

I Mina'trentai Siette Na Liheslaturan Guåhan
APPOINTMENTS

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	DATE REFERRED	COMMITTEE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	SESSION DATE	DATE CONFIRMED	NOTES
37GL-24-1450	Nadine T. Cepeda	Member Marriage & Family Therapist - Representative	Guam Board of Allied Health Examiners	1/9/24	Three (3) Years; December 2, 2022 to December 1, 2025	1/19/24	Committee on Health, Land, Justice, and Culture	2/6/24 8:30 a.m.	2/7/24 9:18 a.m.			



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Siette na Liheslaturan Guåhan | 37th Guam Legislature
Committee on Health, Land, Justice and Culture

February 6, 2024

The Honorable Chris Barnett *DUB*

Chairperson, Committee on Rules
I Mina'trentai Siette na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña Guam, 96910

RE: Committee Report on the Re-Appointment of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.

Håfa Adai Chairperson Barnett:

Transmitted herewith is the Committee Report on the Re-Appointment of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025, and which was referred to the Committee on Health, Land, Justice and Culture.

Committee votes are as follows:

- 6 TO DO CONFIRM
- TO NOT CONFIRM
- TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE



COMMITTEE ON RULES

Received:

February 6, 2024 4:36 p.m.

Beatrice Cruz

Sincerely,

Therese M. Terlaje
Speaker Therese M. Terlaje

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators, please send to: speaker@guamlegislature.org*



Office of the Speaker
THERESE M. TERLAJE
I Mina'trentai Siette na Liheslaturan Guåhan | 37th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE REPORT

RE-APPOINTMENT of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Siette na Liheslaturan Guåhan | 37th Guam Legislature
Committee on Health, Land, Justice and Culture

February 6, 2024

MEMORANDUM

To: All Members
Committee on Health, Land, Justice, and Culture

From: Speaker Therese M. Terlaje *TMT*
Committee Chairperson

Subject: **Committee Report on the Re-Appointment of Nadine T. Cepeda to serve as a member of the (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.**

Transmitted herewith for your consideration is the Committee Report on the re-appointment of **Nadine T. Cepeda, to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.**

This report includes the following:

- Copy of COR Referral of the Appointment
- Copy of the Appointment Letter to the Speaker
- Copy of the Appointment Packet & Supporting Documents
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimonies & Supporting Documents
- Committee Vote Sheet
- Committee Report Digest

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse'!

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators, please send to: speaker@guamlegislature.org*



COMMITTEE ON RULES

Senator Chris Barnett, Chairperson
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature

January 19, 2024

To: **Joaquin P. Taitague**
Substitute Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Senator Chris Barnett** 
Chairperson, Committee on Rules

Subject: **Referral of Reappointment**

Håfa Adai yan Biba Guåhan!

As per my authority as Chairperson of the Committee on Rules and subject to §9.01, Rule IX of our Standing Rules, I am forwarding the referral of the following reappointment:

Appointee:	Nadine T. Cepeda
Position:	Member (Marriage and Family Representative)
Term Length:	Three (3) Years; December 2, 2022, to December 1, 2025

Please refer the following document:

“**Doc. No. 37GL-24-1450** – Office of the Governor – Reappointment and Supporting Documents Nadine T. Cepeda, Member (Marriage and Family Representative), Guam Board of Allied Health Examiners.”

Ensure the reappointment is referred to the Committee on Health, Land, Justice, and Culture chaired by Speaker Therese M. Terlaje. I also request that the same be forwarded to Management Information Services (MIS) for posting on our website.

Should you have any questions or concerns, please feel free to contact Kamarin J.A. Nelson, Committee on Rules Director at 671-472-2461.





LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

January 9, 2024

37GL-24-1450
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

Honorable Therese M. Terlaje
Speaker
I Mina'trentai Siette Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96932

JAN 11 2024

Time: 1:09pm
Received: SN

RE: BOARD REAPPOINTMENT

Hafa Adai Madame Speaker:

By virtue of the authority vested in me by the Organic Act of Guam, 12 GCA § 4112 and all applicable laws, I am pleased to transmit the following reappointment and supporting documents:

- APPOINTEE:** Nadine T. Cepeda
- POSITION:** Member, Marriage & Family Therapist Representative
Guam Board of Allied Health Examiners
- TERM LENGTH:** Three (3) Years; December 2, 2022 to December 1, 2025

The appointment is subject to the advice and consent of the *I Liheslaturan Guåhan*. Please schedule a hearing at your earliest convenience.

Should you have any questions, please contact the Office of the Governor at (671) 473-1121.

Sensengamente,

JOSHUA F. TENORIO
Åkto Maga'ldhen Guåhan
Acting Governor of Guam



37GL-24-1450
Messages and Communications
RECEIVED
Committee on Rules
January 17, 2024
2:52 p.m.
Beatrice Cruz

cc: *Honorable* Lourdes A. Leon Guerrero, Governor of Guam



LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

January 9, 2024

NADINE T. CEPEDA

Hafa Adai! Ms. Cepeda:

Pursuant to my authority under the Organic Act of Guam, 10 GCA § 12803, and all applicable laws, I am reappointing you to serve as a

MEMBER, GUAM BOARD OF ALLIED HEALTH EXAMINERS
Marriage & Family Therapist - Representative
Term Length: Three (3) Years; December 2, 2022 to December 1, 2025

Your reappointment is a testimony to your commitment to service and the understanding of the great responsibility that this position requires and I know that you will continue to fulfill your duties in a professional manner for others to follow.

Once again, I appreciate your willingness to serve in this position, and I am confident that your time on the Board will be effective and productive.

As you are aware, this appointment is subject to the advice and consent of *I Liheslaturan Guåhan*. If you have any questions or concerns, please contact Jean S. Taitano of the Governor's Office at (671) 473-1121.

Senseramente,

A handwritten signature in black ink, appearing to read "Joshua F. Tenorio".

JOSHUA F. TENORIO
Åkto Maga'låhen Guåhan
Acting Governor of Guam

cc: *Honorable* Lourdes A. Leon Guerrero, Governor of Guam
Chairperson, GBAHE
Administrator, HPLO, DPHSS

LOURDES A. LEON GUERRERO
Governor



JOSHUA F. TENORIO
Lieutenant Governor

OFFICE OF THE GOVERNOR OF GUAM Nomination and Appointment Information Sheet

The following information is required for submission to the
Speaker of *I Liheslaturan Guåhan* in accordance with Title 4, Guam Code Annotated Section 2103

NOMINEE INFORMATION

Last Name Cepeda	First Name Nadine	Middle Initial Taijeron
Mailing Address [REDACTED]		Apartment/Unit #
City [REDACTED]	State [REDACTED]	Zip Code [REDACTED]
Phone [REDACTED]	E-mail Address [REDACTED]	
Position to which Appointment is Made Member, Guam Board of Allied Health Examiners		
Are you a citizen of the United States? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
If no, are you authorized to work in the United States? Yes <input type="checkbox"/> No <input type="checkbox"/>		

EDUCATION

SCHOOL (Name, City and State)	DATES OF ATTENDANCE	TYPE OF DEGREE	YEAR EARNED
High School Notre Dame High School	1990 - 1993	High School Diploma	1993
College California State University, Sacramento	1995 - 1999	BA Psychology	2019
Graduate School California State University, Northridge	2006 - 2007	MA, Experimental Psychology	2007
Other Degree University of Guam	2008 - 2010	MA Counseling	2010

EMPLOYMENT HISTORY

Name of Present/Last Employer and Mailing Address Guam Department of Education 500 Mariner Ave. Barrigada, Gu	Position Title District School Psychologist
	Dates Held 10/2015 to Present

Previous Employer and Mailing Address Judiciary of Guam 120 O'Brien Dr. Hagatna, Gu	Position Title Judiciary Therapist
	Dates Held 10/2014 - 10/2015

Previous Employer and Mailing Address Guam Behavioral Health & Wellness Center 790 Gov. Carlos Camacho Rd. Tamuning, Gu	Position Title Psychiatric Social Worker Supervisor
	Dates Held 03/2001 to 10/2014

Previous Employer and Mailing Address Cornerstone Counseling & Wellness Center 414 GCIC Bldg. W. Soledad Ave. Hagatna, Gu	Position Title Private/ Professional Practice
	Dates Held 06/2010 to 2018

Previous Employer and Mailing Address	Position Title
	Dates Held

PRIOR GOVERNMENT OF GUAM SERVICE

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

PRIOR GOVERNMENT SERVICE (EXCLUDING GOVERNMENT OF GUAM)

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

Agency or Department Name		Position Title	
Address	Phone No.	Dates Held	

TRAINING

INSTITUTE/SEMINARS/ON-THE-JOB TRAINING	DATE
Matrix Model (Cognitive Behavioral Therapy)	12/2023
Guam Psychological Association - Ethics	09/2023
an Psychological Association 40th Practice & SPTA Leadership Conf	03/2023
sociation of Family Therapy Regulatory Boards Expert for Written Exa	02/2023

AWARDS

List all educational, professional, civic awards, and recognition for public service:
Licensed Marriage and Family Therapist, Licensed Mental Health Counselor, Licensed Professional Counselor, Ceritfed Substance Abuse Couselor and Certified International Substance Abuse Counselor

PROFESSIONAL INVOLVEMENT

List involvement on a local/national/international level. List organizations, activities participated in, and offices held:
-President of Guam Association of Individual, Marriage & Family Therapist (AIMFT) 2015 and was re-elected in 2016. -Vice President for AIMFT in 2013 to 2014 and active member since 2010. -Association of Marriage and Family Therapy Regulatory Boards (AMFTRB) - Board Member 2020-2022. -Guam Psychofogicat Association (GPA) associate member since 2014. - American Psychological Association, Student member since 2015. - Protection and Advocacy for Individual with Mental Illness Council Member since 2008 - 2018.

COMMUNITY / CIVIC INVOLVEMENT

List organizations, activities participated in, and offices held:

-Vice Regent for Catholic Daughter of America- Santa Barbara Court #2655: 2015 to 2016,
Treasurer: 2013 to 2014
-Extra-ordinary Minister Santa Barbara Church 2001-Present
-Dededo Munciplaity Planning Council Member, 2020 - Present

PUBLICATIONS AND PRESENTATIONS

List any published articles, papers delivered at professional meetings, etc.:

Numerous presentations at many focal conferences and trainings.

MILITARY SERVICE (Please attach Form DD-214)

BRANCH	DATES OF SERVICE	RANK AT DISCHARGE	TYPE OF DISCHARGE
N/A			

OTHER INFORMATION

(1) Have you ever been found guilty of a felony in any court, whether within or without the United States?

Yes No If so, please specify in detail: _____

Address of the Court: _____

Date(s) of Conviction: _____

Specific Infraction Committed: _____

(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States?

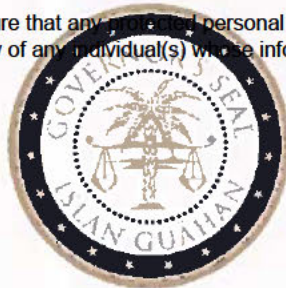
Yes No If so, please specify in detail the reasons and facts related to such declaration:

(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity?

Yes No

(4) Have you ever been confined to a mental institution for any reason?

Yes No If so, please specify in why the appointing authority believes you that you are not suffering from any mental illness or affliction:



OFFICE OF THE GOVERNOR OF GUAM

Statement of Financial Interests

(Required by 4 G.C.A. §13104.1)

TO: The Honorable Lourdes A. Leon Guerrero
Governor of Guam
Ricardo J. Bordallo Governor’s Complex
Adelup, Guam 96910

FROM: Nadine T. Cepeda

- I have no financial interest in any business
- I do have interest(s) in the following business(es):

NAME AND ADDRESS OF BUSINESS INTEREST	TYPE AND AMOUNT OF INTEREST


Signature

12/29/2023
Date

AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, do hereby depose and say that: (1) I have read and reviewed the information contained in the attached Appointment/Nomination letter from the Governor of Guam; (2) that the matters contained in the Appointment/Nomination letter, together with all attachments thereto, are true and correct and that I am competent to testify to said matters; and (3) that this Declaration is made for the purpose of complying with the requirements of 4 G.C.A. Section 2103.5.

I declare under penalty of perjury under the laws of Guam (4 G.C.A. Section 4308) that the foregoing is true and correct.

Nadine T. Cepeda

Print Name and Signature



12/29/2023

Date



SUPERIOR COURT OF GUAM

Guam Judicial Center | 120 West O'Brien Drive | Hagåtña, Guam 96910 | (671) 475-3370 | Fax: (671) 475-0078

Name: NADINE TAIJERON CEPEDA

Driver's License ID #: [REDACTED]

DOB: [REDACTED]

CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

Criminal Cases:
No Cases Found

Civil Cases:

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagåtña, Guam. Hours of operation are Monday - Friday, 9:00 a.m. to 4:00 p.m. Closed Saturdays, Sundays and local/federal holidays. **Court Clearances are Non-Refundable.**

Dated: 01/05/2024

Sophia Santos Diaz
Clerk of Court

By: _____

Alfred Santos
Deputy Clerk II

Prepared by: **Brandon M. Taitano**



The absence of an
Original Court Seal
Invalidates this
document. 66036



Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual whose information has been included as part of this transcript.

Government of Guam

**GUAM POLICE DEPARTMENT
RECORDS & IDENTIFICATION SECTION**

P.O. Box 23909
Guam Main Facility, Guam 96921



January 8, 2024

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	Nadine T. CEPEDA		
DATE OF BIRTH:	[REDACTED]	FINGERPRINT#:	[REDACTED]
■	The individual has no record of criminal conviction(s) in the Guam Police Department files that are subject to Guam law.		

*****NOTHING FOLLOWS*****

THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY.

By Direction: JFC

[Handwritten mark]

Sm. **STEPHEN C. IGNACIO**
Chief of Police

The absence of an original GUAM POLICE seal invalidates this police clearance.
REVISED 04/26/2019

FIRST NOTICE of Public Hearings –Tuesday, February 6, 2024 starting at 8:30 AM

5 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Tue, Jan 30, 2024 at 8:00 AM

To: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>, Senator Roy Quinata <officeofsenatorquinata@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Chris Duenas <senatorchriseduenas@gmail.com>, "Honorable Frank F. Blas Jr." <office@senatorfrankblas.com>, Senator Jesse Lujan <senatorlujan@guamlegislature.org>, Senator Thomas Fisher <senatorfisher@guamlegislature.org>, phnotice@guamlegislature.org
Cc: Ed Pocaique <sgtarms@guamlegislature.org>, Guam MIS <mis@guamlegislature.org>, Audio / Video <av@guamlegislature.org>
Bcc: "Mayors' Council of Guam - Admin." <mcogadmin@teleguam.net>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, agatmayor@yahoo.com, agatvice.chrisfejeran@yahoo.com, "Mayor Frankie A. Salas" <asanmainamayor@gmail.com>, June Blas <mayorbarrigada@gmail.com>, Jessie Bautista <jessie.bautista007@gmail.com>, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, "Vice Mayor Peter John S. Benavente" <onedededo@gmail.com>, hagatnamayor@hotmail.com, Mayor Anthony Chargualaf <inalahanmayor@gmail.com>, Allan Ungacta <mayorallan.ungacta@yahoo.com>, Vice Mayor Kevin AN Delgado <mangilao.vicemayor@gmail.com>, mayorernestc@yahoo.com, mtmmayorpaco17@gmail.com, Jesse Alig <jesse.alig@pitiguam.com>, Dale Alvarez <daleealvarez@gmail.com>, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, Mayor Taitague <talofomayor@gmail.com>, "Vice Mayor Albert M. Toves" <atoves.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, "Mayor Anthony P. Sanchez" <ymayortony@gmail.com>, "Vice Mayor Loreto V. Leones" <lloretoleones@gmail.com>, "Mayor Bill A. Quenga" <yonamayor2020@gmail.com>, "Taitano, Joseph" <JTaitano@guampdn.com>, tbenavente@guampdn.onmicrosoft.com, rlimtiaco@guampdn.com, Guam PDN <news@guampdn.com>, life@guampdn.com, hgilbert@guampdn.com, jsantotoma@guampdn.com, [REDACTED], The Post Editor in Chief <editor@postguam.com>, John Oconnor <john@postguam.com>, reporters@postguam.com, shane@postguam.com, Jac Guzman <jac@postguam.com>, Jolene Toves <jolene@postguam.com>, Phill Leon Guerrero <phill@postguam.com>, Jason Salas <jason@kuam.com>, Nestor Licanto <nestor@kuam.com>, nick@kuam.com, reporters@kuam.com, matsuki@kuam.com, Sorensen Pacific Broadcasting <news@spbguam.com>, KISH <kstokish@gmail.com>, raygibsonshow@gmail.com, Troy Torres <troy@kanditnews.com>, Jackie Hanson <managingeditor@glimpsesofofguam.com>, editorial_coordinator@glimpsesofofguam.com, dir_media@glimpsesofofguam.com, Althea Engman <reporter2@glimpsesofofguam.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, bryan@mvariety.com, Bruce Hill <pacificjournalist@gmail.com>, Ken Leon-Guerrero <[REDACTED]@yahoo.com>, Marilyn Manibusan <[REDACTED]@gmail.com>, "PeterJohn D. Camacho" <peterjohn.camacho@dphss.guam.gov>, "Terry G. Aguon" <Terry.Aguon@dphss.guam.gov>, Don RJ Sulat <don.sulat@dphss.guam.gov>, Masatomo Nadeau <masatomo.nadeau@dphss.guam.gov>, "Leilani L. Navarro" <Leilani.Navarro@dphss.guam.gov>, "Francine B. Salas" <Francine.Salas@dphss.guam.gov>, Lawrel Joy Lizama <lawrel.lizama@dphss.guam.gov>, "Laureal B. Villagomez" <Laureal.Villagomez@dphss.guam.gov>, David Herrera <cltccommissioner.herrera@cltc.guam.gov>, Arlene Bordallo <cltccommissioner.bordallo@cltc.guam.gov>, Earl <[REDACTED]@yahoo.com>, nadine cepeda <[REDACTED]@yahoo.com>, Ray Tajalle <[REDACTED]@yahoo.com>, Nadine Cepeda <[REDACTED]@gmail.com>, "Vincent Pereda, MSW" <[REDACTED]@gmail.com>, "Catherine Cruz San Nicolas, MPH, RDN" <[REDACTED]@hotmail.com>, Richard Chong <[REDACTED]@outlook.com>, "Sibyl D.G.G. Crisostomo" <[REDACTED]@teleguam.net>, "Dr. Dennis Triolo" <[REDACTED]@gmail.com>, Gregory Miller <[REDACTED]@yahoo.com>, "Dr. Ryan Claros" <[REDACTED]@gmail.com>, Alesia Ogo <[REDACTED]@hotmail.com>, Greg Cruz <[REDACTED]@yahoo.com>, DVM Paul Pomes <[REDACTED]@pomes.org>, Zennia Pecina <Zennia.Pecina@dphss.guam.gov>, Breanna Sablan <Breanna.Sablan@dphss.guam.gov>, "Rosemary D. CARMAN" <rosemary.carman@dphss.guam.gov>, Baltazar Hattori III <Baltazar.Hattori@dphss.guam.gov>, Mamie Balajadia <[REDACTED]>, keswanson@gdoe.net, "Maria A. Gutierrez" <magutierrez@gdoe.net>, "Erika S. Cruz (Acting Deputy Supt. DSESCL)" <escruz@gdoe.net>, GEB <geb@gdoe.net>

