ATTACHMENT D

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 59 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 59 requires the Board of the Health Connector to provide 60 days’ notice to the Joint Committee on Health Care Financing and the House and Senate Committees on Ways and Means before it applies for any waiver under the Affordable Care Act. Additionally, it requires the Connector to report quarterly to these committees on the status of any active waiver applications.

While I do not object to providing adequate notice for waiver requests, I believe that 60 days’ notice will cause undue delay, particularly where federal law already requires the Health Connector to have a public process before submitting a waiver request.

For these reasons, I recommend that Section 59 be amended by striking out the words, “not less than 60 days” and inserting in place thereof the following:- not less than 30 days.

Respectfully submitted,

Charles D. Baker

 Governor