

SENATE . . . . . No. 2379

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**MESSAGE FROM HIS EXCELLENCY THE GOVERNOR  
RETURNING, UNDER THE PROVISIONS OF  
ARTICLE LVI OF THE AMENDMENTS TO THE  
CONSTITUTION, WITH RECOMMENDATION  
OF AMENDMENT, THE ENGROSSED BILL  
FURTHER REGULATING THE AUTHORITY  
OF THE RATE SETTING COMMISSION  
(SEE SENATE NO. 639) (RECEIVED IN  
THE OFFICE OF THE CLERK OF THE  
SENATE ON THURSDAY, DECEM-  
BER 27, 1984, AT TEN MINUTES  
PAST FIVE O'CLOCK P.M.).**

December 27, 1984.

## The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT  
STATEHOUSE • BOSTON 02133

December 27, 1984.

*To the Honorable Senate:*

I am returning herewith Senate Bill No. 639 entitled "An Act Further Regulating The Authority Of The Rate Setting Commission", for amendment, pursuant to Article LVI of the Amendments to the Massachusetts Constitution.

While I support the intent of the legislation, which is to exclude from rate collection and budget review certain charitable gifts acquired by providers of health care, social, rehabilitative or education services, I am concerned that the bill, in its present form, does not accomplish this goal.

I, therefore, recommend the following amendments:

STRIKE the entire language as it currently appears and substitute the following in place thereof:

SECTION 1. Chapter 6A of the General Laws is hereby amended by inserting after section 73 the following new section: —

*Section 74.* The Commission, in carrying out its duties as set forth in this Chapter, in relation to the establishment of rates of payment and reimbursement for general health supplies, care, social, rehabilitative or educational services and accommodations, shall not, in any computation involving such provider of care, or social, rehabilitative or educational services and accommodations: unrestricted grants, gifts, contributions, bequests, fund principal and endowment balances, and all income, therefrom, as defined in regulations of the Commission, unless the provider voluntarily requests the Commission to consider any or all of such resources in establishing rates of payment or reimbursement for services under this section. Restricted gifts, grants, endowments, contributions and the income therefrom shall be offset by the Commissioner unless such monies are specifically designated for the provision of free care to persons not otherwise eligible for public assistance.

SECTION 2. This Act shall become effective on July 1, 1985.

Respectfully submitted,

MICHAEL S. DUKAKIS  
*Governor*