



STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
20301 MAIL SERVICE CENTER • RALEIGH, NC 27699-0301

BEVERLY EAVES PERDUE
GOVERNOR

June 30, 2011

GOVERNOR'S OBJECTIONS AND VETO MESSAGE

Senate Bill 496, "*An Act Relating to Requirements of Medicaid and Health Choice Providers*"

There are many aspects of Senate Bill 496 that I support. However, one section of the bill would take final decision-making authority away from the Department of Health and Human Services ("DHHS") and instead give it to the Office of Administrative Hearings ("OAH"). The Attorney General has repeatedly declared that such a transfer of final authority from a state agency to OAH is in violation of our State Constitution. Furthermore, in addition to being unconstitutional, this transfer of authority from DHHS to OAH would also violate federal Medicaid law. Because I do not have a line-item veto, I am unable to veto only this one portion of the bill and must instead veto the bill in its entirety.

Therefore, I veto the bill.

A handwritten signature in black ink, appearing to read "Beverly Eaves Perdue".

Beverly Eaves Perdue

This bill, having been vetoed, is returned to the Clerk of the North Carolina Senate on this 30th day of June, 2011, at 4:00 pm for reconsideration by that body.

RECEIVED FROM GOVERNOR
DATE June 30, 2011
TIME 4:50 pm
Sarah Clapp