January 30, 2024

MEMORANDUM

To: All Senators, Stakeholders and Media
From: Speaker Therese M. Terlaje, Chairperson
Committee on Health, Land, Justice, and Culture

Subject: **FIRST NOTICE of Public Hearings –Tuesday, February 6, 2024 starting at 8:30 AM***Buenas yan Håfa Adai,*

Please be advised that the Committee on Health, Land, Justice, and Culture will convene public hearings **Tuesday, February 6, 2024 starting at 8:30 AM**, in the Guam Congress Building Public Hearing room, for the following agenda items:

8:30 AM:

- [Re-Appointment of Nadine T. Cepeda](#) to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.
- [Re-Appointment of Ray C. Tajalle](#) to serve as a Member (Physician Assistant Representative) of the Guam Board of Allied Health Examiners for three (3) Years from April 27, 2023 to April 26, 2026.

10:00 AM:

- [Bill No. 228-37\(COR\)](#)- Therese M. Terlaje-AN ACT TO AMEND § 75A109(a) OF CHAPTER 75A, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO SUCCESSORS TO CHAMORRO LAND TRUST LEASES.

10:30AM:

- [Bill No. 226-37\(COR\)](#)- Chris Barnett- AN ACT TO AMEND § 21103 OF CHAPTER 21, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO REQUIRING SANITARY PERMITS TO BE RENEWED EVERY YEAR ON THE ANNIVERSARY DATE OF ISSUE.

The public is invited to provide oral or written testimony on the agenda items. Written testimony may be submitted to senatorterlajeguam@gmail.com or hand delivered to the Office of Speaker Therese M. Terlaje at the Guam Congress Building. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations should contact the Office of Speaker Therese M. Terlaje at (671) 472-3586 or senatorterlajeguam@gmail.com. All hearings broadcast on GTA TV Channel 21, Docomo Channel 117 and livestream on the Guam Legislature YouTube: <https://www.youtube.com/c/GuamLegislatureMedia>.



Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice, and Culture

I Mina'trentai Siette na Liheslaturan Guahan 37th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

☎ (671) 472-3586

✉ senatorterlajeguam@gmail.com

🌐 www.senatorterlaje.com

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5 attachments

Bill No. 228-37 (COR).pdf
828K

Bill No. 226-37 (COR).pdf
993K

Doc. No. 37GL-24-1449.pdf
2069K

Doc. No. 37GL-24-1450.pdf
2263K

FIRST NOTICE of Public Hearings–Tuesday, February 6, 2024 starting at 830AM.pdf
239K

Mail Delivery Subsystem <mailer-██████████>
To: senatorterlajeguam@gmail.com

Tue, Jan 30, 2024 at 8:00 AM



Message blocked

Your message to ██████████
has been blocked. See technical details below for more
information.

The response from the remote server was:

550 5.4.1 Recipient address rejected: Access denied. AS(201806281) [MW2NAM12FT013.eop-nam12.prod.protection.outlook.com 2024-01-29T22:00:33.216Z 08DC2068FA71C501]

Final-Recipient: rfc822; tbenavente@guampdn.onmicrosoft.com

Action: failed

Status: 5.4.1

Remote-MTA: dns; guampdn.mail.protection.outlook.com. (104.47.66.10, the server for the domain guampdn.onmicrosoft.com.)

Diagnostic-Code: smtp; 550 5.4.1 Recipient address rejected: Access denied. AS(201806281) [MW2NAM12FT013.eop-nam12.prod.protection.outlook.com 2024-01-29T22:00:33.216Z 08DC2068FA71C501]

Last-Attempt-Date: Mon, 29 Jan 2024 14:00:33 -0800 (PST)



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Siette na Liheslaturan Guåhan | 37th Guam Legislature
Committee on Health, Land, Justice and Culture

January 30, 2024

MEMORANDUM

To: All Senators, Stakeholders and Media
From: Speaker Therese M. Terlaje, Chairperson *TMT*
Committee on Health, Land, Justice, and Culture

Subject: **FIRST NOTICE of Public Hearings –Tuesday, February 6, 2024 starting at 8:30 AM**

Buenas yan Håfa Adai,

Please be advised that the Committee on Health, Land, Justice, and Culture will convene public hearings **Tuesday, February 6, 2024 starting at 8:30 AM**, in the Guam Congress Building Public Hearing room, for the following agenda items:

8:30 AM:

- [Re-Appointment of Nadine T. Cepeda](#) to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.
- [Re-Appointment of Ray C. Tajalle](#) to serve as a Member (Physician Assistant Representative) of the Guam Board of Allied Health Examiners for three (3) Years from April 27, 2023 to April 26, 2026.

10:00 AM:

- [Bill No. 228-37\(COR\)](#)- Therese M. Terlaje-AN ACT TO AMEND § 75A109(a) OF CHAPTER 75A, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO SUCCESSORS TO CHAMORRO LAND TRUST LEASES.

10:30AM:

- [Bill No. 226-37\(COR\)](#)- Chris Barnett- AN ACT TO AMEND § 21103 OF CHAPTER 21, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO REQUIRING SANITARY PERMITS TO BE RENEWED EVERY YEAR ON THE ANNIVERSARY DATE OF ISSUE.

The public is invited to provide oral or written testimony on the agenda items. Written testimony may be submitted to senatorterlajeguam@gmail.com or hand delivered to the Office of Speaker Therese M. Terlaje at the Guam Congress Building. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations should contact the Office of Speaker Therese M. Terlaje at (671) 472-3586 or senatorterlajeguam@gmail.com . All hearings broadcast on GTA TV Channel 21, Docomo Channel 117 and livestream on the Guam Legislature YouTube: <https://www.youtube.com/c/GuamLegislatureMedia>.

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators, please send to: speaker@guamlegislature.org*



GUAM ECONOMIC DEVELOPMENT AUTHORITY
590 S. MARINE CORPS DR., SUITE 511 ITC BLDG TAMUNING, GUAM 96913
TEL (671) 647-4332 FAX (671) 649-4146 www.investguam.com

NOTICE OF PUBLIC HEARING

NOTICE OF A PUBLIC HEARING ON AN APPLICATION TO THE GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA) FOR A QUALIFYING CERTIFICATE AUTHORIZING THE ABATEMENT AND REBATE OF CERTAIN GUAM TAXES

PLEASE TAKE NOTICE that

- PUBLIC HEARING:** In accordance with Chapter 58, Division 2, Title 12, Guam Code Annotated ("the QC Law") and pursuant to the Administrative Adjudication Law, GEDA will conduct a public hearing at GEDA's conference room, located on the 5th floor of the ITC building, 590 South Marine Corps Drive, Tamuning, Guam on **Tuesday, February 6, 2024 at 9:00 AM** on the application of **Core Tech Captive Insurance Corporation**, (Applicant) for a Qualifying Certificate (QC), who is seeking the following tax benefits: a rebate of 100% of corporate income taxes payable to the government of Guam for a period of 20 years, an abatement of 100% of Business Privilege Taxes payable to the government of Guam for a period of 20 years, and an abatement of 100% of Real Property Taxes payable to the government of Guam for a period of 10 years, all for operating a captive insurance company in Guam.
- Applicant Address:** The address of the Applicant is 388 S Marine Corps Drive Suite 400 Tamuning, Guam 96913.
- Nature of Hearing:** The hearing shall be open to the public, and shall be conducted by GEDA's hearing officer pursuant to the rulemaking procedures of the Administrative Adjudication Law. Oral and written statements will be received from anyone wishing to testify thereat, of which all statements will be incorporated into the record of the hearing.
- Further Information:** For further information on the hearing and on the Applicant, please contact GEDA's Business & Economic Development Division at 671-647-4332 or visit GEDA's office at Suite 511, 590 South Marine Corps Drive Tamuning, Guam.
- Public Viewing:** The meeting will be streamed live on GEDA's YouTube Channel at www.investguam.com/live.
- ADA Compliance:** People with disabilities needing assistance are hereby advised to contact GEDA at 671-647-4332.

Pursuant to the QC Law, costs for this ad are at the expense of the Applicant.

/s/ MELANIE MENDIOLA,
GUAM ECONOMIC DEVELOPMENT AUTHORITY CEO/ADMINISTRATOR

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MICHAEL J. GATEWOOD
michael@gatewoodllc.com
330 Hernan Cortes Avenue, Suite 300
Hagåtña, GU 96910
Tel No. 671 473 6285
Cell No. 671 488 6285
Attorneys for Petitioner
Teresta A. Guerrero

IN THE SUPERIOR COURT OF GUAM
IN THE MATTER OF THE ESTATE
OF
ANTONIO SABLAN AGUON,
Deceased.
PROBATE CASE NO. PR 219-23
NOTICE OF HEARING

THIS NOTICE IS REQUIRED BY LAW. YOU ARE NOT REQUIRED TO APPEAR IN COURT UNLESS YOU DESIRE.

- NOTICE IS HEREBY GIVEN that Teresta A. Guerrero has filed a PETITION FOR LETTERS OF ADMINISTRATION upon the Estate of decedent named above, reference to which Petition is hereby made for further particulars.
- A Hearing on the Petition is set for February 7, 2024 at 9:30 a.m. in the Courtroom of the Honorable Dana A. Gutierrez, Judge, Superior Court of Guam.

DATED: Hagåtña, Guam, January 2, 2024
SOPHIA SANTOS DIAZ
Clerk of Court, Superior Court of Guam

You may appear in person at the Courtroom of Judge Dana A. Gutierrez, 120 W. O'Brien Drive, Hagåtña, Guam or you may participate via Zoom by logging onto <http://guamcourts-orn.zoom.us> and enter the Meeting ID: 839 7874 0380 and Passcode: 189701. For technical assistance, please call (671) 475-3207 five (5) minutes prior the designated hearing time.

SPEAKER THERESE M. TERLAJE
Committee on Health, Land, Justice & Culture
I Mina'trentai Siette na Liheslaturan Guåhan

NOTICE OF PUBLIC HEARING • TUESDAY, FEBRUARY 6, 2024
Guam Congress Building, Public Hearing Room
AGENDA

8:30AM:

- Re-Appointment of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.
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Guam Board of Social Work

Regular Virtual Board Meeting
Thursday, February 01, 2024, 11:00 A.M.

Join Zoom Meeting:
<https://us06web.zoom.us/j/84499405933?pwd=6Ug0hYUk9uMlRyZC40c0pzc2w5.1>
Meeting ID: 844 9940 5935
Passcode: 261975

MEETING AGENDA:

- CALL TO ORDER:
 - Confirmation of Public Notice
- DETERMINATION OF QUORUM
- ADOPTION OF AGENDA
- REVIEW AND APPROVAL OF MINUTES
 - December 07, 2023 & January 11, 2024
- HPLO ADMINISTRATOR'S REPORT
- CHAIRPERSON'S REPORT
- COMMITTEE REPORTS:
 - Finance & Budget
 - Statutes, Rules and Forms
- OLD BUSINESS:
 - Consideration of Applications for Initial Licensure
 - Consideration of Applications for Renewal of Licensure
- NEW BUSINESS:
 - Consideration of Applications for Initial Licensure
 - Consideration of Applications for Renewal of Licensure
- ANNOUNCEMENTS:
 - Next Meeting: The Guam Board of Social Work next regularly scheduled board meeting, March 07, 2024 at 11:00AM.
- ADJOURNMENT:

To view the names of the applicants being considered, go to <https://guamsocialwork.org> LIVE Streaming link <https://facebook.com/HPLOGuam>

This advertisement was paid for by DPHSS/Health Professional Licensing Office-Local Funds

For more information, please contact the Board office at 735-7404/10 thru 12. Persons needing telecommunication device for the Hearing/Speech Impaired (TDD) may contact 475-8339

REGULAR MONTHLY BOARD MEETING

Wednesday, January 13, 2024 at 3:00 PM in Terminal Conference Rooms 1 & 2 and by Videoconference and Live Streamed via GAA website: www.guamairport.com or <https://www.guamairport.com/corporate/about-our-airport/board-of-directors/airport-board-meeting>

AGENDA

- Call to Order and Attendance
- Approval of Agenda
- Approval of Minutes
 - January 12, 2024 Regular Meeting
- Correspondence - None
- Old Business
 - Approval of Award for GAA Aprop East Operations Area Restoration - Phase I - RB No. GAA-C01-FY24
- New Business
 - Approval of Draft Rules and Regulations for the Solicitation, Selection, and Award of Concession Contracts for Administrative Adjudication Law Process
 - 2024 Air Service Development Incentives
 - Determination of Need for Certain GAA Properties
- Report of Executive Manager
 - Airport Updates
 - Announcements
- Report of Comptroller
- Executive Session
 - Office of Public Accountability Procurement Appeal Case Number OPA-PA-21-010 JMI Edison v. Guam International Airport Authority, and CV0095-22: Jhndel International, Inc. dba JMI Edison vs. Office of Public Accountability, Guam International Airport Authority and Aircraft Service International, Inc. dba Mercies Aviation.
 - Office of Public Accountability Procurement Appeal Case Number OPA-PA-23-02 JMI Edison v. Guam International Airport Authority.
 - SP035-22 In re GAA Board of Directors, October 28, 2021 Executive Session Transcripts.
 - SP0114-22 In re GAA Board of Directors, February 28, 2022 Executive Session Transcripts.
 - SP0130-23 In re GAA Board of Directors, April 27, 2023 Executive Session Transcripts.
 - DFS Guam L.P. related litigation to which GAA is or may be a party (5 GCA § 8111(c)).
- Public Comments
- Adjournment

Parking is available in the Public Parking Lot. Call the Board Office at (671) 642-4717/18 for special accommodations, auxiliary aids, or services. This ad is paid for by GAA.


First Notice of Public Hearings- Tuesday, February 6, 2024 starting at 8:30AM

 PRINT

**First Notice of Public Hearings- Tuesday,
February 6, 2024 starting at 8:30AM**

PUBLIC HEARING



 **Posted on:** 01/30/2024 08:00 AM

 **Posted by:** Joseph Madlangbayan

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SPEAKER THERESE M. TERLAJE (/notices?division_id=259)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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January 30, 2024

MEMORANDUM

To: All Senators, Stakeholders and Media
From: Speaker Therese M. Terlaje, Chairperson
Committee on Health, Land, Justice, and Culture

Subject: **FIRST NOTICE of Public Hearings –Tuesday, February 6, 2024 starting at 8:30 AM**

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(https://www.guamlegislature.com/37th_Guam_Legislature/Mess_Comms_37th/Doc.%20No.%2037GL-24-1450.pdf) to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.

