

The Commonwealth of Massachusetts



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February 21, 2008.

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 House Bill No. 975, "An Act Further Regulating The Disclosure Of Certain Financial Information To Division Of Medical Assistance Exempting Certain Bank Fees."

This legislation provides senior citizens and other low-income persons who are applying for MassHealth with the necessary financial records free of charge. Under current law, applicants for MassHealth may need to pay bank or credit union fees to obtain the required information about amounts deposited or withdrawn within the past five years. Unfortunately, these bank fees present a significant burden on those living on a fixed and limited income. I support this measure to relieve the financial burden on low-income citizens of the Commonwealth.

As drafted, however, this legislation restricts the information that MassHealth presently is authorized to receive about its applicants and recipients. The current statute, M.G.L. c. 118E, §23A, authorizes MassHealth employees and agents directly to receive information about amounts deposited or withdrawn within the past five years. This

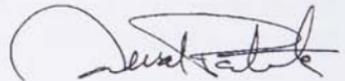
legislation removes that authorizing language and provides only for such information to be disclosed to MassHealth applicants and recipients. Limiting the information that MassHealth can receive directly from financial institutions could damage the financial integrity of the program.

I, therefore, recommend that House Bill No. 975 be amended as follows:

In Section 1 by striking out the final sentence and inserting in place thereof the following sentence:—

Upon receipt of a written request from an authorized employee or agent of the division, or from an applicant or recipient, for information relative to the amounts deposited, such treasurer shall furnish to the requester, without charge, the records on deposits and withdrawals during the past 5 years concerning the applicant or recipient within the time limits required by the authorized employee or agent of the division in the written notice.

Respectfully submitted,



DEVAL L. PATRICK,
Governor.