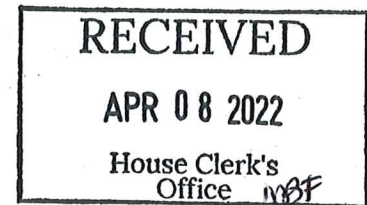




COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR



Andy Beshear
GOVERNOR

Capitol Building, Suite 100
700 Capitol Avenue
Frankfort, KY 40601
(502) 564-2611
Fax: (502) 564-2517

VETO MESSAGE FROM THE
GOVERNOR OF THE COMMONWEALTH OF KENTUCKY
REGARDING HOUSE BILL 7 OF THE
2022 REGULAR SESSION

I, Andy Beshear, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following:

House Bill 7 of the 2022 Regular Session of the General Assembly in its entirety.

I am vetoing House Bill 7 because it will hurt Kentuckians by threatening access to health care and making it harder for those in need to access crucial benefits. House Bill 7 will impose barriers for individuals to receive critical assistance for food and health care through essential benefit programs, including the Supplemental Nutritional Assistance Program and Medicaid. These programs are designed to help low income, vulnerable recipients to stabilize their personal and family situations in order to reach self-sufficiency. They are vital for individuals and households who are recovering from substance use disorder, mental health issues, homelessness and job loss.

This bill will hurt our families, seniors, children, and those with disabilities, and it will disproportionately affect the regions of the Commonwealth that lack access to health care, food, child care and other assistance Kentuckians depend on. Its administrative burdens for submitting information and having that information timely processed will cause people who are eligible for Medicaid to lose access to health care coverage, which could result in Kentuckians losing access to critical medical care. This would include access to behavioral health and substance use treatment – two areas that address significant issues in Kentucky.

House Bill 7 also potentially violates federal Medicaid requirements that could result in Kentucky losing valuable federal funding. The administrative burdens required by this bill will create barriers that will directly result in eligible Kentuckians losing their benefits, leading to food insecurity among low-income households. And because these benefits circulate through our economy, their loss will also hurt grocers, retailers, physicians and hospitals throughout all of our communities. The loss of benefits under House Bill 7 will create a situation where the increased demand and workload for child protective services, foster care, adult protective services and the Medicaid program could overwhelm the vital systems in place to protect our most vulnerable Kentuckians.

Further, House Bill 7 provides no appropriation, leaving the Cabinet for Health and Family Service with no funding for the additional resources that would be required to implement and meet the requirements under the bill. For example, the number of administrative appeals that could occur based on individuals losing benefits under House Bill 7 could overwhelm the system, and the bill provides no funding to expand the system to allow the Cabinet for Health and Family Services to have the capacity to administer the increased number of appeals. An agency is under no obligation to carry out an unfunded mandate. In the absence of an appropriation, these unfunded statutes may not be implemented. See Fletcher v. Commonwealth, 163 S.W.3d 852, 865 (Ky. 2005). The will of the General Assembly is expressed both in statutes and in the accompanying appropriations to carry out these statutes.

For these reasons, I am vetoing House Bill 7.

This, the 8th day of April, 2022.



Andy Beshear
Governor