

February 9, 2015

Governor Charles Baker
Room 280
State House
Boston, MA 02133

Dear Governor Baker:

We are writing to express our deep concerns over your proposed emergency FY 15 9C supplemental legislation, HB49- “An Act Addressing the Fiscal Year 2015 Budget Shortfall,” which if passed in its current form will have widespread and significant impacts on tens of thousands of low-income residents of Massachusetts who depend upon vital MassHealth services for their well-being.

Section 7 of HB49 gives the Executive Branch unilateral authority to manage MassHealth “by restructuring benefits” in a dozen major MassHealth line items, affecting children, adolescents, families, elders, individuals with disabilities, HIV patients, and breast cancer patients and impacting mental health, behavioral health, substance abuse, managed care, dental care, health subsidies to small businesses, primary medical care, personal care attendants (PCAs), and adult foster care (AFC) services and programs, without legislative oversight or control. These line items represent approximately \$13 billion in public investments in the health of low-income populations in the Commonwealth.

We understand the importance of managing the MassHealth programs, but section 7 of HB49 gives the Executive Branch open-ended power to change health and supportive services benefits to MassHealth recipients which will have a tremendous fiscal impact, and will result in a loss of federal match dollars that are attached to many of these services, without even obtaining legislative approval. Billions of dollars in taxpayer investments in these services will be affected by this blanket authorization.

We cannot support such a transfer of power away from the General Court to the Executive Branch, especially when it concerns the lives of many people with disabilities in the Commonwealth. There need to be checks and balances to ensure that the mission of MassHealth to care for people in the least-restrictive setting is not transformed— that homelessness and institutionalization are not increased, as may result from planned cuts to PCA and AFC services. As Governor, we know you have very difficult decisions to make regarding the budget and the well-being of Massachusetts. But we, as advocates for low-income beneficiaries, are obliged to raise our concerns to lawmakers over plans that we think will harm the people we serve. For this reason, we respectfully request that you reexamine Section 7 in HB 49 and how this will impact the lives of many people who have a disability.

Section 7 of HB49 is overly broad, and not in the best interest of the Commonwealth of Massachusetts. We urge you to strike this section from your legislation, and work with the General Court to put forward specific, detailed plans for any restructuring of MassHealth benefits. We stand ready to work with you to better manage the taxpayer investment in MassHealth services, but let us do that in a deliberate and transparent process.

Signed,

Al Norman, Mass Home Care
Bill Henning, Boston Center for Independent Living
Leo Sarkissian, The Arc of Massachusetts
Chet Jakubiak, MA Association of Older Americans
Jim Kruidenier, Stavros Center for Independent Living
Barbara Mann, Mass Senior Action Council
Christine Griffin, Disability Law Center
Matt Selig, Health Law Advocates
Gerard McCarthy, Northeast Arc
Paul Spooner, Metrowest Center for Independent Living
Veronica Turner, 1199SEIU United Healthcare Workers East
Georgia Katsoulomitis, Director, Massachusetts Law Reform Institute
June Cowen, Northeast Independent Living Program
Frank E. Baskin, Greater Lowell Elder Mental Health Collaborative
Anne Weaver M.A. LMHC, National Empowerment Center
Arlene Germain, MA Advocates for Nursing Home Reform
Kirk Joslin, Easter Seals
Mary Margaret Moore, IL Program of the North Shore and Cape Ann
Ann Ruder, Center for Living and Working
Jacquelynne J. Bowman, Greater Boston Legal Services, on behalf of clients
Kelly McGee, Caregiver Homes
Mary Ann Wonn, New England Chapt. Nat. Assn. of Professional Geriatric Care Managers
John Winske, Disability Policy Consortium
Alex Pirie, Immigrant Service Providers Group/Health
Linda Andrade, Cerebral Palsy Of MA
Linda Freeman, The Arc of Greater Plymouth
Christine Singer, UCP of the Berkshires
Ericka Olivera, Centro Las Americas
Noreen Miller, Community Enterprises
Theresa Eckstrom MS, LSW, Webster Light LLC
Jennifer Couturier, The Arc of Greater Haverhill-Newburyport
Jeanne Leyden, RN, Somerville Cambridge Elder Services AFC
Lisa Prince, Massachusetts Council for Adult Foster Care
Marilyn L. Travinski, Tri-Valley, Inc.
Maureen Tuggey, Elder Services of Berkshire County, Inc.

Beth Conaty, PRIDE Inc.
Ken Singer, Berkshire County Arc
Bob Harris, Class Inc.
John Latawiec, LifeStream, Inc.
Barbara Pilarcik, The Association for Community Living
Ruthie Poole, MPOWER
Terri Presby, The Association for Community Living
Ed Bielecki, Mass Advocates Standing Strong

Cc: Senate President Stanley Rosenberg
House Speaker Robert DeLeo
Senate Ways and Means Chair Karen Spilka
House Ways and Means Chair Brian Dempsey
EOHHS Secretary Mary Lou Sudders
A&F Secretary Kristen Lepore