ATTACHMENT C

July 31, 2019

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution of the Commonwealth of Massachusetts, I am returning to you for amendment Section 47 of House Bill No. 4000, “An Act Making Appropriations for the Fiscal Year 2020 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 47 requires EOHHS to provide 270 days’ notice to hospitals and the Legislature before implementing any restriction on an eligible hospital’s access to discounted drugs pursuant to section 340B of the federal Public Health Service Act. While I do not object to providing adequate notice prior to taking such action, 270 days’ notice will cause undue delay.

For these reasons, I recommend that Section 47 be amended by striking out the words, “not less than 270 days” and inserting in place thereof the following:- not less than 180 days.

Respectfully submitted,

Charles D. Baker

Governor