

OFFICE OF THE GOVERNOR
STATE OF MONTANA

GREG GIANFORTE
GOVERNOR



KRISTEN JURAS
LT. GOVERNOR

May 11, 2023

The Honorable Jason Ellsworth
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Matt Regier
Speaker of the House
State Capitol
Helena, MT 59620

Dear President Ellsworth and Speaker Regier:

We share a commitment to improving conditions and services at the Montana State Hospital (MSH) and to resolving the extraordinary problems at our state-run health care facilities caused by decades of past administrations sweeping issues under the rug and kicking cans down the road. Based on our ongoing, strenuous reform work, it should be clear that the neglect of our facilities and their patients that was tolerated by the previous administration and others is no longer acceptable to my team and me.

As evidenced by our candid interactions with the Legislature, my administration is willing to bring challenges to the forefront and have tough conversations about how our facilities can be improved for future generations. For that matter, we are also unwavering in our efforts to increase transparency and accountability at MSH. I am proud to have worked alongside you to propose and support historic investments that do just that, as well as improve conditions and services at MSH, to ensure that vulnerable Montanans receive the most clinically appropriate, safest, and highest quality care possible from the Department of Public Health and Human Services. And we appreciate the work of advocates who are dedicated to achieving the same goals. However, Senate Bill 4 is legally insufficient, deeply flawed, and fails to protect Montanans' constitutionally protected rights to privacy.

I am disappointed that the Legislature failed to consider my proposed amendments to Senate Bill 4, which would have strengthened the bill and improved the potential for compliance by inserting the correct federal citation, streamlining and enhancing reporting requirements, and protecting Montanans' privacy rights that are guaranteed by the Montana Constitution and federal law. I am convinced that my proposed amendments would have been the best way to resolve the problems presented by the version of Senate Bill 4 approved by the Legislature.

President Ellsworth and Speaker Regier

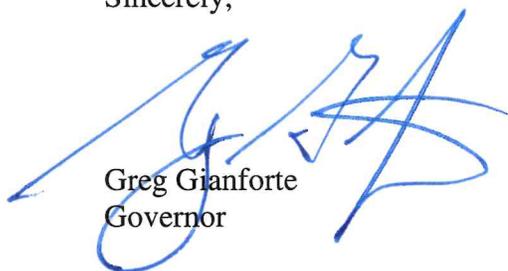
May 11, 2023

Page 2

Without such amendments, Senate Bill 4 is legally insufficient, promotes the sharing of inconsistent information, and fails to protect Montanans' constitutionally protected rights to privacy.

Therefore, in accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto Senate Bill 4: "AN ACT REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO PROVIDE REPORTS OF ALLEGED ABUSE AND NEGLECT AT THE MONTANA STATE HOSPITAL TO THE STATE PROTECTION AND ADVOCACY PROGRAM; AMENDING SECTIONS 53-21-107, 53-21-166, AND 53-21-169, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Sincerely,



Greg Gianforte
Governor

Enclosure

cc: Legislative Services Division
Christi Jacobsen, Secretary of State