



02-04-10 P03:52 IN

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration
BUDGET OFFICE
One Capitol Hill
Providence, R.I. 02908-5886

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Memorandum

To: The Honorable Steven M. Costantino
Chairman, House Finance Committee

The Honorable Daniel DaPonte
Chairman, Senate Finance Committee

From: Rosemary Booth Gallogly
Executive Director/State Budget Officer *R. Gallogly*

Date: February 4, 2010

Subject: Revised Article 6 for FY 2010 Appropriations Act (10-H-7105)

The Governor requests that Article 6 entitled "Relating to Administrative Management of Food and Nutritional Services" be replaced with the attached article entitled "Relating to WIC Program". The current Article 6, "Relating to Administrative Management of Food and Nutritional Services", postpones the transfer of administrative management of food and nutritional services, including Food Stamps, WIC, and any other such programs or initiatives, to the Executive Office of Health and Human Services (EOHHS) from March 1, 2010 to October 1, 2010.

The replacement article, "Relating to WIC Program", strikes the requirement for these services to be transferred to EOHHS, and authorizes the transfer of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) from the Department of Health (DOH) to the Department of Human Services (DHS) as of October 1, 2010. These modifications are in conformance with Article 1 of the Governor's FY 2011 Appropriations Act, which contains three quarters of financing for WIC within DHS, while maintaining appropriations for Food Stamps within DHS.

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If you have any questions regarding these amendments, please feel free to call me at 222-6300 or Daniel Orgel at 222-2329.

RBG:sm 10-11

Attachment

cc: Representative Robert A. Watson
Senator Dennis L. Algiere
✓Sharon Reynolds Ferland
Peter Marino
Tim Costa
Michael Cronan
Gregory Stack

ARTICLE 6 (Revised 2/4/10)

RELATING TO WIC PROGRAM

SECTION 1. Section 42-7.2-6.1 of the General Laws in Chapter 42-7.2 entitled "Office of Health and Human Services" is hereby amended to read as follows:

§ 42-7.2-6.1 Transfer of powers and functions. – (a) There are hereby transferred to the executive office of health and human services the powers and functions of the departments with respect to the following:

(1) By July 1, 2007, fiscal services including budget preparation and review, financial management, purchasing and accounting and any related functions and duties deemed necessary by the secretary;

(2) By July 1, 2007, legal services including applying and interpreting the law, oversight to the rule-making process, and administrative adjudication duties and any related functions and duties deemed necessary by the secretary;

(3) By September 1, 2007, communications including those functions and services related to government relations, public education and outreach and media relations and any related functions and duties deemed necessary by the secretary;

(4) By March 1, 2008, policy analysis and planning including those functions and services related to the policy development, planning and evaluation and any related functions and duties deemed necessary by the secretary;

(5) By June 30, 2008, information systems and data management including the financing, development and maintenance of all data-bases and information systems and platforms as well as any related operations deemed necessary by the secretary;

(6) By October 1, 2009, assessment and coordination for long-term care including those functions related to determining level of care or need for services, development of individual service/care plans and planning, identification of service options, the pricing of service options and choice counseling; and

(7) By October 1, 2009, program integrity, quality control and collection and recovery functions including any that detect fraud and abuse or assure that beneficiaries, providers, and third-parties pay their fair share of the cost of services, as well as any that promote alternatives to publicly financed services, such as the long-term care health insurance partnership.

(8) By January 1, 2011, client protective services including any such services provided to children, elders and adults with developmental and other disabilities;

~~(9) By March 1, 2010, administrative management of food and nutritional services including food stamps, WIC and any other such programs or initiatives in which operational efficiencies that improve access may be achieved through greater consolidation or coordination of functions.~~

(b) The secretary shall determine in collaboration with the department directors whether the officers, employees, agencies, advisory councils, committees, commissions, and task forces of the departments who were performing such functions shall be transferred to the office.

(c) In the transference of such functions, the secretary shall be responsible for ensuring:

(1) Minimal disruption of services to consumers;

(2) Elimination of duplication of functions and operations;

(3) Services are coordinated and functions are consolidated where appropriate;

(4) Clear lines of authority are delineated and followed;

(5) Cost-savings are achieved whenever feasible;

(6) Program application and eligibility determination processes are coordinated and, where feasible, integrated; and

(7) State and federal funds available to the office and the entities therein are allocated and utilized for service delivery to the fullest extent possible.

(d) Except as provided herein, no provision of this chapter or application thereof shall be construed to limit or otherwise restrict the departments of children, youth and families, human

services, elderly affairs, health, and mental health, retardation, and hospitals from fulfilling any statutory requirement or complying with any regulation deemed otherwise valid.

(e) The secretary shall prepare and submit to the leadership of the house and senate finance committees, by no later than January 1, 2010, a plan for restructuring functional responsibilities across the departments to establish a consumer centered integrated system of health and human services that provides high quality and cost-effective services at the right time and in the right setting across the life-cycle.

SECTION 2. Section 42-18-5 in Chapter 42-18 of the General Laws entitled “Department of Health” is hereby amended to read as follows:

§ 42-18-5 Transfer of powers and functions from department of health. – (a) There are hereby transferred to the department of administration:

(1) Those functions of the department of health which were administered through or with respect to departmental programs in the performance of strategic planning as defined in § 42-11-10(c);

(2) All officers, employees, agencies, advisory councils, committees, commissions, and task forces of the department of health who were performing strategic planning functions as defined in § 42-11-10(c); and

(3) So much of other functions or parts of functions and employees and resources, physical and funded, related thereto of the director of health as are incidental to and necessary for the performance of the functions transferred by subdivisions (1) and (2).

(b) There is hereby transferred to the department of human services the administration and management of the special supplemental nutrition program for women, infants, and children (WIC) and all functions and resources associated therewith.

SECTION 3. Chapter 42-12 of the General Laws entitled “Department of Human Services” is hereby amended by adding thereto the following section:

§ 42-12-1.4 Transfer of functions from the department of health. -- There is hereby transferred from the department of health to the department of human services the administration and management of the special supplemental nutrition program for women, infants, and children (WIC) and all functions and resources associated therewith.

SECTION 4. Section 1 of this article shall take effect as of March 1, 2010. Sections 2 and 3 of this article shall take effect as of October 1, 2010.