•

Re-Appointment of Ray C. Tajalle

(https://www.guamlegislature.com/37th_Guam_Legislature/Mess_Comms_37th/Doc.%20No.%2037GL-24-1449.pdf) to serve as a Member (Physician Assistant Representative) of the Guam Board of Allied Health Examiners for three (3) Years from April 27, 2023 to April 26, 2026.

10:00 AM:

•

Bill No. 228-37(COR)

([https://www.guamlegislature.com/37th_Guam_Legislature/Bills_Introduced_37th/Bill%20No.%20228-37%20\(COR\).pdf](https://www.guamlegislature.com/37th_Guam_Legislature/Bills_Introduced_37th/Bill%20No.%20228-37%20(COR).pdf))- Therese M. Terlaje-AN ACT TO AMEND § 75A109(a) OF CHAPTER 75A, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO SUCCESSORS TO CHAMORRO LAND TRUST LEASES.

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Bill No. 226-37(COR)

([https://www.guamlegislature.com/37th_Guam_Legislature/Bills_Introduced_37th/Bill%20No.%20226-37%20\(COR\).pdf](https://www.guamlegislature.com/37th_Guam_Legislature/Bills_Introduced_37th/Bill%20No.%20226-37%20(COR).pdf))- Chris Barnett- AN ACT TO AMEND § 21103 OF CHAPTER 21, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO

2105 OF CHAPTER 21, TITLE 19, GUAM CODE ANNOTATED RELATIVE TO
REQUIRING SANITARY PERMITS TO BE RENEWED EVERY YEAR ON THE
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Therese M. Terlaje at the Guam Congress Building. In compliance with the Americans with
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Speaker Therese M. Terlaje at (671) 472-3586 or senatorterlajeguam@gmail.com
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21, Docomo Channel 117 and livestream on the Guam Legislature
YouTube: <https://www.youtube.com/c/GuamLegislatureMedia>
(<https://www.youtube.com/c/GuamLegislatureMedia>).

**FIRST NOTICE OF PUBLIC HEARINGS –TUESDAY, FEBRUARY 6,
2024 STARTING AT 8:30 AM**

(/app/webroot/userfiles/files/FIRST%20NOTICE%20of%20Public%20Hearings%E2%80%93Tuesday%20February%206%202024%20starting%20at%20830AM.pdf)



SECOND NOTICE of Public Hearings –Tuesday, February 6, 2024 starting at 8:30 AM

6 messages

Speaker Therese M. Terlaje <senatorterlajegum@gmail.com> Fri, Feb 2, 2024 at 9:14 AM

To: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>, Senator Roy Quinata <officeofsenatorquinata@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Chris Duenas <senatorchriseduenas@gmail.com>, "Honorable Frank F. Blas Jr." <office@senatorfrankblas.com>, Senator Jesse Lujan <senatorlujan@guamlegislature.org>, Senator Thomas Fisher <senatorfisher@guamlegislature.org>, phnotice@guamlegislature.org
Cc: Ed Pocaigue <sgtarms@guamlegislature.org>, Guam MIS <mis@guamlegislature.org>, Audio / Video <av@guamlegislature.org>
Bcc: "Mayors' Council of Guam - Admin." <mcogadmin@teleguam.net>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, agatmayor@yahoo.com, agatvice.chrisfejeran@yahoo.com, "Mayor Frankie A. Salas" <asanmainamayor@gmail.com>, June Blas <mayorbarrigada@gmail.com>, Jessie Bautista <jessie.bautista007@gmail.com>, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, "Vice Mayor Peter John S. Benavente" <onedededo@gmail.com>, hagatnamayor@hotmail.com, Mayor Anthony Chargualaf <inalahanmayor@gmail.com>, Allan Ungacta <mayorallan.ungacta@yahoo.com>, Vice Mayor Kevin AN Delgado <mangilao.vicemayor@gmail.com>, mayorernestc@yahoo.com, mtmmayorpaco17@gmail.com, Jesse Alig <jesse.alig@pitiguam.com>, Dale Alvarez <daleealvarez@gmail.com>, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, Mayor Taitague <talofomayor@gmail.com>, "Vice Mayor Albert M. Toves" <atoves.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, "Mayor Anthony P. Sanchez" <ymayortony@gmail.com>, "Vice Mayor Loreto V. Leones" <lloretoleones@gmail.com>, "Mayor Bill A. Quenga" <yonamayor2020@gmail.com>, "Taitano, Joseph" <JTaitano@guampdn.com>, tbenavente@guampdn.onmicrosoft.com, rlimtiaco@guampdn.com, Guam PDN <news@guampdn.com>, life@guampdn.com, hgilbert@guampdn.com, jsantotoma@guampdn.com, [REDACTED].com, The Post Editor in Chief <editor@postguam.com>, John Oconnor <john@postguam.com>, reporters@postguam.com, shane@postguam.com, Jac Guzman <jac@postguam.com>, Jolene Toves <jolene@postguam.com>, Phill Leon Guerrero <phill@postguam.com>, Jason Salas <jason@kuam.com>, Nestor Licanto <nestor@kuam.com>, nick@kuam.com, reporters@kuam.com, matsuki@kuam.com, Sorensen Pacific Broadcasting <news@spbguam.com>, KISH <kstokish@gmail.com>, raygibsonshow@gmail.com, Troy Torres <troy@kanditnews.com>, Jackie Hanson <managingeditor@glimpsesofofguam.com>, editorial_coordinator@glimpsesofofguam.com, dir_media@glimpsesofofguam.com, Althea Engman <reporter2@glimpsesofofguam.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, bryan@mvariety.com, Bruce Hill <pacificjournalist@gmail.com>, Ken Leon-Guerrero [REDACTED]@yahoo.com, Marilyn Manibusan [REDACTED]@gmail.com, "PeterJohn D. Camacho" <peterjohn.camacho@dphss.guam.gov>, "Terry G. Aguon" <Terry.Aguon@dphss.guam.gov>, Don RJ Sulat <don.sulat@dphss.guam.gov>, Masatomo Nadeau <masatomo.nadeau@dphss.guam.gov>, "Leilani L. Navarro" <Leilani.Navarro@dphss.guam.gov>, "Francine B. Salas" <Francine.Salas@dphss.guam.gov>, Lawrel Joy Lizama <lawrel.lizama@dphss.guam.gov>, "Laureal B. Villagomez" <Laureal.Villagomez@dphss.guam.gov>, David Herrera <cltccommissioner.herrera@cltc.guam.gov>, Arlene Bordallo <cltccommissioner.bordallo@cltc.guam.gov>, Earl [REDACTED]@yahoo.com, nadine cepeda <[REDACTED]@yahoo.com>, Ray Tajalle [REDACTED]@yahoo.com, Nadine Cepeda <[REDACTED]@hotmail.com>, "Vincent Pereda, MSW" <vppereda@gmail.com>, "Catherine Cruz San Nicolas, MPH, RDN" <[REDACTED]@hotmail.com>, Richard Chong <[REDACTED]@outlook.com>, "Sibyl D.G.G. Crisostomo" <[REDACTED]@teleguam.net>, "Dr. Dennis Triolo" <[REDACTED]@gmail.com>, Gregory Miller <[REDACTED]@yahoo.com>, "Dr. Ryan Claros" <[REDACTED]@gmail.com>, Alesia Ogo <[REDACTED]@hotmail.com>, Greg Cruz <[REDACTED]@yahoo.com>, DVM Paul Pomes <[REDACTED]@pomes.org>, Zennia Pecina <Zennia.Pecina@dphss.guam.gov>, Breanna Sablan <Breanna.Sablan@dphss.guam.gov>, "Rosemary D. CARMAN" <rosemary.carman@dphss.guam.gov>, Baltazar Hattori III <Baltazar.Hattori@dphss.guam.gov>, Mamie Balajadia <[REDACTED]>, keswanson@gdoe.net, "Maria A. Gutierrez" <magutierrez@gdoe.net>, "Erika S. Cruz (Acting Deputy Supt. DSESCL)" <escruz@gdoe.net>, GEB <geb@gdoe.net>

February 2, 2024

MEMORANDUM

To: All Senators, Stakeholders and Media
From: Speaker Therese M. Terlaje, Chairperson
Committee on Health, Land, Justice, and Culture

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Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice, and Culture

I Mina'trentai Siette na Liheslaturan Guahan 37th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

☎ (671) 472-3586

✉ senatorterlajeguam@gmail.com

🌐 www.senatorterlaje.com

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5 attachments

Bill No. 228-37 (COR).pdf
828K

Bill No. 226-37 (COR).pdf
993K

Doc. No. 37GL-24-1449.pdf
2069K

Doc. No. 37GL-24-1450.pdf
2263K

SECOND NOTICE of Public Hearings –Tuesday, February 6, 2024 starting at 8_30 AM.pdf
239K

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To: senatorterlajeguam@gmail.com

Fri, Feb 2, 2024 at 9:15 AM



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information.

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Final-Recipient: rfc822; tbenavente@guampdn.onmicrosoft.com

Action: failed

Status: 5.4.1

Remote-MTA: dns; guampdn.mail.protection.outlook.com. (104.47.59.138, the server for the domain guampdn.onmicrosoft.com.)

Diagnostic-Code: smtp; 550 5.4.1 Recipient address rejected: Access denied. AS(201806281) [DM6NAM12FT060.eop-nam12.prod.protection.outlook.com 2024-02-01T23:15:17.212Z 08DC226A1DB77053]

Last-Attempt-Date: Thu, 01 Feb 2024 15:15:17 -0800 (PST)



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Siette na Liheslaturan Guåhan | 37th Guam Legislature
Committee on Health, Land, Justice and Culture

February 2, 2024

MEMORANDUM

To: All Senators, Stakeholders and Media
From: Speaker Therese M. Terlaje, Chairperson *TMT*
Committee on Health, Land, Justice, and Culture

Subject: **SECOND NOTICE of Public Hearings –Tuesday, February 6, 2024 starting at 8:30 AM**

Buenas yan Håfa Adai,

Please be advised that the Committee on Health, Land, Justice, and Culture will convene public hearings **Tuesday, February 6, 2024 starting at 8:30 AM**, in the Guam Congress Building Public Hearing room, for the following agenda items:

8:30 AM:

- [Re-Appointment of Nadine T. Cepeda](#) to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.
- [Re-Appointment of Ray C. Tajalle](#) to serve as a Member (Physician Assistant Representative) of the Guam Board of Allied Health Examiners for three (3) Years from April 27, 2023 to April 26, 2026.

10:00 AM:

- [Bill No. 228-37\(COR\)](#)- Therese M. Terlaje-AN ACT TO AMEND § 75A109(a) OF CHAPTER 75A, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO SUCCESSORS TO CHAMORRO LAND TRUST LEASES.

10:30AM:

- [Bill No. 226-37\(COR\)](#)- Chris Barnett- AN ACT TO AMEND § 21103 OF CHAPTER 21, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO REQUIRING SANITARY PERMITS TO BE RENEWED EVERY YEAR ON THE ANNIVERSARY DATE OF ISSUE.

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Telephone: 671.646.5211 Fax: 671.646.5210 Email: teamtaha2013@gmail.com

1st PUBLIC HEARING NOTICE

The Tamuning-Tumon-Harmon Municipal Planning Council will hold a Public Hearing on Thursday 02/08/24 at 6:00 p.m. in the Tamuning Community Senior Center:

Guam Land Use Commission Conditional Use Permit Application No.2023-25. The applicant, Ross B. and Sarah M. Morrison, on behalf of the Serengeti Trust, represented by Daniel D. Swavely, requesting a Zone Change from "R2" (Multiple Dwelling) Zone to "M-1" (Light Industrial) Zone, for a proposed storage facility and equipment parking on Lot 2144-1C-7-3A-R1 Ypao Road in the Municipality of Tamuning.

In compliance with the American with Disabilities Act, individuals requiring special accommodation may contact Mayor Louise Rivera via email mayor@rivera.louise@gmail.com or call 671-480-4440.

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SPEAKER THERESE M. TERLAJE
Committee on Health, Land, Justice & Culture
I Mina'trentai Siette na Liheslaturan Guåhan

NOTICE OF PUBLIC HEARING • TUESDAY, FEBRUARY 6, 2024
Guam Congress Building, Public Hearing Room

AGENDA

8:30AM:

- Re-Appointment of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.
- Re-Appointment of Ray C. Tajalle to serve as a Member (Physician Assistant Representative) of the Guam Board of Allied Health Examiners for three (3) Years from April 27, 2023 to April 26, 2026.

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- Bill No. 228-37 (COR) -** Therese M. Terlaje- AN ACT TO AMEND § 75A109(a) OF CHAPTER 75A, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO SUCCESSORS TO CHAMORRO LAND TRUST LEASES.

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Second Notice of Public Hearing- Tuesday, February 6, 2024 starting at 8:30AM

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**Second Notice of Public Hearing- Tuesday,
February 6, 2024 starting at 8:30AM**

PUBLIC HEARING



 **Posted on:** 02/02/2024 09:15 AM

 **Posted by:** Joseph Madlangbayan

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SPEAKER THERESE M. TERLAJE (/notices?division_id=259)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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February 2, 2024

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson

Committee on Health, Land, Justice, and Culture

Subject: SECOND NOTICE of Public Hearings –Tuesday, February 6, 2024 starting at 8:30 AM

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75A109(a) OF CHAPTER 75A TITLE 21 GUAM CODE ANNOTATED

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RELATIVE TO SUCCESSORS TO CHAMORRO LAND TRUST LEASES.

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Speaker Therese M. Terlaje at the Guam Congress Building. In
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<https://www.youtube.com/c/GuamLegislatureMedia>.

SECOND NOTICE OF PUBLIC HEARINGS -TUESDAY, FEBRUARY 6,
2024 STARTING AT 8:30 AM

(/app/webroot/userfiles/files/SECOND%20NOTICE%20of%20Pub
lic%20Hearings%20%E2%80%93Tuesday%2C%20February%206
%2C%202024%20starting%20at%208 30%20AM.pdf)

Invitation to Appointment Hearings on February 6, 2024

3 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Tue, Jan 30, 2024 at 4:40 PM

To: Mamie Balajadia <[REDACTED]>

Cc: Breanna Sablan <Breanna.Sablan@dphss.guam.gov>

January 30, 2024

Transmitted via Electronic MailDr. Mamie Balajadia, Chairperson
Guam Board of Allied Health Examiners
[REDACTED]**SUBJECT: Invitation to Appointment Hearings on February 6, 2024***Håfa Adai* Chairperson Balajadia and Board members,This email is to notify that the Committee on Health, Land, Justice, and Culture has set a Public Hearing on **Tuesday, February 6, 2024, at 8:30 AM, in the Guam Congress Building, Public Hearing Room**, to hear:**8:30 AM:**

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We respectfully request your presence to provide testimony. Written testimony may also be submitted prior to the hearing via email to senatorterlajeguam@gmail.com, or hand delivered to the Office of the Speaker in the Guam Congress Building. Please contact our office via email or at (671) 472-3586, with any questions or concerns.*Si Yu'os Ma'åse'*,

Speaker Therese M. Terlaje

Chairperson

CC: Breanna Sablan, Program Coordinator IV, EMS for Children Program

Director

All Board Members

**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice, and Culture

I Mina'trentai Siette na Liheslaturan Guåhan 37th Guam Legislature

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2 attachments

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2263K

 **Doc. No. 37GL-24-1449.pdf**
2069K

Breanna Sablan <Breanna.Sablan@dphss.guam.gov> Tue, Jan 30, 2024 at 7:35 PM
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>, Mamie Balajadia <[REDACTED]>

Received with thanks.

