

THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE DEPARTMENT  
STATE HOUSE, BOSTON 02133

By His Excellency

MICHAEL S. DUKAKIS  
GOVERNOR

EXECUTIVE ORDER NO. 234

An Order Revoking Executive Order No. 135 and Creating  
a New Massachusetts Statewide Health Coordinating Council

WHEREAS, it is a commitment of the Commonwealth to improve the health status of its citizens; to assure equal access to health care, and effective and efficient utilization of services; to assure that limited health resources are appropriately allocated so as to best meet the needs of its citizens; to assure that its citizens receive high quality health care at a reasonable cost; to restrain increases in the cost of health care, particularly institutional care; and to encourage development of less costly alternative systems for the provision of health care; and

WHEREAS, the fulfillment of this commitment is dependent upon a cooperative and effective health planning network among agencies of state government, areawide health planning agencies, health providers, and health consumers; and

WHEREAS, the National Health Planning and Resources Development Act of 1974 (P.L. 93-641), as amended, offers the Commonwealth the opportunity to participate in a national program of assistance to the states to augment state planning for health services, manpower, and facilities; and

WHEREAS, for several years, the Commonwealth, through the efforts of the Massachusetts Statewide Health Coordinating Council, the state health planning and development agency (first the Department of Public Health and now the Executive Office of Human Services), and the regional health systems agencies (HSAs), has been an active participant in the national health planning program established by P.L. 93-641; and

WHEREAS, it is important that the Commonwealth's health planning program meet all current requirements of P.L. 93-641, as amended, or successor legislation; and

WHEREAS, the Governor, as the supreme executive magistrate of the Commonwealth under the constitution, has the authority for ordering and directing the affairs of the Commonwealth agreeably to the constitution and laws of the land;

NOW, THEREFORE, I, Michael S. Dukakis, by virtue of the authority vested in me as Governor of the Commonwealth of Massachusetts, do hereby order the revocation of Executive Order No. 135, the termination of the Statewide Health Coordinating Council established by that order, and the establishment of a new Statewide Health Coordinating Council, referred to hereinafter as the SHCC. This cancellation is in no way intended to, nor does it, invalidate any actions taken by the Statewide Health Coordinating Council established by Executive Order No. 135.

## I. Purpose and Function

The purpose and function of the SHCC shall be as follows:

- A. Perform any health planning activities required by the provisions of P.L. 93-641, as amended, or successor legislation;
- B. Promote an effective partnership for health planning among the SHCC, the state health planning and development agency, other agencies of state government with health-related responsibilities, the health systems agencies and consumers and providers of health care in the Commonwealth;
- C. Serve as a mechanism for public discussion on health issues and public participation in the health planning process;
- D. Advise the state health planning and development agency generally on the performance of its functions under P.L. 93-641, as amended, or successor legislation:
- E. Make health policy recommendations to the state health planning and development agency that the state agency may use in advising the Governor, the General Court, and public and private health-related entities and
- F. Perform such other functions and activities as the Commonwealth may request from time to time that are consistent with the responsibility and authority of the SHCC.

## II. Membership and Terms of Office

- A. The SHCC shall consist of no more than forty voting members appointed by the Governor, and such non-voting, ex officio members as specified in the SHCC by-laws, in accordance with representational and other requirements set forth in P.L. 93-641, as amended, or successor legislation.

B. Initial appointments shall be staggered so that one-third are for one-year terms, one third are for two-year terms, and one-third are for three-year terms. All subsequent appointments shall be for three-year terms. No member shall serve more than two consecutive three-year terms.

C. A vacancy shall exist upon the death, resignation, removal for cause, or expiration of the term of any member and shall be filled in a similar manner as the original appointment. When a vacancy occurs prior to the expiration of a term, the person appointed to fill that vacancy shall finish that unexpired term.

D. A member shall hold office during the term for which he or she is appointed and until his or her successor in office has qualified.

E. Any member may be removed by the Governor for good cause. Good cause shall be defined by the by-laws of the SHCC.

The chairperson shall keep the Governor informed, through the Secretary of Human Services, about situations that may constitute good cause for removal of a member.

### III. Meetings

A. The SHCC shall meet from time--to--time but not less than once in each calendar quarter at such times and places as are designated by the chairperson. In addition, special meetings of the SHCC may be called by the chairperson upon the written request of not less than ten members.

B. All meetings of the SHCC shall be open to the public in accordance with the provisions of Massachusetts General Laws chapter thirty A, sections 11A, 11A 1/2, and 11B and applicable provisions of federal law.

### IV. By-Laws

By-Laws consistent with P.L. 93-641, as amended, or successor legislation, and this Executive Order shall be developed by the SHCC with the assistance of the state agency and shall be subject to approval by the Governor.

### V. Inter-Agency Cooperation

The SHCC shall be entitled to and shall receive the cooperation of every department, agency, and office of the Commonwealth in furtherance of SHCC functions.

## VI. Conflict of Interest

The SHCC shall establish in its by-laws a conflict of interest policy that is designed to preclude the use of membership on the SHCC for purposes that are, or give the appearance of being, motivated by private gain on the part of any member. In addition, all members of the SHCC shall abide by any provisions in state and federal conflict of interest laws that may apply to the members of the SHCC appointed pursuant to this order.

Given at the Executive Chamber  
in Boston this 27th day  
of October in the year of our  
Lord one thousand nine hundred  
and eighty-three, and of the  
Independence of the United  
States of America two hundred  
and eight.

MICHAEL S. DUKAKIS  
GOVERNOR  
Commonwealth of Massachusetts

MICHAEL JOSEPH CONNOLLY  
SECRETARY OF THE COMMONWEALTH

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS