuant to said sections 66 and section 69 of said chapter 118E using sources distinct from the
460 funding made available to the Health Safety Net Trust Fund.

461 SECTION 38. Notwithstanding any general or special law to the contrary, any
462 unexpended balances, not exceeding a total of \$20,000,000, in items 4000-0600, 4000-0700 and
463 4000-1425 of section 2 of chapter 133 of the acts of 2016 shall not revert to the General Fund

464 until September 1, 2017 and may be expended by the executive office of health and human
465 services to pay for services enumerated in said items 4000-0600, 4000-0700 and 4000-1425
466 provided during fiscal year 2017.

467 SECTION 39. Notwithstanding any general or special law to the contrary, the secretary
468 of health and human services, with the written approval of the secretary of administration and
469 finance, may authorize transfers of surplus among items 4000-0320, 4000-0430, 4000-0500,
470 4000-0600, 4000-0640, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950,
471 4000-0990, 4000-1400, 4000-1420 and 4000-1425 for the purpose of reducing any deficiency in
472 these items but any such transfer shall be made not later than September 30, 2017.

473 SECTION 40. Section 33 shall take effect on June 30, 2018.