Saina Ma'asi,

Breanna B.F. Sablan

Program Coordinator IV

Emergency Medical Services for Children Program Director

Department of Public Health and Social Services • Health Professional Licensing Office • Emergency Medical Services

PHYSICAL/MAILING: 194 Hernan Cortez Avenue, Suite 213 • Terlaje Professional Building • Hagatña, Guam 96910

Telephone: (671) 735-7411 • Email: breanna.sablan@dphss.guam.gov

Websites: <https://guamhplo.org> and <https://guamhplo.org/emsc>

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From: Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>
Sent: Tuesday, January 30, 2024 4:40:35 PM
To: Mamie Balajadia <[REDACTED]>
Cc: Breanna Sablan <Breanna.Sablan@dphss.guam.gov>
Subject: Invitation to Appointment Hearings on February 6, 2024

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[Quoted text hidden]

Mamie Balajadia <[REDACTED]> Sun, Feb 4, 2024 at 1:33 AM
To: Speaker Therese M Terlaje <senatorterlajeguam@gmail.com>
Cc: Breanna Sablan <breanna.sablan@dphss.guam.gov>

Hafa Adai Madam Speaker: I am so pleased that the Appointment Hearings for Ms. Nadine Tajeron Cepeda representing Licensed Mental Health Counselors and Marriage & Family Therapists, and Mr. Ray Tajalle, PA-C representing Physician Assistant are so swiftly scheduled. Both Nadine and Ray have served well on the Guam Board of Allied Health Examiners. I look forward to continue collaborating with the two distinguished professionals on the Board and other means to "protect the public." And I am very appreciative of the Governor for her quick response on their re-appointment. I am currently en-route to Washington, D.C. attending the American Psychological Association annual State Leadership Conference. I regret my absence.
Si Yu'os Ma'asi. Very Sincerely, Mamie Balajadia

Sent from my iPhone

On Jan 30, 2024, at 2:35 AM, Breanna Sablan <Breanna.Sablan@dphss.guam.gov> wrote:

[Quoted text hidden]



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Siette na Liheslaturan Guåhan | 37th Guam Legislature
Committee on Health, Land, Justice and Culture

January 30, 2024

Transmitted via Electronic Mail

Dr. Mamie Balajadia, Chairperson
Guam Board of Allied Health Examiners
[REDACTED]

SUBJECT: Invitation to Appointment Hearings on February 6, 2024

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Si Yu'os Ma'åse',

Speaker Therese M. Terlaje
Chairperson

CC: Breanna Sablan, Program Coordinator IV, EMS for Children Program Director
All Board Members

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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Office of the Speaker
THERESE M. TERLAJE

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Committee on Health, Land, Justice and Culture

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I Mina'trentai Siette na Liheslaturan Guåhan | 37th Guam Legislature
Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

Date: Tuesday, February 6, 2024

Time: 8:30 AM

Re-Appointment of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.

	NAME	AGENCY/ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Ray Tajalle	Army Nat'l Guard 430 Army Drive Barrigada	671 [REDACTED]	[REDACTED]@gmail.com		✓		✓
2	Vince Pereda	HPLO Asana, Gu	671- [REDACTED]	[REDACTED]@guam.net	✓	✓	✓	
3	Daniel Somellock	Sells	671 [REDACTED]			✓		✓
4	Rosemary Carman	HPLO	[REDACTED]					✓
5	Georgeline M. Cepeda	Private Citizen	(671) [REDACTED]	[REDACTED]@gmail.com		✓		
6	Nadine Cepeda	GDOE	[REDACTED]	[REDACTED]@gdoe.net		✓		
7								
8								
9								
10								



I Mina'trentai Siette na Liheslaturan Guahan | 37th Guam Legislature
Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

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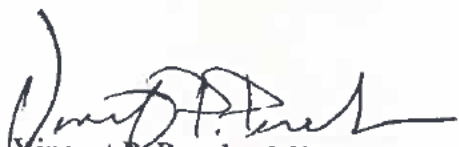
	NAME	AGENCY/ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support		
					WRITTEN	ORAL	Yes	No	
1	Melissa Savares	Dededo Mayor's office	[REDACTED]			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
2									
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4									
5									
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9									
10									

To: Speaker Therese M. Terlaje
Chairperson, Committee on Health, Land, Justice and Culture
37th Guam Legislature

From: Vincent P. Pereda – Vice Chairman, Guam Board of Allied Health Examiners

Subject: Re-appointment of Ms. Nadine Cepeda to serve as a member of the Guam
Board of Allied Health Examiners MFT Representative for 3 years: 12/2/2023 -
12/1/2025

Madame Speaker and other senators of the 37th Guam Legislature. I am here today to support and endorse the re-appointment of Ms. Nadine Cepeda to a continuing term as a member of the Guam Board of Allied Health Examiners. Ms. Cepeda currently serves as one of two counseling members of the board and specifically as the Marriage and Family Therapist member of the board. In her capacity as a professional and fully credentialed counselor, Ms. Cepeda takes on the major responsibility of ensuring that applicants applying to become licensed counselors meet all the requirements of licensure for the three counseling licenses that are issued by the GBAHE: Licensed Professional Counselor, Licensed Mental Health Counselor and Licensed Marriage and Family Therapist. Ms. Cepeda holds all three licenses in addition to also being a certified substance abuse counselor. She possesses a wealth of experience as a clinician and clinical administrator in her job capacity at the Guam Department of Education. Her professional experience also includes her employment at the Guam Behavioral Health and Wellness Center as a professional counselor. Additionally, Ms. Cepeda has also engaged in private practice for a number of years along side her husband, Dr. Edward Santos, a counseling psychologist presently employed with the Department of Veterans Affairs. Ms. Cepeda's broad range of professional experience coupled with her institutional knowledge of the counseling profession makes her ideally qualified to be a member of the Guam Board of Allied Health Examiners and I urge that she be confirmed by this legislature.



Vincent P. Pereda, MSW, BCD, LMHC
Clinical Social Worker
Board Certified Diplomate
Licensed Mental Health Counselor

**10 GCA HEALTH AND SAFETY
CH. 12 MEDICAL PRACTICES**

**ARTICLE 8
ALLIED HEALTH PRACTICE ACT**

SOURCE: Article 8 was enacted by P.L. 24-329:1 (Dec. 30, 1998).

- § 12801. Title, Purpose and Statement of Policy.
- § 12802. Definitions.
- § 12803. Guam Board of Allied Health Examiners.
- § 12804. Examinations.
- § 12805. Requirements for Licensure.
- § 12806. Responsibilities of Licensure Applicants.
- § 12807. Display of License.
- § 12808. License Period. Expiration and Renewal.
- § 12809. Continuing Education Requirements.
- § 12810. Denial or Revocation of License; Grounds.
- § 12811. Professional Conduct; Act.
- § 12812. Professional Conduct; Penalties for Violation.
- § 12813. Unlawful Practice.
- § 12814. Cease and Desist Order.
- § 12815. Licensee-Patient Relations; General.
- § 12816. Professional Signs, Advertisements and Listing.
- § 12817. Professional Signs, Advertisements and Listings;
Violations; Disciplinary Action.
- § 12818. Board Meetings.
- § 12819. Fee Schedule.
- § 12820. Disciplinary Action Against Licensees.
- § 12821. Procedures For Enforcement and Disciplinary Action.
- § 12822. Compulsory Reporting and Investigation.
- § 12823. Unlawful Practice of Allied Health Profession;
Violation and Penalties.
- § 12824. Renewal of Licensure.
- § 12825. Rules and Regulations.
- § 12826. Funding and Fees.
- § 12827. Prescriptive Authority for Allied Health Professionals.

§ 12801. Title, Purpose, and Statement of Policy.

(a) Title. This Act may be cited or referred to as “The Guam Allied Health Practice Act of 1998.”

**10 GCA HEALTH AND SAFETY
CH. 12 MEDICAL PRACTICES**

(b) Purpose. The primary purpose of this Act is to protect the public against unprofessional, improper, incompetent, unlawful, fraudulent or deceptive practices by persons who practice the healing art. This Act, therefore, shall provide for the proper guidelines, such as education requirements, continuing education requirements, licensing and renewal procedures, professional conduct and any other matter, which the Board deems appropriate in serving the interests of the community.

(c) Statement of Policy. The practice of allied health is a privilege granted by the people acting through their elected representatives. It is not a natural right of individuals. In the interests of public health, safety and welfare, and to protect the public from the unprofessional, improper, incompetent, unlawful, fraudulent and/or deceptive practice of allied health professions, it is necessary to provide laws and regulations to govern the granting and subsequent use of the privilege to practice allied health professions. The primary responsibility and obligation of the Guam Board of Allied Health Examiners is to protect the people of Guam.

§ 12802. Definitions.

(a) Professions. For purposes of this Act, the following allied health professions shall be licensed under the Guam Board of Allied Health Examiners:

(1) Acupuncture and Oriental Medicine shall mean the science and art of examination and diagnosis based on traditional oriental medicine, and treatment of symptoms and diseases by the insertion of needles into the respective three hundred sixty-five (365) major trigger points of twelve (12) meridians, eight (8) extra trigger points of extra meridians, Ashi (regional or local) points, as well as other extra points on the human body, by piercing the skin of the body to control and regulate the flow and balance of vital energy in the body and to treat ailments or diseases of the mind, body, any wound, bodily injury, or deformity. The term includes therapies that use manual, mechanical, thermal, electrical, or electromagnetic treatment based on the principles of oriental medicine to prevent or modify the perception of pain or to normalize physiological functions including pain control for

**10 GCA HEALTH AND SAFETY
CH. 12 MEDICAL PRACTICES**

the treatment of diseases or dysfunction of the Yin and Yang organic systems, and includes the application of acupuncture needles, electro-acupuncture, electro-dynamics stimulation, i.e., electro-stimulation, neuromuscular stimulation, etc., ultrasound, or diathermy devices, cold lasers, magnets, cupping, moxibustion, heat and cold therapy, i.e., heat and cold pads, heat lamp, infrared heat, etc., hydrotherapy, acupressure, Tui Na, oriental massage, massage therapy, Chi-gong, breathing techniques, therapeutic exercise, manual traction, natural medicine techniques, and nutrition, including the incorporation of drugless substances and herbs as dietary supplements to promote health. Ordering blood and laboratory tests, x-rays, or image tests to assist in making a diagnosis and monitoring a treatment plan is within the scope of practice of acupuncture and oriental medicine. It shall exclude operative surgery and the prescription of scheduled drugs.

(2) Audiology shall mean the application of principles, methods and procedures for measurement, testing, evaluation, prediction, counseling, selling, instruction, habilitation or rehabilitation related to hearing aids or ear molds, including the fitting of such devices, or disorders of hearing for the purpose of evaluation, identifying preventing, rehabilitating, ameliorating or modifying such disorders and conditions in individuals.

(3) Chiropractic shall mean the science, art, and philosophy of things natural, the science of locating and removing interference with the transmissions or expression of nerve forces in the human body, by the correction of misalignments or subluxation of the articulations and adjacent structures, more especially those of the vertebral column and pelvis, for the purpose of restoring and maintaining health. It shall include the use of all natural agencies to assist in the healing art, such as food, water, heat, cold, electricity, mechanical appliances, and the ordering of laboratory tests. The use of imaging procedures shall be limited to skeletal imaging and shall exclude the therapeutic use of X-radiation, the use of contrast studies that introduce dyes, isotopes, or similar contrast media through the skin,

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orally, via catheterization or retrograde into any body cavity. It shall exclude operative surgery and the prescription of scheduled drugs. (4) Clinical psychology shall mean the subspecialty in psychology which is primarily concerned with assessing and alleviating emotional, mental and behavioral disorders in a hospital, institution or other clinical setting.

(5) Individual, marriage and family therapy shall mean the intervention of a licensed therapist in assisting clients in individual, marriage and family therapy.

(6) Occupational therapy shall mean the evaluation and treatment provided to people whose lives have been disrupted by physical injury, illness, developmental problems, the aging process, or psychosocial or cognitive difficulties. Treatment entails the assessment, evaluation and treatment to assist each individual to achieve or return to an independent and productive life through techniques which prevent disability, assisting the individual in recovery from illness or accident, and by promoting the development of functions which may have been impaired or delayed. The treatment provided may include, but shall not be limited to, the adaptation of the environment and the selection, design and fabrication of assistive and orthotic devices, and other technology to facilitate development and promote the acquisition of functional skills through purposeful activity.

(7) Physical Therapy means the utilization of scientific principles for the evaluation and treatment of any disability, injury or disease by the use of physical, chemical or mechanical means, including, but not limited to, heat, cold, air, light, sound, electricity, water, massage, therapeutic exercise and rehabilitative procedures, with or without assistive devices, for the purpose of preventing, correcting or alleviating dysfunction resulting from such disability, injury or disease; the performance of tests and measurements of neuromuscular function as an aid to the diagnosis or treatment of human condition; performance of treatments on the basis of test findings; supervision of selective forms of treatment by trained supportive personnel; dry needling, but

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only as provided in this Article and by Board rules and regulations; and the provision of consultative services for health, education and community agencies; provided, however, that physical therapy shall not include radiology or electrosurgery. Physical therapy and physical therapy services are not generic terms; they are the use of any intervention, including physical agent modalities/electrotherapy, that is provided by, or under the direction of, a licensed, physical therapist. (8) Physician assistant shall mean a Board licensed person, qualified by academic and practical training, who provides patient services under the indirect supervision of a licensed physician. A physician assistant is not an independent practitioner.

(9) Podiatric medicine shall mean the diagnosis, medical, surgical, mechanical, manipulative, and electrical treatment of the human foot and ankle, including the tendons that insert into the foot, and the non-surgical treatment of the muscles and tendons of the leg governing the functions of the foot.

(10) Speech-language pathology shall mean the application of principles, methods and procedures for the measurement, testing, evaluation, prediction, counseling, introduction, habilitation or rehabilitation related to the development and disorders of speech, voice, fluency or language, for the purposes of evaluating, identifying, treating, preventing, ameliorating or modifying such disorders and conditions in individuals or groups of individuals.

(11) Veterinary medicine shall mean veterinary surgery, obstetrics, dentistry means to diagnose, treat, correct, change, relieve or prevent animal disease, deformity, defect, injury or other physical or mental condition, including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or therapeutic or diagnostic substance or technique, or the use of any manual or mechanical procedure for artificial insemination, testing for pregnancy or for correcting sterility or infertility, or to render advice or recommendation with regard to any of the above;

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(12) Respiratory Therapy means the treatment and the management of pulmonary diseases with medications and machines provided to patients ‘whose condition or illness is that of (breathing).’

(13) Dietetics and Nutrition Practice shall mean the integration and application of scientific principles derived from the study of food, nutrition, biochemistry, metabolism, nutrigenomics, physiology, food management, and from behavioral and social sciences in achieving and maintaining health throughout the life span and in providing nutrition care services, including medical nutrition therapy; assessing and evaluating the nutritional needs of individuals and groups, and determining resources and constraints in the practice setting, including ordering nutrition-related laboratory tests to check and track nutrition status and monitor effectiveness of dietary plans and orders; establishing priorities, goals and objectives that meet nutritional needs and are consistent with available resources and constraints; providing nutrition counseling in health and disease; developing, implementing, and managing nutrition care systems; evaluating, making changes in, and maintaining appropriate standards of quality in food and nutrition services; and ordering therapeutic diets, for the prevention, management, and treatment of disease. This term includes, but is not limited to, nutrition assessment; nutrition diagnosis; nutrition intervention, including the ordering of patient diets, nutritional supplements; monitoring and evaluation of nutrition care plans; nutrition support, including the ordering of enteral and parental nutrition, medical food; dietary and nutritional counseling and education regarding food, nutrient and prescription drug interactions; and the development and administration of nutrition care standards and systems. The practice of dietetics and nutrition does not include the medical differential diagnosis of the health status of an individual. (14) Home Nursing Administration means the leadership requirement to manage a home nursing institution.

(15) Other allied health professions shall mean those allied health profession not having separate Board of Examiners enacted by *I Liheslaturan Guahan* that the Board

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of Allied Health Examiners incorporates into the licensing procedure under this Act.

(b) Terms. The following terms shall have the following definitions:

(1) Applicant shall mean a person seeking licensure to practice an allied health profession on Guam.

(2) Board means the Board of Allied Health Examiners.

(3) [Repealed.] (4) Endorsement shall mean evidence of current licensure by a state or jurisdiction of the United States.

(5) License shall mean a certificate issued to an applicant by the Guam Board of Allied Health Examiners which indicates that the person whose name appears on the certificate has been found qualified to engage in the practice of an allied health profession as stated thereon.

(6) Licensee means any person currently licensed by the Guam Board of Allied Health Examiners.

(7) Person shall mean any individual, firm, partnership, association, joint venture, cooperative or corporation, or any other group or combination, acting in concert, whether or not acting as a principal, trustee, fiduciary, receiver or as any other kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, director, officer or any other representative of such person, except that only individuals can be licensed under the rules and regulations.

(8) Practice a healing art profession shall mean to use any title, words, abbreviation, or letters, or by any other means to represent directly or indirectly, publicly or privately, an ability or willingness to perform any of the acts constituting the practice of any allied health profession under the purview of the Board.

(9) Practitioner' shall mean a physician, podiatrist, veterinarian, optometrist, clinical psychologist or physician's assistance who is authorized to prescribe, order or administer

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drugs in connection with medical treatment to the extent provided by the rules and regulations of the practitioner's respective Board(s).

(10) Prescription shall mean an order for drugs, treatment or devices written, signed or transmitted by word of mouth or telephone by a practitioner of the healing art.

(11) Supervision shall be one of the following:

(A) Direct supervision shall mean supervision whereby a licensee diagnoses the condition to be treated, approves the work to be performed and remains on the premises while the procedures are being performed.

(B) Indirect supervision shall mean supervision whereby a licensee authorizes the procedures which are being carried out, but need not be present on the premises when the authorized procedures are being performed. The licensee must be available on Island by telecommunications.

(C) Exceptions. The definition of exceptions to the act shall include:

(i) those providing service in cases of emergency where no fee or other consideration is contemplated, charged or received;

(ii) personnel of the armed forces of the United States and of the United States Public Health Service or the Veterans Administration of the United States in the discharge of their official duties and/or within Federally controlled facilities;

(iii) those practicing any other of the healing arts in accord with and as provided by the laws of Guam;

(iv) those practicing the tenets of a religion or ministering to the sick or suffering by mental or spiritual means in accord with such tenets; provided, that no person should be exempt from the

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public health laws of Guam or the Federal government;

(v) a person administering a lawful domestic or family remedy to a member of his or her own family; and

(vi) those fully licensed to practice allied health in another jurisdiction of the United States who briefly render emergency treatment, or briefly provide critical services at the specific lawful direction of an institution or Federal agency that assumes full responsibility for that treatment or service.

SOURCE: Subsection (a)(xiii) repealed/reenacted by P.L. 25-192:2 (Jan. 25, 2001). Subitems (a)(1), (3), (7), and(13) repealed and reenacted and subitem (b)(3) is repealed by P.L. 36-138:8-12 Dec. 28, 2022).

2013 NOTE: Pursuant to the authority granted by 1 GCA § 1606, numbers and/or letters in subsections (a) and (b)(11) were altered to adhere to the Compiler's alpha-numeric scheme.

§ 12803. Guam Board of Allied Health Examiners.

(a) Creation. There is established, in and for the government of Guam, a Guam Board of Allied Health Examiners, composed of a representative from each of the professions being examined for licensure nominated and appointed by *I Maga'lâhen Guåhan*, with the advice and consent of *I Liheslaturan Guåhan*, to include acupuncture and oriental medicine; audiology; chiropractic; clinical psychology; licensed professional counselor; licensed mental health counselor; marriage and family therapist; clinical dietitian and nutritionist; occupational therapy; physical therapy; speech language pathology; respiratory therapy; and veterinary medicine; and shall appoint additional members for any other allied health profession being examined for licensure that the Board may recommend. In addition to the representatives of the professions licensed by the Board, *I Maga'lâhen Guåhan* shall appoint two (2) public members who are neither a practitioner of the healing arts, or representative of a health care institution or insurance company. The Board shall examine applicants for licensure within the allied health professions not having separate Board of Examiners enacted by *I Liheslaturan Guåhan*.

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The term of appointment shall be for a period of three (3) years, at the end of which *I Maga'lahaen Guåhan* shall either reappoint the member or nominate and appoint a new member, either of which case shall be with the advice and consent of *I Liheslaturan Guåhan*.

(b) Requirement. The members of the Board shall have practiced in their respective disciplines for at least five (5) consecutive years immediately preceding the appointment. All members shall be citizens or permanent residents of the United States who have resided in Guam for at least five (5) consecutive years immediately preceding the appointment. The members of the Board sitting as of the date of enactment of this Act who meet the requirements and limitations placed upon membership by this Act shall remain in office until the expiration of their respective terms. When a vacancy occurs, *I Maga'lahaen Guåhan* shall appoint a new member within sixty (60) days of the commencement of the vacancy, with the advice and consent of *I Liheslaturan Guåhan*.

Members of the Board shall receive a stipend and be compensated in the amount of Fifty Dollars (\$50.00) for attending a Board meeting, not to exceed One Hundred Dollars (\$100.00) per month.

(c) Powers and Responsibilities. The Guam Board of Allied Health Examiners, within the context of this act and the requirements of due process, shall have the following powers and responsibilities:

- (1) promulgate rules and regulations;
- (2) develop and adopt its budget;
- (3) evaluate education and training of applicants;
- (4) select and administer licensing examination(s);
- (5) evaluate previous professional performance of applicants;
- (6) issue or deny initial licenses;
- (7) approve or deny applications for license renewal;

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(8) receive, review, and investigate reports and complaints received from law enforcement agencies, health care organizations, governmental agencies, insurers and other entities having information pertinent to the professional performance of licensees;

(9) discipline licensees found in violation of the Allied Health Practice Act;

(10) issue subpoenas, subpoenas duces tecum, administer oaths, receive testimony and conduct hearings;

(11) institute actions in its own name and enjoin violators of the Allied Health Practice Act;

(12) establish appropriate fees and charges to include support of active and effective pursuit of its legal responsibilities;

(13) expand the allied health licensing process to include other allied health professions not having separate Board of Examiners enacted by *I Liheslaturan Guahan*, and inform *I Maga'lahen Guahan* of the need to appoint a Board member to represent the Board enacted profession;

(14) contract consultant(s) for special needs of the Board in the investigation of complaints, monitoring of a licensed person in terms of violation of this Act, and other monitoring/investigation that requires specialized skills which the Board is unable to obtain from the services of other government agencies; and

(15) conduct Board meetings. A quorum must be present to conduct a board meeting. The vote of the majority present shall constitute an official action of the Board. A quorum consists of a majority of the whole number of appointed members of the Board as of the time of the meeting. The majority vote shall consist of half of the vote plus one (1) of those members present.

(d) Immunity. There should be no liability, monetary or otherwise on the part of, and no cause of action for damages should arise against any current or former member, officer, administrator, staff member, committee member, examiner,

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representative, agent, employee, consultant, witness or any other person serving or having served the Board, either as a part of the Board's operation or as an individual, as a result of any act, omission, proceeding, conduct or decision related to his or her duties undertaken or performed in good faith and within the scope of the function of the Board.

(e) Indemnity. If a current or former member, officer, administrator, staff member, committee member, examiner, representative, agent, employee, consultant or any other person serving or having served the Board requests the government to defend him or her against any claim or action arising out of any act, omission, proceeding, conduct or decision related to his or her duties undertaken or performed in good faith and within the scope of the function of the Board, and if such a request is made in writing at a reasonable time before trial, and if the person requesting defense cooperates in good faith in the defense of the claim or action, the government should provide and pay for such defense, and should pay any resulting judgment, compromise or settlement.

(f) Protected Communication.

(1) Every communication made by or on behalf of any person, institution, agency or organization to the Board, or to any person(s) designated by the Board relating to an investigation or the initiation of an investigation, whether by way of report, complaint or statement, shall be privileged. No action or proceeding, civil or criminal, shall be permitted against any such person, institution, agency or organization by whom or on whose behalf such a communication was made in good faith.

(2) The protections afforded in this provision shall not be construed as prohibiting a respondent, or his or her legal counsel, from exercising the respondent's Constitutional right of due process under the law.

(g) Removal. A member of the Board should be subject to removal only when he or she:

(1) ceases to be a licensed allied health professional;

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(2) is found guilty of a felony by a court of competent jurisdiction;

(3) is found guilty of malfeasance, misfeasance or nonfeasance in relation to his or her Board duties by a court of competent jurisdiction;

(4) is found mentally incompetent by a court of competent jurisdiction;

(5) fails to attend three (3) successive Board meetings without just cause, as determined by the Board, or missed fifty percent (50%) or more of Board meetings per year;

(6) is found in violation of the Allied Health Practice Act; or

(7) terminated by the *I Maga'lahen Guåhan*.

(h) Residency of Board Members. All members of the Board should hold full licenses in Guam, should be persons of recognized professional ability and integrity, and should have resided in Guam at least five (5) years and practiced in the jurisdiction long enough to have become familiar with policies and practice in the jurisdiction.

(i) Committee; Legal Counsel and Staff. The Board should be authorized to appoint committees from its membership and employ an executive secretary or director and other staff, including an adequate staff of investigators, to effectively perform its duties under the act. It should also be assigned adequate legal counsel by the Office of the Attorney General and/or be authorized to employ private counsel or its own full-time attorney.

(j) Expense and Per diem. Travel expenses and daily compensation should be paid for each Board member's attendance, in or out of Guam, for education or training purposes directly related to Board duties and approved by the Board.

(k) Electronic Communications. Telephone or other telecommunication conference should be an acceptable form of Board meeting for the purpose of taking emergency action to enforce the Allied Health Practice Act if the president alone or another officer and two (2) Board members believe the situation

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precludes another form of meeting. The Board should be authorized to establish procedures by which its committees may meet by telephone or other telecommunication conference system to take emergency action.

SOURCE: Subsections (a) and (b) amended by P.L. 30-195:3 (Aug. 28 2010), effective, Jan. 2, 2011, pursuant to P.L. 30-195:5. Subsection (a) and subitem (c)(15) amended by P.L. 36-138:13-14 (Dec. 28, 2022).

§ 12804. Examinations.

(a) Notice Requirement. Public notice shall be given at least one hundred and twenty (120) days prior to the examination. Applicants for licensure by examination must submit application to the Board at least sixty (60) days prior to the scheduled examination. The Board may hold examinations as deemed necessary.

(b) Cost and Grading. Each applicant shall incur all expenses to proctor the examination. The preparation, administration and grading of examination shall be governed by rules as prescribed by the Board. To pass the examination, the examinee must demonstrate scientific and practical knowledge sufficient to prove competency to practice the profession in the judgment of the Board.

§ 12805. Requirements for Licensure.

(a) Information Requirement. Any Board furnished applications, official transcripts from post-secondary educational institutions, or other documentation as required by the Board, including examination results and test scores administered by professional associations and institutions that may be required as a precondition of licensure, shall be submitted in English or accompanied by a certified English translation, and must be sent directly to the Board from the appropriate institution or governing agency. The applicant shall provide the Board and attest to the following information and documentation in a manner required by the Board:

(1) his or her full name and all aliases or other names ever used, current address, social security number, and date and place of birth;

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(2) recent, less than ninety (90) days, 2x2 inch passport photograph, a set of fingerprints of the applicant, if requested, and a sample of handwriting, if requested;

(3) originals of all documents and credentials required by the Board, or other verification acceptable to the Board of such documents and credentials;

(4) list of all jurisdictions, United States or foreign, in which the applicant is licensed or has applied for licensure to practice an allied health profession or is authorized or has applied for authorization to practice an allied health profession;

(5) list of all jurisdictions, United States or foreign, in which the applicant has been denied licensure or authorization to practice an allied health profession or has voluntarily surrendered a license or an authorization to practice an allied health profession;

(6) list of all sanctions, judgments, awards, settlements or convictions against the applicant in any jurisdiction, United States or foreign, that would constitute grounds for disciplinary action under the Allied Health Practice Act or the Board's rules and regulations;

(7) detailed educational history, including places, institutions, dates and program descriptions, of all his or her education, beginning with secondary schooling and including all college, pre-professional, professional and professional postgraduate education;

(8) detailed chronological life history, including places and dates of residence, employment and military service, United States or foreign;

(9) proof of U.S. citizenship or proof of lawful presence to practice an allied health profession in the United States or any territory thereof; and

(10) any other information or documentation the Board determines necessary.

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(b) General Requirements. The applicant for licensure must present the following to the Board:

(1) evidence of proficiency in the English language, as determined by the Board;

(2) evidence of professional education, training and experience, as required by the applicant's area of discipline;

(3) three (3) letters of recommendation, originals or notarized copies, one (1) of which must be a letter provided by the applicant's immediate supervisor of his or her most recent employer, or by a practice associate, if the applicant is in private practice;

(4) a police clearance from the Guam Police Department if the applicant has resided on Guam for more than one (1) year; if the applicant has resided on Guam for less than one (1) year, a police clearance from the applicant's most recent place of residence; and

(5) [Repealed.]

(c) Licensure By Endorsement. Applicants for licensure by endorsement must, in addition to the requirements of Subsections (a) and (b) of this Section, include a letter provided by the licensing authority describing all complaints filed and disciplinary actions, if any, taken against the applicant. The Board may issue a license to an applicant who shows evidence of current licensure in good standing by another jurisdiction of the United States; provided, that the licensing requirements are equivalent to the standards set forth and approved by the Board.

(d) Applicant Responsibility. Each applicant shall be responsible for the following:

(1) correspondence or communication with the Board;

(2) periodically contacting the Board concerning the status of the application;

(3) informing the Board in writing of intent to withdraw an application prior to the remittance of the applicable fee(s), a fee(s) remitted to the Board is non-refundable;

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(4) informing the Board of any change in name or address (An applicant whose name has changed shall submit a certified copy evidencing the change to the Board. The Board upon receipt of such evidence and the required fee shall issue a duplicate license with the name change. All license renewals will be sent to the current address on file.);

(5) notifying the Board, in writing, of the loss of a current license (A duplicate license for the current renewal period shall be issued by the Board upon receipt of the required form and fee.);

(6) keeping in the licensee's possession a signed current Guam Board of Allied Health Examiners license; and

(7) conspicuously displaying their licenses in all offices where they regularly practice.

(e) The applicant shall be physically, mentally and professionally capable of practicing as an allied health profession in a manner acceptable to the Board, and should be required to submit to a physical, mental or professional competency examination, or a drug dependency evaluation, if deemed necessary by the Board.

(f) The applicant shall not have been found guilty by a competent authority, United States or foreign, of any conduct that would constitute grounds for disciplinary action under the regulations of the Board or this Act. The Board should be authorized, at its discretion, to modify this restriction for cause, but it should be directed to use such discretionary authority in a consistent manner.

(g) The applicant may be requested to make a personal appearance before the Board or a representative thereof for interview, examination or review of credentials. At the discretion of the Board, the applicant should be required to present his or her original education credentials for inspection at the time of personal appearance.

(h) The applicant shall be held responsible for verifying to the satisfaction of the Board the validity of all credentials required for his or her licensure.

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(i) The applicant shall have paid all fees and have completed and attested to the accuracy of all application and information forms required by the Board.

(j) (1) The Board is authorized to issue a Military Limited Volunteer Medical License to an applicant who:

(A) is licensed and in good standing as an allied healthcare provider in another state;

(B) maintains credentials within the military credentialing system and authorizes the Guam-based Military Credentialing Office to provide to the Guam Board of Allied Health Examiners the required verification documents and military commander's approval; and

(C) agrees to be subject to Board rules and regulations, including those regarding disciplinary action, license registration and renewal, and continuing medical education, throughout the duration of Military Limited Volunteer Medical licensure.

(2) A Military Limited Volunteer Medical License shall be issued

(A) at no charge to the applicant,

(B) is valid for a period of two (2) years, and

(C) may be renewed and maintained according to registration requirements as prescribed by the Board.

(3) (A) The applicant who practices in the allied health fields on Guam under a license issued under this Subsection may only practice at a clinic or outreach event that primarily provides services for indigent populations, or, in the case of veterinarians, an animal control project such as a spay/neuter clinic; and

(B) the practitioner shall not receive direct or indirect compensation or payment of anything of monetary value in exchange for the medical services rendered by the practitioner to the indigent patients at the clinic or outreach event, or, in the case of

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veterinarians, an animal control project such as a spay/neuter clinic.

(4) The license shall be in effect upon receipt of the application packet by the Guam Board of Allied Health Examiners, subject to final review.

(5) This presumptive eligibility for licensure is contingent upon the appropriate military commander's authorization allowing the practitioner to practice in the community and the appropriate collaborative sharing of information between the Military Credentialing Office and the Guam Board of Allied Health Examiners.

SOURCE: Added by P.L. 24-329:1 (December 30, 1998). Subsection (a)(10) repealed by P.L. 32-088:3 (Nov. 27, 2013). Subsection (b)(5) repealed by P.L. 32-088:3 (Nov. 27, 2013). Subsection (j) added by P.L. 34-128:2 (Oct. 17, 2018). Subsection (a) and subitems (a)(2), (3), and (9) amended by P.L. 36-138:15 (Dec. 28, 2022); subitem (a)(10) added by P.L. 36-138:15; subitem (j)(3)(A) amended by P.L. 36-138:16.

2018 NOTE: Subsection/subitem designations altered/added pursuant to the authority granted by 1 GCA § 1606.

§ 12806. Responsibilities of Licensure Applicants.

Each applicant shall be responsible for the following:

- (a) correspondence or communication with the Board;
- (b) submission of all required documents;
- (c) periodically contacting the Board concerning the status of the application;
- (d) informing the Board in writing of intent to withdraw an application prior to the remittance of the applicable fee; fees remitted to the Board are non-refundable;
- (e) informing the Board of any change in name or address (An applicant whose name has changed shall submit a certified copy evidencing the change to the Board. The Board upon receipt of such evidence and the required fee shall issue a duplicate license with the name change. All license renewals will be sent to the current address on file.);

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(f) notifying the Board in writing of the loss of a current license (A duplicate license for the current renewal period shall be issued by the Board upon receipt of the required form and fee.); and

(g) keeping in the licensee's possession a signed current Guam Board of Allied Health Examiners license.

2011 NOTE: In maintaining the general codification scheme of the GCA the Compiler changed the hierarchy of subsections beginning with "numbers" to "Lowercase letters" in this section.

§ 12807. Display of License.

All practitioners must, upon receipt of license, conspicuously display their licenses in all offices where they regularly practice.

§ 12808. License Period; Expiration and Renewal.

(a) All licenses shall expire biennially on December 31st of each even numbered year, and may be renewed upon payment of a renewal fee and completion of continuing education requirements as stated in these rules and regulations.

The Board staff shall, no later than September 1st of each even-numbered year, mail a notice of renewal along with a renewal form. A new certificate or other evidence of current licensure may be mailed to all persons completing renewal requirements as stated herein.

(b) An expired license may be renewed within four (4) years of the date of expiration by paying the current renewal fee in addition to any delinquent fees. An expired license beyond four (4) years of the date of expiration requires a new application for a license, subject to the qualifications and standards as set forth in this Article.

(c) The Board may waive the payment of the registration renewal fee of a licensee if the licensee is called to active duty outside of Guam with any branch of the United States armed services, not to exceed four (4) years or the duration of a national emergency, whichever shall be longer.

§ 12809. Continuing Education Requirements.

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(a) Except as provided elsewhere in this Article or by rules and regulations adopted by the Board for a specific profession, a minimum of thirty (30) credit hours of continuing education within each two (2) year licensure period is required of each licensee to qualify for a renewal. At least twenty (20) of these credit hours must be in the licensee's specific area of practice. The Board is authorized to prorate the continuing education credit hours requirement for licenses issued less than two (2) years prior to the renewal period.

(b) The determination of what constitutes acceptable or authorized continuing education credit hours shall be determined by the Board by rules and regulations adopted by the Board in accordance with the Administrative Adjudication Law.

SOURCE: Repealed and reenacted by P.L. 36-138:17 (Dec. 28, 2022).

§ 12810. Denial or Revocation of License; Grounds.

The Board may deny licensure to an applicant or revoke a license from a licensee for reasons including, but not limited to, the following:

(a) fraud, bribery or misrepresentation in the application or procurement of a license or the periodic re-registration of a license;

(b) cheating on or attempting to subvert a licensing examination;

(c) conviction of a gross misdemeanor or felony, or a plea of guilty or nolo contendere to a gross misdemeanor or felony, whether or not related to the practice of the licensed profession;

(d) having been adjudicated mentally incompetent or insane by a court of competent jurisdiction;

(e) violation of any Guam, state, Federal or foreign law or regulation relating to controlled substances;

(f) disciplinary action by a licensing jurisdiction, foreign or domestic, for acts or conduct which constitute a violation of these rules and regulations; a certified copy of the action

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taken by the licensing jurisdiction shall be conclusive evidence, thereof;

(g) sanctions or disciplinary actions taken by a peer review body, hospital, health care institution, professional association or society for acts or conduct which constitute a violation of these rules and regulations;

(h) failure to report to the Board any adverse action taken against him or her by a peer review body, health care institution, professional society or association, governmental agency, law enforcement agency or court, of a licensing United States or foreign jurisdiction, for acts or conduct which constitute a violation of these rules and regulations;

(i) failure to report to the Board the revocation or denial of a license to practice a healing art in a United States or foreign jurisdiction, or the surrender of membership on any staff or any professional association or society while under disciplinary investigation by any of those authorities or bodies for acts or conduct which would constitute a violation of these rules and regulations;

(j) failure to report any present, pending or settled adverse action which would constitute a violation of these rules and regulations;

(k) failure to report any settlement or award which would constitute a violation of these rules and regulations;

(l) failure to furnish the Board, its investigators or representatives, within a reasonable time, information legally requested by the Board; or

(m) violation of any other requirement for licensure as delineated by the Board through the Administrative Adjudication Law.

§ 12811. Professional Conduct; Acts.

A licensee shall neither act, nor aid or abet another to act, in any manner which is reprehensible, immoral, illegal, against the public interest, policy or safety, or which tends to degrade, destroy or bring discredit upon the licensee, the community or the

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profession. The following includes, but is not limited to, acts of unprofessional conduct which shall result in disciplinary action:

(a) attempting to obtain or renew, or obtaining or renewing a Guam license by fraud, bribery or misrepresentation;

(b) revocation or suspension of a license, or any other disciplinary action taken against a practitioner, including the denial of licensure, by the licensing authority of another state, territory or country, other than for the nonpayment of registration fee;

(c) a conviction, plea of guilty or plea of nolo contendere of a felony in any jurisdiction;

(d) advertising goods or services contrary to these rules and regulations;

(e) habitual drunkenness;

(f) an adjudication of insanity by a court of competent jurisdiction;

(g) aiding, assisting, procuring or advising any unlicensed person to practice a healing art contrary to these rules and regulations, or to knowingly employ any unlicensed personnel to render professional services;

(h) failing to perform any statutory or legal obligation imposed upon a licensee;

(i) intentionally filing a false report or record, or negligently failing to file a report or record required by state, Federal, or Guam law, or willfully discouraging, impeding or obstructing such filing, or inducing another person to do so;

(j) sexual misconduct, sexual battery or sexual assault upon a patient;

(k) making deceptive, untrue or fraudulent representations in the practice of his or her profession;

(l) failing to keep patient or clinic records justifying the course of treatment of a patient (Records must be retained for a minimum period of time consistent with Guam law.);

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(m) exercising influence on a patient or client as to exploit the patient or client for the financial gain of the licensee, or of a third party, including, but not limited to, acts that promote or sell goods or services, engaging in any split-fee arrangement in any form whatsoever, with an organization, an agency or a person, either directly or indirectly, for patients referred to providers of health care goods and services (No licensee shall divide, share, split, or allocate, directly or indirectly, any fee for services with any lay person, firm, association or corporation. The provisions of this Paragraph shall not be construed to prevent a licensee from receiving a fee for legitimate, bona fide professional consultation services.);

(n) failing to make available for legitimate and reasonable purposes of review to a patient or client, or to the licensee's legal representative, copies of documents in the possession or under control of the licensee which relate to that patient or client;

(o) performing professional services, which have not been authorized by the patient or client, or the licensee's legal representative;

(p) fraud, deceit or misconduct in the practice of the profession for which the license was granted;

(q) being guilty of incompetence by failing to meet the minimum standards of performance in diagnosis and treatment when measured against generally prevailing peer performance, including, but not limited to, the undertaking of diagnosis and treatment for which the licensee is not qualified by training or experience;

(r) practicing or offering to practice beyond the scope permitted by law, or accepting and performing professional responsibilities which, in the opinion of the Board, the licensee should know, or should have reason to know, that he or she is not competent to perform;

(s) delegating professional responsibilities to any person whom, in the opinion of the Board, the licensee should know,

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or have reason to know, is not qualified by training, experience or licensure to perform;

(t) solicitation of patients who are currently undergoing treatment with another provider by the promise of superior service or reduced fees;

(u) the use of the title 'Doctor,' or the abbreviation 'Dr.,' in connection with the practice of the healing arts licensed by the Board, unless the practitioner possesses an earned doctorate degree from an institution accredited, authorized or approved;

(v) every use of the title 'Doctor,' or the abbreviation 'Dr.,' pursuant to a license issued by the Board, shall clearly indicate the type of license, certificate or degree conferred;

(w) breach of privileged communication;

(x) breaching the confidentiality of patient records; or

(y) any other acts, as determined by the Board, to be unprofessional conduct.

§ 12812. Professional Conduct; Penalties for Violation.

(a) Discipline of Licensee. Upon receiving a written complaint against any licensee, the Board shall conduct an investigation and provide the licensee due notice and hearing in accordance with the provisions of the Administrative Adjudication Law.

(b) Penalties. When the Board finds that any applicant or licensee has committed an act of unprofessional conduct, it shall enter a final order imposing one (1) or more of the following penalties:

(1) denial of an application for licensure or renewal;

(2) revocation of existing license;

(3) suspension of a license for a time determined by the Board

(4) issuance of a reprimand;

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(5) placement of the licensee on probation for a period of time and subject to such conditions as the Board may specify, including requiring the licensee to attend continuing education courses or demonstrate licensee competency through a written or practical examination or to work under the supervision of another licensee (The type of supervision will be determined by the Board.);

(6) restricting the authorized scope of practice; and

(7) imposition of an administrative fine not to exceed Ten Thousand Dollars (\$10,000.00) for each separate offense.

(c) Re-issuance; Compliance. The Board may recommend re-issuance of the license of a disciplined licensee, after a thorough evaluation by the Board, to determine that the licensee has complied with all of the terms and conditions set forth in the final order and is capable of meeting local standards.

§ 12813. Unlawful Practice.

Any person who practices a healing art profession without an appropriate current valid license, as regulated by this Board, shall be guilty of a misdemeanor upon the first offense and guilty of a felony for second and subsequent offenses. No person without a current valid license may receive any compensation for services so rendered.

§ 12814. Cease and Desist Order.

(a) The Board, Commission, or any person affected may petition the court having jurisdiction for injunctions to prevent violations of the provisions of any applicable statute or rule; the court is empowered to grant a cease and desist order regardless of whether criminal prosecution or any other action is instituted as a result of such violation. A single act of illegal practice, including the offer to practice, shall be sufficient to invoke the injunctive relief of this Section. The court may issue a restraining order or injunction, or both, without requiring allegation or proof that the petitioner has no adequate remedy at law.

(b) The violation of any cease and desist order issued by the court under Subsection (a) of this Section shall subject the person

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violating the order to further proceedings before the court; the court shall be authorized to impose a fine not to exceed Five Hundred Dollars (\$500.00) for each violation thereof. Each day that a person practices in violation of this Article shall constitute a separate violation.

(c) Nothing in this Section shall be construed to prohibit the Board or Commission from seeking remedies otherwise available by statute without first seeking a cease and desist order in accordance with the provisions of this Section.

§ 12815. Licensee-Patient Relations; General.

(a) Privileged Communications. No licensee or licensee's employee or agent may disclose any information acquired from a patient being consulted in his professional capacity, except:

(1) in the event the licensee, his employee or agent reasonably suspects an act or acts of child abuse, sexual abuse, or neglect have been or are being committed;

(2) when the communication of threat, crime or harmful act is made known to the licensee;

(3) when it is necessary to advise parents of a child's self-destructive behavior for the protection of the child if the child is an unemancipated minor, or an adult adjudicated incompetent or otherwise found to be incompetent; and

(4) when the patient gives written and informed consent for the sharing of the patient's confidential information with third parties.

(b) Determination of a Patient's Need for Care. The determination of a patient's need for care may be made within the scope of practice as defined by these rules and regulations. The determination shall be the sole privilege of the licensee and is considered to be an inherent part of the scope of practice of a licensee's discipline.

(c) Gifts and Premiums. No licensee, or licensee's staff shall offer, give, dispense, distribute or make available to any person, or aid or abet another to do so, any gift, premium, chance, reward, ticket, item or thing of more than minimal value as a reward or

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inducement for obtaining a patient for any practice. The Board is the sole judge of what is interpreted as being of nominal value.

(d) Termination of Relationship. No licensee shall abandon a patient he or she has undertaken to treat. Treatment may be discontinued after reasonable notice has been given to the patient by the licensee of the intention to discontinue treatment and the patient has had a reasonable time to secure the services of another professional, or after all licensee services actually begun have been completed and there is no contract or agreement to provide further treatment.

§ 12816. Professional Signs, Advertisements and Listings.

(a) Professional Signs. Signs shall designate the name of the professional office where a licensee is engaged in the practice of the profession. Signs may contain the name of the practitioner, earned degree or degrees, or the name of a specialty you are limited, if limited to a specialty. The sign may also indicate the common conditions treated. The use of flashing or moving background or lettering in a sign is expressly prohibited pursuant to sign regulations, Article 5 of Chapter 61 of Title 21 of the Guam Code Annotated.

(b) Advertisement of Professional Services; Restrictions. Licensees are prohibited from advertisements, which include the following:

- (1) false, misleading or deceptive statements;
- (2) statements of opinion as to the quality of services;
- (3) an appeal to an individual's anxiety in a excessive or unfair way, intimidate, or exert undue pressure or influence over a prospective patient;
- (4) the creation of unjustified expectations concerning the potential result of any treatment;
- (5) the promotion of professional superiority or performance of professional services in a superior manner;
- (6) reference to benefits or other attributes of procedures or products that involve significant risks, but which do not

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include realistic assessments of the safety and efficacy of those procedures or products;

(7) statistical data, representations or other information not susceptible to reasonable verification by the public;

(8) reference to a fee or fees for services, which do not disclose that additional fees may be involved in individual cases, if the possibility of incurring such additional fees may reasonably, be foreseen;

(9) the utilization, in any manner, of any celebrity or authority figure;

(10) direct or implied guarantees or testimonials from patients or other persons;

(11) the availability of free treatment, free examinations or free consultations;

(12) any rebate, refund, commission, preference, patronage, dividend, discount or other consideration, whether in the form of money or otherwise, as compensation or inducement for referring patients, clients or customers to any Board licensee;

(13) the offer a discount for services without disclosing the total fee to which the discount will apply; and

(14) a false disclosure of the source of an authorship of any message published under a by-line.

(c) Professional Listings, Newspaper and Telephone Directory. Such listings may contain the name, the degree or degrees of each licensee, the address, phone numbers, office hours and graphics, such as a clinic logo or the logo of a professional association of which the licensee is a bona fide member. Listings may also include an indication of the common conditions treated. Where the practitioner limits his or her practice to one (1) specialty, the practitioner may add such limitation of practice or specialty immediately following his or her alphabetical listing. Professional board certifications may also be indicated as long as a national professional association or the Board recognizes the certification. A practitioner shall not list or permit the listing of

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his or her name, clinic name or address under any separate practice type or specialty heading for which he or she is not licensed.

§ 12817. Professional Signs, Advertisements and Listings; Violations; Disciplinary Action.

(a) No disciplinary action may be commenced until the licensee or firm involved has been given thirty (30) days written notice of the Board's evaluation of the advertisement. This notice must include a copy of the applicable portions of these rules and regulations, describe the prohibited advertising involved, and state that the violator has thirty (30) days from the date of notice to correct the violation. If the violation is not corrected, disciplinary action shall follow. The thirty (30) day notice and right to correct are not applicable to any subsequent violations.

(b) No disciplinary action will be taken against a licensee for the acts of advertising agents that result in communications to the public which do not comply with the restrictions adopted by the Board, if the advertisement does not specify the name of the licensee, or the name of the group, corporation or firm under which the licensee practices. However, this provision does not apply in the following situations:

(1) the advertising agency is owned or controlled by the licensee;

(2) the licensee provided information that does not comply with restrictions adopted by the Board to the advertising agent for distribution to the public; or

(3) the content of the advertising is determined to any extent by the licensee.

(c) Applicability. This Section applies to any advertising done on Guam regardless of whether such advertising is done for, or on behalf of, or contracted by any off-Island practice or organization.

§ 12818. Board Meetings.

The Board shall meet regularly at a time and place decided by the Board, or as decided by the Chairperson. A special meeting may be called at the discretion of the Chairperson. All meetings,

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whether regular or special, shall be announced and notice thereof given in accordance with the Administrative Adjudication Law.

§ 12819. Fee Schedule; Budget.

(a) The Board shall be fully supported by the revenues generated from its activities, including fees, charges, fines, and reimbursed costs. All such revenues, including accrued interest, shall be deposited to the “Guam Board of Allied Health Examiners Revolving Fund.” The Guam Board of Allied Health Examiners Revolving Fund shall receive all interest earned on the deposit of such revenues. Such funds shall be appropriated continuously and shall be used by the Board for administration and enforcement of this Article.

(b) All fees and charges shall be set by the Board pursuant to its actual and anticipated budget needs, in accordance with the Administrative Adjudication Law. Fees collected from applicants for licensure or renewal of licensure are non-refundable.

(c) The Board shall develop and adopt its own budget reflecting revenues, including the interest thereon, and costs associated with the administration, regulation, and enforcement of this Article, and which shall also include allocations for establishment and maintenance of a reasonable reserve fund.

(d) A designated officer of the Board, or other person specifically designated by the Board, shall serve as Treasurer of the Board and, at the direction of the Board, oversee the collection and disbursement of funds.

SOURCE: Repealed and reenacted by P.L. 36-138:18 (Dec. 28, 2022).

§ 12820. Disciplinary Action Against Licensees.

(a) Range of Actions. The range of disciplinary actions available to the Board includes, but not limited to, the following:

- (1) revocation of the Allied Health license;
- (2) suspension of the Allied Health license;
- (3) probation;
- (4) stipulations, limitations, restrictions and conditions relating to practice;

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- (5) censure, including specific redress, if appropriate;
- (6) reprimand;
- (7) chastisement;
- (8) monetary redress to another party;
- (9) a period of free public or charity service;
- (10) satisfactory completion of an educational, training and/or treatment program or programs;
- (11) administrative fines of not less than Two Thousand Five Hundred Dollars (\$2,500) and not more than Ten Thousand Dollars (\$10,000) per violation per day; and
- (12) payment of disciplinary costs, including attorneys' fees and related expenses related to the prosecution of any disciplinary matter against a licensee.

The Board at its discretion may take such actions singly or in combination, as the nature of the violation requires.

