



State of West Virginia
Joe Manchin III
Governor

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May 7, 2009

VIA HAND DELIVERY

The Honorable Earl Ray Tomblin
President, Senate of West Virginia
State Capitol
Charleston, West Virginia 25305

Dear President Tomblin:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Committee Substitute for Senate Bill No. 414.

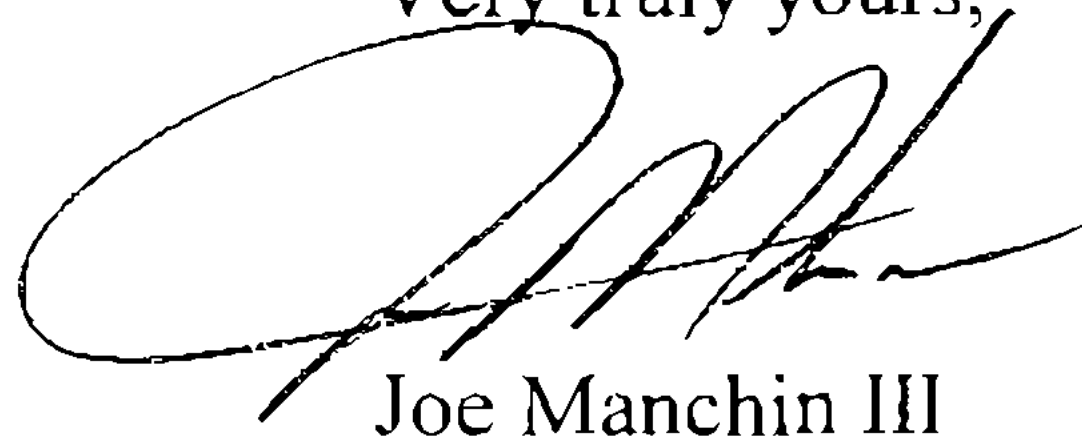
If approved, this Bill would enact broad reforms designed to stem the rising cost of health care in West Virginia. Chief among the Bill's amendments is the creation of a new state office to coordinate health care reform initiatives among executive branch agencies. Known as the Governor's Office of Health Enhancement and Lifestyle Planning ("GOHELP"), the office would be responsible for directing and implementing health care reform initiatives such as prescription drug purchasing agreements, patient-centered medical home programs and strategic health care planning.

While I support the Legislature's efforts to improve the state's health care system, I must object to this Bill because of a technical flaw that would render the measure constitutionally invalid. The title of the Bill mistakenly omits a reference to the creation of an advisory council, the Health Enhancement and Lifestyle Planning Advisory Council, designed to advise and consult with GOHELP. I find this omission to be fatal because a reasonable person would be unable to discern this material amendment, the creation of an independent board composed of state officers and gubernatorial appointees, without reading the entire text of the Bill.

OFFICE OF THE GOVERNOR

For this reason, I must veto Enrolled Committee Substitute for Committee Substitute for Senate Bill No. 414. Nevertheless, I urge the Legislature to amend the title of the Bill and to return the Bill for approval.

Very truly yours,

A handwritten signature in black ink, appearing to read "Joe Manchin III", written over a large, stylized circular flourish.

Joe Manchin III
Governor

cc: The Honorable Richard Thompson
Speaker, House of Delegates
The Honorable Natalie E. Tennant
Secretary of State