(b) Letter of Concern. The Board should be authorized to issue a confidential letter of concern to a licensee when, though evidence does not warrant formal proceedings, the Board has noted indications of possible errant conduct by the licensee that could lead to serious consequences and formal action. In its letter of concern, the Board should also be authorized, at its discretion, to request clarifying information from the licensee.

(c) Examination/Evaluation. The Board should be authorized, at its discretion, to require professional competency, physical, mental or chemical dependency examination(s) or evaluation(s) of any applicant or licensee, including withdrawal and laboratory examination of bodily fluids.

(d) Grounds for Action. The Board should be authorized to take disciplinary action for unprofessional or dishonorable conduct, which should be defined to mean, but not be limited to, the following:

- (1) fraud, bribery or misrepresentation in the application or procurement of a license or in connection with applying for or procuring periodic re-registration of a license;

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(2) cheating on or attempting to subvert a licensing examination;

(3) conviction of a gross misdemeanor or felony, or a plea of guilty or nolo contendere to a gross misdemeanor or felony charge, whether or not related to the practice of an allied health profession;

(4) conduct likely to deceive, defraud or harm the public;

(5) making a false or misleading statement regarding his or her skill or the efficacy or value of the treatment or remedy prescribed by him or her, or at his or her direction, in the treatment of any disease or other condition of the body or mind;

(6) representing to a patient that an incurable condition, sickness, disease or injury can be cured;

(7) willfully or negligently violating the confidentiality between practitioner and patient except as required by law;

(8) negligence in the practice of an allied health profession as determined by the Board;

(9) being found adjudicated mentally incompetent or of unsound mind by a court of competent jurisdiction;

(10) being physically or mentally unable to engage safely in the practice of an allied health profession;

(11) practice or other behavior that demonstrates an incapacity or incompetence to practice an allied health profession;

(12) the use of any false, fraudulent or deceptive statement in any document connected with the practice of an allied health profession;

(13) practicing under a false or assumed name;

(14) aiding or abetting the practice of an allied health profession by an unlicensed, incompetent or impaired person;

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(15) allowing another person or organization to use his or her license to practice an allied health profession;

(16) commission of any act of sexual misconduct, which exploits the practitioner-patient relationship in a sexual way;

(17) habitual or excessive use or abuse of drugs, alcohol or other substances that impairs ability to perform his/her profession;

(18) prescribing, selling, administering, distributing, ordering or giving any drug legally classified as a controlled substance, or recognized as an addictive or dangerous drug for other than accepted therapeutic purposes;

(19) except as otherwise permitted by law, prescribing, selling, administering, distributing, ordering or giving to a habitual addict, or any person previously drug dependent, any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug;

(20) prescribing, selling, administering, distributing, ordering or giving any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug to a family member or to himself or herself;

(21) violating any state or Federal law or regulation relating to controlled substances;

(22) obtaining any fee by fraud, deceit or misrepresentation;

(23) employing abusive billing practices;

(24) directly or indirectly giving or receiving any fee, commission, rebate or other compensation for professional services not actually and personally rendered, though this prohibition should not preclude the legal functioning of lawful professional partnerships, corporations or associations;

(25) disciplinary action of another state or jurisdiction against a license or other authorization to practice an allied health profession based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for

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action as defined in this Section, a certified copy of the record of the action taken by the other state or jurisdiction being conclusive evidence thereof;

(26) failure to report to the Board any adverse action taken against him or her by another licensing jurisdiction, United States or foreign, by any peer review body, by any health care institution, by any professional society or association, by any governmental agency, by any law enforcement agency, or by any court for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this Section;

(27) failure to report to the Board surrender of a license or other authorization to practice an allied health profession in another state or jurisdiction, or surrender of membership in any professional association or society while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this Section;

(28) any adverse judgment, award or settlement against the licensee resulting from an allied health liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for action, as defined in this Section;

(29) failure to report to the Board any adverse judgment, settlement or award arising from a liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this Section;

(30) failure to transfer pertinent and necessary records to another practitioner in a timely fashion when legally requested to do so by the subject patient, or by a legally designated representative of the subject patient;

(31) improper management of patient's records;

(32) failure to furnish the Board, its investigators or representatives, information legally requested by the Board;

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(33) failure to cooperate with a lawful investigation conducted by the Board;

(34) willful negligence in complying with the rules and regulations of the Guam Board of Allied Health pertaining to physician supervision of physician assistants;

(35) violation of any provision(s) of the Allied Health Practice Act or the rules and regulations of the Board or of an action, stipulation or agreement of the Board;

(36) failure to follow generally accepted infection control procedures; and

(37) failure to comply with any state statute or board regulation regarding a licensee's reporting responsibility for HIV, HVB (hepatitis B virus) or HVC (hepatitis C virus) sero-positive status.

SOURCE: Subsections (a)(11) and (12) amended by P.L. 36-138:19 (Dec. 28, 2022).

§ 12821. Procedures for Enforcement and Disciplinary Action.

(a) Board Authority. The Board shall be empowered to commence legal action to enforce the provisions of the Allied Health Practice Act and to exercise full discretion and authority with respect to disciplinary actions.

(b) Separation of Functions. In the exercise of its power, the Board's investigative and judicial functions should be separated to assure fairness, and the Board should be required to act in a consistent manner in the application of disciplinary sanctions.

(c) Administrative Procedures. The existing administrative procedures act or similar statute, in whole or in part, should either be applicable to or serve as the basis of the procedural provisions of the Allied Health Practice Act. The procedural provisions should provide for investigation of charges by the Board; notice of charges to the accused; an opportunity for a fair and impartial hearing for the accused before the Board or its examining committee; an opportunity for representation of the accused by counsel; the presentation of testimony, evidence and argument; subpoena power and attendance of witnesses; a record of

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proceedings; and judicial review by the courts in accordance with the standards established by the jurisdiction for such review.

(d) Standard of Proof. The Board should be authorized to use preponderance of the evidence as the standard of proof in its role as trier of fact.

(e) Informal Conference. Should there be an open meeting law, an exemption to it should be authorized to permit the Board, at its discretion, to meet in informal conference with an accused licensee who seeks or agrees to such a conference. Disciplinary action taken against a licensee as a result of such an informal conference, and agreed to in writing by the Board, and the accused licensee should be binding and a matter of public record. However, license revocation and suspension should be dealt with in open hearing. The holding of an informal conference should not preclude an open hearing if the Board determines such is necessary.

(f) Summary Suspension. The Board should be authorized to summarily suspend a license prior to a formal hearing when it believes such action is required due to imminent threat to public health and safety. The Board should be permitted to summarily suspend a license by means of a vote conducted by telephone conference call or other electronic means, if appropriate Board officials believe such prompt action is required. Proceedings for a formal hearing should be instituted simultaneously with the summary suspension. The hearing should be set within thirty (30) days of the date of the summary suspension. No court should be empowered to lift or otherwise interfere with such suspension while the Board proceeds in a timely fashion.

(g) Cease and Desist Orders/Injunctions. The Board should be authorized to issue a cease and desist order and/or obtain an injunction to restrain any person or any corporation or association, and its officers and directors from violating the provisions of the Allied Health Practice Act. Violation of an injunction should be punishable as contempt of court. No proof of actual damage to any person should be required for issuance of a cease and desist order and/or an injunction, nor should issuance of an injunction relieve those enjoined from criminal prosecution for violation of the Allied Health Practice Act.

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(h) Board Action Reports. All the Board's final disciplinary actions and license denials, including related findings of fact and conclusions of law, should be matters of public record. Voluntary surrender of and voluntary limitation(s) on the license of any person should also be matters of public record.

(i) Tolling Periods of License Suspension or Restriction. The Board should provide, in cases of license suspension or restriction, that any time during which the disciplined allied health professional practices in another jurisdiction without comparable restriction shall not be credited as part of the period of suspension or restriction.

§ 12822. Compulsory Reporting and Investigation.

(a) Any person shall be permitted to report to the Board in writing information he or she has reason to believe indicates an allied health licensee is, or may be, professionally incompetent, guilty of unprofessional conduct or mentally or physically unable to engage safely in the practice of an allied health profession.

The following shall be required to report to the Board promptly and in writing any information that indicates a licensee is, or may be, professionally incompetent, guilty of unprofessional conduct or mentally or physically unable to engage safely in the practice of an allied health profession; and any restriction, limitation, loss or denial of a licensee's staff privileges or membership that involves patient care:

- (1) all professionals licensed under the Act;
- (2) all licensed health care providers;
- (3) all hospitals and other health care institutions on Guam, to include hospitals, clinics, managed care organizations, etc.;
- (4) all government/with services involving health care activities;
- (5) all law enforcement agencies in Guam;
- (6) all courts in Guam; and
- (7) all peer review bodies on Guam.

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(b) Malpractice insurance carriers and affected licensees shall be required to file with the Board a report of each final judgment, settlement or award against insured licensees. Licensees not covered by malpractice insurance carriers shall be required to file the same information with the Board regarding themselves. All such reports shall be made to the Board promptly (e.g. within thirty (30) days).

(c) Upon receiving reports concerning a licensee, or on its own motion, the Board shall be permitted to investigate any evidence that appears to show a licensee is, or may be, medically incompetent, guilty of unprofessional conduct, or mentally or physically unable to engage safely in the practice of an allied health profession.

(d) Any person, institution, agency or organization required to report under this provision of the Allied Health Practice Act who does so in good faith shall not be subject to civil damages or criminal prosecution for so reporting.

(e) To assure compliance with compulsory reporting requirements, specific civil penalties shall be established for demonstrated failure to report up to Ten Thousand Dollars (\$10,000.00) per instance.

(f) The Board shall promptly acknowledge all reports received under this Section. Persons or entities reporting under this Section shall also be promptly informed of the Board's final disposition of the matter reported.

§ 12823. Unlawful Practice of Allied Health Profession: Violation and Penalties.

(a) It shall be declared unlawful for any person, corporation or association to perform any act constituting the practice of an allied health profession as defined in the Allied Health Practice Act without first obtaining a license in accordance with that Act and the rules and regulations of the Board.

(b) The Board shall be authorized to issue a cease and desist order and/or obtain injunctive relief against the unlawful practice of an allied health profession by any person, corporation or association.

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(c) Any person, corporation or association performing any act constituting the practice of an allied health profession, as defined in the Allied Health Practice Act, or causing or aiding and abetting such action, shall be deemed guilty of a felonious offense.

(d) A practitioner located in another state practicing within the state by electronic or other means without a license issued by the Board shall be deemed guilty of a felonious offense.

§ 12824. Renewal of Licensure.

(a) At the time of renewal of licensure, the Board shall require the licensee to demonstrate to its satisfaction his or her continuing qualification for licensure. The application form for license re-registration shall be designed to require the licensee to update and/or add to the information in the Board's file relating to the licensee and his or her professional activity. It shall also require the licensee to report to the Board the following information:

(1) Any action taken against the licensee by:

(A) any jurisdiction or authority, United States or foreign, that licenses or authorizes the practice of an allied health profession;

(B) any peer review body;

(C) any health care organization;

(D) any professional society or association,

(E) any law enforcement agency;

(F) any court; and

(G) any governmental agency for acts or conduct similar to acts or conducts described in the Allied Health Practice Act as grounds for disciplinary action.

(2) Any adverse judgment, settlement or award against the licensee arising from a professional liability claim.

(3) The licensee's voluntary surrender of or voluntary limitation on any license or authorization to practice an allied

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health profession in any jurisdiction, including military, public health and foreign.

(4) Any denial to the licensee of a license or authorization to practice an allied health profession by any jurisdiction, including military, public health and foreign.

(5) The licensee's voluntary resignation from the staff of any professional organization or voluntary limitation of his or her staff privileges at such an organization, if that action occurred while the licensee was under formal or informal investigation by the organization or a committee hereof for any reason related to possible professional incompetence, unprofessional conduct, or mental or physical impairment.

(6) The licensee's voluntary resignation or withdrawal from a national, state, or county professional society, association or organization, if that action occurred while the licensee was under formal or informal investigation or review by that body for any reason related to possible professional incompetence, unprofessional conduct, or mental or physical impairment.

(7) Whether the licensee has abused or has been addicted to or treated for addiction to alcohol or any chemical substance during the registration period.

(8) Whether the licensee has had any physical injury or disease, or mental illness within the registration period that affected or interrupted his or her practice of an allied health profession.

(9) The licensee's completion of continuing education or other forms of professional maintenance and/or evaluation, including certification or re-certification, within the registration period.

(b) The Board shall be authorized, at its discretion, to require continuing education for license re-registration and to require documentation of that education.

(c) The licensee shall be required to sign the application form for license re-registration and have it notarized. Failure to report

**10 GCA HEALTH AND SAFETY
CH. 12 MEDICAL PRACTICES**

fully and correctly shall be grounds for disciplinary action by the Board.

(d) The Board shall be directed to establish an effective system for reviewing re-registration forms. It shall also be authorized to initiate investigations and/or disciplinary proceedings based on information submitted by licensees for license re-registration.

2012 NOTE: In maintaining the general codification scheme of the GCA the Compiler changed the hierarchy of subsections beginning with “lowercase letters” to “uppercase letters” in subsection (a)(1).

§ 12825. Rules and Regulations.

(a) The Board shall be authorized to adopt and enforce rules and regulations to carry into effect the provisions of the Allied Health Practice Act and to fulfill its duties under this Act.

(b) The Board shall adopt rules and regulations in accordance with Administrative Adjudication Law, Rule Making Procedures.

§ 12826. Revolving Fund.

(a) There is created, separate and apart from other funds of the government of Guam, a fund known as the Guam Board of Allied Health Examiners Revolving Fund (Fund) specifically for use by the Board in the administration and enforcement of this Article. All revenues from whatever source, including, but not limited to, appropriations, fees and charges, fines and penalties, gifts, grants, and accrued interest shall be deposited into the Fund. The Fund shall not be subject to any transfer authority of *I Maga'låhen/Maga'hågan Guåhan*.

(b) The Office of Public Accountability shall audit the financial records of the Board annually, or as often as it may deem appropriate, and report its findings to the Board, *I Maga'låhen/Maga'hågan Guåhan*, and *I Liheslaturan Guåhan*.

SOURCE: Repealed and reenacted by P.L. 36-138:20 (Dec. 28, 2022).

2023 NOTE: This provision was formerly named “Funding and Fees” and was renamed as part of the reenactment by P.L. 36-138:20 (Dec. 28, 2022).

§ 12827. Prescriptive Authority for Clinical Psychologists.

**10 GCA HEALTH AND SAFETY
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(a) A clinical psychologist may be authorized to administer, prescribe, and dispense licensed drugs or class of drugs, within their education, training, and competence as determined by the Board. Ordering laboratory tests for purposes of diagnosis and monitoring therapeutic levels of prescribed medication is included within the scope of practice of clinical psychology.

(b) To qualify for prescriptive authority, a clinical psychologist must have all of the following:

(1) completion of a program of education in an organized program of intensive didactic instruction, consisting of a minimum of three hundred (300) contact hours defined by the Guam Board of Allied Health Examiners, consisting of the following core areas of instruction: neuroscience, pharmacology, psychopharmacology, physiology, pathophysiology, appropriate and relevant physical and laboratory assessment, and clinical pharmacotherapeutics;

(2) having obtained supervised and relevant clinical experience, consisting of treatment of a minimum of one hundred (100) patients, sufficient to attain competency in the treatment of a diverse population;

(3) proof of successfully passing the Psychopharmacology Examination for Psychologists (PEP) administered by the Association of State and Provincial Psychology Boards (ASPPB);

(4) a current Federal Drug Enforcement Administration (DEA) certification; and

(5) a current Guam Controlled Substance Registration (CSR) from the Department of Public Health and Social Services.

(c) A licensed clinical psychologist shall not prescribe any drug or class of drugs that the clinical psychologist is not competent to prescribe as determined by the Board, and may not prescribe any drugs that are not routinely administered within the clinical psychologist's scope of practice.

**10 GCA HEALTH AND SAFETY
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(d) A clinical psychologist's prescriptive authority shall be automatically revoked for an invalid or revoked Guam or Federal DEA registration, and may be revoked for any violation of this Article or applicable rules and regulations as determined by the Board of Allied Health Examiners.

(e) Prescriptive authority shall be renewed at the time of licensure renewal. The Board shall determine minimum continuing education requirements for the renewal of a clinical psychologist's prescriptive authority by rule.

SOURCE: Repealed and reenacted by P.L. 36-138:21 (Dec. 28, 2022).

2023 NOTE: This provision was formerly named "Prescriptive Authority for Allied Health Professionals" and was renamed as part of the reenactment by P.L. 36-138:20 (Dec. 28, 2022).

2013 NOTE: Pursuant to the authority granted by 1 GCA § 1606, numbers and/or letters were altered to adhere to the Compiler's alpha-numeric scheme.

**ARTICLE 9
ACUPUNCTURE**

SOURCE: This Article was enacted in its entirety by P.L. 24-329:2 (Jan. 15, 1999).

- § 12901. Definitions.
- § 12902. Qualifications for Licensure.
- § 12903. Exceptions to Licensure Requirements.
- § 12904. Authorized Activities.
- § 12905. Use of Sterilized Disposable Needles.

§ 12901. Definitions.

(a) Acupuncture and Oriental Medicine means the science and art of examination and diagnosis based on traditional oriental medicine, and treatment of symptoms and diseases by the insertion of needles into the respective three hundred sixty-five (365) major trigger points of twelve (12) meridians, eight (8) extra trigger points of extra meridians, Ashi (regional or local) points,



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Siette na Liheslaturan Guåhan | 37th Guam Legislature
 Committee on Health, Land, Justice and Culture

COMMITTEE VOTE SHEET

Re-Appointment of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.

	SIGNATURE	TO DO CONFIRM	TO DO NOT CONFIRM	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Speaker Therese M. Terlaje Chairperson	<i>Therese M. Terlaje</i> February 6, 2024	✓				
Senator Joanne M. Brown Vice Chairperson of Health, Land and Culture	E-VOTE February 6, 2024	✓				
Senator Sabina F. Perez Member	E-VOTE February 6, 2024	✓				
Senator Chris Barnett Member	E-VOTE February 6, 2024	✓				
Senator Amanda L. Shelton Member						
Senator William A. Parkinson Member	E-VOTE February 6, 2024	✓				
Senator Dwayne San Nicolas Member	E-VOTE February 6, 2024	✓				
Senator Telo T. Taitague, Member	E-VOTE February 6, 2024	✓				

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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REQUEST FOR E-VOTE: RE-APPOINTMENT OF NADINE T. CEPEDA, GBAHE

7 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Tue, Feb 6, 2024 at 3:42 PM

To: "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>

Håfa Adai Committee Members,

The Committee on Health, Land, Justice, and Culture herby reports out the Re-Appointment of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.

Please indicate your preferred action from the following:

- TO DO CONFIRM
- TO DO NOT CONFIRM
- TO REPORT OUT ONLY
- TO ABSTAIN;
- TO PLACE IN INACTIVE FILE

Si yu'os ma'åse'.

**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice, and Culture

I Mina'trentai Siette na Liheslaturan Guåhan 37th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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 **Committee Report for Appointment of Nadine Cepeda, GBAHE.pdf**
8750K**Senator Telo Taitague** <senatortelot@gmail.com>

Tue, Feb 6, 2024 at 3:52 PM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Cc: "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>

To do confirm

Sent from my iPhone

On Feb 6, 2024, at 3:43 PM, Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:

[Quoted text hidden]

<Committee Report for Appointment of Nadine Cepeda, GBAHE.pdf>

Office of Senator Sabina Perez <office@senatorperez.org>

Tue, Feb 6, 2024 at 3:55 PM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Cc: "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>, Senator Will Parkinson <senatorparkinson@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>

To do confirm.

[Quoted text hidden]

--

Si Yu'os Ma'åse,



**Office of
Senator Sabina Flores Perez**

37th Guam Legislature • *I Mina'trentai Siette na Liheslaturan Guåhan*

Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

Tel: (671) 989-2968 | (671) 472-3499

Location: 163 Guam Congress Building, 2nd Floor *Hagåtña*, Guam 96910

Website: www.senatorperez.org

Social Media : [Senator Sabina Flores Perez](#)

Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.org>

Tue, Feb 6, 2024 at 3:55 PM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

To do confirm



THE OFFICE OF SENATOR CHRIS "MALAFUNKSHUN" BARNETT

i Mina'trentai Siette na Liheslaturan Guåhan

Chairperson · Committee on Education, Public Safety, and the Arts

Chairperson · Committee on Rules

The Guam Congress Building, 2nd Floor · 163 Chalan Santo Papa · Hagåtña, Guam 96910

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On Tue, Feb 6, 2024 at 3:43 PM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:

[Quoted text hidden]

Senator Will Parkinson <senatorparkinson@guamlegislature.org>

Tue, Feb 6, 2024 at 3:59 PM

To: Office of Senator Sabina Perez <office@senatorperez.org>


Cc: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Dwayne San Nicolas <senatorsannicolas@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>

To do confirm.

[Quoted text hidden]

--

Respectfully,

	<p>Office of Senator William A. Parkinson 37th Guam Legislature <i>Chairperson, Committee on Fire, Agriculture, Power and Energy Utilities, Public Transit, Unemployment Insurance, and Universal Health Insurance</i></p> <p>Suite 905, DNA Building, 238 Archbishop FC Flores St, Hagåtña, 96910, Guam 671-989-1101 senatorparkinson@guamlegislature.org</p>
---	---

Senator Dwayne San Nicolas <sensorsannicolas@guamlegislature.org>

Tue, Feb 6, 2024 at 4:01 PM

To: Senator Will Parkinson <senatorparkinson@guamlegislature.org>

Cc: Office of Senator Sabina Perez <office@senatorperez.org>, "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>

Hafa Adai,

To Do Confirm



Office of Senator Dwayne T.D. San Nicolas
Committee on Emergency Response, Military and Veteran Affairs, Border Safety and Mayors Council

I Mina'trentai Siette Na Liheslaturan Guahan | 37th
Guam Legislature

Telephone: 671-989-4400

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[Quoted text hidden]

Office of Senator Joanne M. Brown <office@senatorjoannebrown.com>

Tue, Feb 6, 2024 at 4:13 PM

To: Senator Dwayne San Nicolas <sensorsannicolas@guamlegislature.org>

Cc: Senator Will Parkinson <senatorparkinson@guamlegislature.org>, Office of Senator Sabina Perez <office@senatorperez.org>, "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>

Hafa Adai,

To Do Confirm.

Very Respectfully,

Tracey Aguerro

Office Manager

Office of Senator Joanne M. Brown | *I Mina' Trentai Siette Na Liheslaturan Guåhan (37th Guam Legislature)*

[120 Father Dueñas Avenue](#)

Capitol Plaza Building, Suite 103

Hagåtña, Guam 96932

Telephone: (671) 647-1409

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Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Siette na Liheslaturan Guåhan | 37th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Health, Land, Justice and Culture convened a public hearing on Tuesday, February 6, 2024, at 8:30 AM in I *Liheslatura*'s Public Hearing Room. The item on the agenda was the consideration of the Re-Appointment of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022, to December 1, 2025.

Public Notice Requirements

In compliance with Open Government Law, notices for this Public Hearing were published in the Guam Daily Post and the Government of Guam Public Notice Portal on Tuesday, January 30, 2024 (5-Day Notice), and again on Friday, February 2, 2024. (48-Hour Notice); and livestreamed on the Guam Legislature's YouTube Channel. Notices were also sent via email to all senators and all main media broadcasting outlets on Tuesday, January 30, 2024, and again on Friday, February 2, 2024.

Senators Present

Speaker Therese M. Terlaje, Committee Chairperson
Senator Joanne M. Brown, Vice Chairperson
Senator Chris Barnett, Committee Member
Senator Telo T. Taitague, Committee Member

Appearing before the Committee

Ray Tajalle
Vince Pereda, HPLO
Attorney Daniel Somerfleck
Rosemary Carman
Evangeline M. Cepeda
Nadine Cepeda
Melissa Savares, Mayor, Municipality of Dededo

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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Written Testimony Submitted:

Vince Pereda

II. SUMMARY OF TESTIMONY & DISCUSSION

The Public Hearing was Called-to-Order at 8:36 a.m. The Re-Appointment of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022, to December 1, 2025.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Good morning, everyone. Welcome to the Guam Congress building. The Committee on Health, Land, Justice, and Culture is now called to order. Today's Tuesday, February 6, 2024, and the time is 9:36 a.m. In compliance with the open government law, notices for this public hearing were published in the Guam Daily Post and posted to the government of Guam Public Notice Portal on Tuesday, January 30 and Friday, February 2, 2024. Notices were also sent by email to senators and all main media broadcasting outlets. This hearing is being live streamed on the Guam Legislature's YouTube channel. Individuals testifying, I ask that you first, introduce yourself by name so that we can keep the record straight on when we transcribe. We have two agenda items this morning. The re-appointment of Nadine T. Cepeda to serve as a Member, Marriage and Family Therapist Representative) of the Guam Board of Allied Health Examiners for three years from December 2nd, 2022 to December 1st, 2025. Re-appointment of Ray C. Tajalle to serve as a member (physician assistant representative) of the Guam Board of Allied Health Examiners for three years from April 27, 2023 to April 26, 2026.

I'd like to acknowledge the presence of Senator Telo Taitague. Thank you, Senator, for being here with us this morning. Alright, the Guam, both of these appointments are to the Guam Board of Allied Health Examiners. The Guam Board of Allied Health Examiners is the board created and composed of different professions. They, examine for licensure those who are nominated, and they include acupuncture, oriental medicine, audiology, chiropractic, clinical psychology, licensed professional counselor, licensed mental health counselor, marriage and family therapist, clinical dietitian and nutritionist, occupational therapy, physical therapy, speech language pathology, respiratory therapy, and veterinary

medicine. The terms are for three years. They must have practiced, in their respective disciplines for at least five consecutive years immediately preceding the appointment. Both of these are re-appointments, so they've met all these criteria. Alright, so we will now receive testimony from those signed up to testify on the re appointment of Nadine T. Cepeda. So those who want to testify on that appointment could, please, sit at the table. Nadine, you can sit in the middle. You'll be, we will hear your testimony after the others. We received a packet for Nadine, where they, it includes her resume, and she was a Guam Department of Education District School Psychologist from October 2015 to the present. She worked at the Judiciary of Guam as a Judiciary Therapist from October 2014 to October 2015, at Guam Behavioral Health and Wellness Center as a Psychiatric Social Worker Supervisor from March 2001 to October 2014. She also works at Cornerstone Counseling and Wellness Center, which is a private professional practice from June 2010 to 2018. All right. So we have signed up, Vince Pereda, you may proceed.

VINCE PEREDA, GUAM BOARD OF ALLIED HEALTH, VICE

CHAIRPERSON: Good morning, Speaker Therese Terlaje, Chairperson of the Committee on Health, Land, Justice and Culture, other members, Senator Taitague, good morning as well. Madam Speaker and other senators of the 37th Guam Legislature, I am here today, my name is Vince Pereda. I serve as the co chair or the vice chair of the Guam Board of Allied Health examiners. I'm here today to support and endorse the reappointment of Ms. Nadine Cepeda to a continuing term as a member of the Guam Board of Allied Health Examiners. Ms. Cepeda currently serves, when she was a member, she served as one of two counseling members of the board, and specifically as the Marriage and Family Therapist Specialist. In her capacity as a professional and fully credentialed counselor, Ms. Cepeda, takes on the major responsibility of ensuring that applicants applying to become licensed counselors meet all the requirements of licensure for the three counseling licenses that the board issues.

Licensed professional counselor, licensed mental health counselor, and licensed marriage and family therapist. Ms. Cepeda holds all three licenses, in addition to also being a certified Substance abuse counselor. She possesses a wealth of experience as a clinician and clinical administrator in her job capacity at the Guam Department of Health, Guam Department of Education. Her professional experience also includes her employment, her previous employment at the Guam Behavioral Health and Wellness Center as a

professional counselor, as well as her brief employment at the Superior Court. Additionally, Ms. Cepeda has also engaged in private practice for a number of years alongside her husband, Dr. Edward Santos, a counseling psychologist presently employed with the Department of Veterans Affairs. Ms. Cepeda's broad range of professional experience, coupled with her institutional knowledge of the counseling profession, makes her ideally qualified to be a member of the Guam Board of Allied Health Examiners, and I urge that she be confirmed by this legislature. Thank you very much.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Si Yu'os Ma'åse'.*

EVANGELINE CEPEDA: Håfa Adai and good morning. Buenas Speaker Terlaje and Senator Taitague. Thank you for being present. My name is Evangeline Marie Cepeda. I am the eldest of five sisters and my sister Nadine to my right is my youngest sister. We're very opposite. We fight like crazy and between and my third sister. I gotta mention back here is Jamie. We're five sisters. We're feisty, passionate, involved, step up, step out. That's the attitude my mom has always applied this to our family, even in our home. My dad used to say, *pura-ha malåti. Tåya* common sense. Oh, you people are so wise because you learned that from me, a dumb man who's not so educated and so puts things in perspective. I'm here to say to you to please go ahead and re-nominate. You're not going to lose out. She doesn't have any children. Her life is this. This is her life. I tell her she gets old. Her and her husband are going to hope to God live to die together because this is her life and I mean this since the time she came home and graduated, she worked in California. My dad and my mom's said time to come home, contribute to the island. That was their mentality and so we did. She stepped up, she stepped out. I'm here to say that she's very involved. You know, in our family, you either love us or you hate us. There's no fine in between. Senator Telo and I are personal friends. I can be really feisty. You know, I fight for what is right. She's the same way and so, you're not going to lose out. She has a passion for family. She has even more passion for children. When she worked for mental health, they lost out when she left there and she wanted to stay there. Underpaid, overworked.

Worked 16, 18 hours a day and it was okay. She brought the work home. This is her. This is her sitting before me. you, I don't get paid to do this. You know, I come here all the time, Speaker and Senator. I come here because I believe that when you're going to serve,

4

especially when you're not serving for the price of money, and sometimes, many times, you're not recognized. She's one of those individuals that the Allied Health Care Board will not, if anything, will be greatly beneficial. She loves this. This is her life. This is not even her career. her husband and her eat, sleep, family therapy, mental health, health, health, health, health, mental health, that's their life. You know, and she's working for her doctorate and, and she kind of put that on the back burner because why? She's involved, her plate is very full, but can I say this? If her plate was half empty, she would kill us because even when we sit on the family table, I said enough of this. We're going to talk family and she brings in her whole, this whole spectrum because this is her life and so you're going to have the professionals that are sitting right beside me that can speak on her professional. I'm speaking on her character as an individual who knows her and is a family member and I am biased. I am going to not, I'm not going to sit here and say I'm not biased, I am biased, but in a very truthful, biased way, she works hard, she's very dedicated, she's very committed, she's very driven, and, you know, the mental wellness, health care prevention and mental health.

She was talking about this 20 years ago when it was not talked about or it wasn't discussed. Suicide is a passion of hers. It breaks her heart when it could have been prevented or it's not spoken of enough. This is something that is right in her lane. Move out, she's moving in. That's her mentality and sometimes we have to say, pick your battles Nadine. Pick your battles, win the war. I have to remind her of this, because I am 11 years older than her. So I'm like, you can't win every battle, but if you win the war, then you've made it. So, and you can't save everybody, but you could, if you save one person today, you've done your work and it's just what she's cut from, the cloth she's cut from. You know, my mom and my dad are not educated people. But I will tell you, they are wise, very wise. You can hear it in my voice, I'm cracking. My mom is at home, and she can't be here today. If she could be here, she would and she's watching from home, and I wanted to say that this doesn't benefit anybody. Not her, for sure. It benefits the people of Guam, because she is very, very, sometimes my sisters and I have to tell her, we don't want to hear it. We have our jobs. Leave the job at the door. And, she calls me and we're talking sisterly stuff and then she'll chime right in, Vangie, can you help this person in charter school? Their parents, okay, and I talk charter school every day, every night, but there is a time and a place where it has to stop and I just want to say today without any doubt from any senators that you reappoint her to this Allied Healthcare

board because she's always an attribute, an asset more than anything and the people that she serves on this board, they benefit. They learn from her. She's not stingy with her thoughts, her wisdom, her expertise, and it would be beneficial. And I'm sorry to get emotional about it, but I just wanted to say, with that in closing. Guam benefits from her being on the board. Thank you.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Si yu'os ma'åse'* Ms. Cepeda. Mr. Somerfleck.

DANIEL SOMERFLECK: First of all, I'd like to say I'm proud and honored to be here to stand up in support of Nadine. I'm here not as the Director of Guam Legal Services, but as a private citizen. Before I came this morning, I was chatting with my wife and I told her I was coming to speak on Nadine's behalf. And she said, you go. She deserves all the support we can give her and then she proceeded to regale me with a story about one of her students where she got advice from Nadine, and it ended to be much longer of an interaction than I had planned as I'm running to get to work and I think that kind of sums up Nadine. Nadine has been an asset to our community at Mental Health, in private practice, I'd forgotten she was at the court for a period of time, and now at GDOE. Her strengths as a counselor and as a helping individual are overabounding. This may sound cold or somewhat callous, but oftentimes we go through our professional careers and we encounter many, many people. Very few of those people do I really encounter and think she's got it. She cares. She cares about the students that are in front of her. She cares about the other professionals she interacts with. She cares about making our community a better place. I can't think of a better individual to be put on this Allied Health Board than Nadine. Not only is someone who can review someone's professional credentials, but as someone who truly cares about everyone she comes in contact with and I think that trait in and of itself is beyond value and that's why I'm here today to speak for Nadine because I found her to be an invaluable person in our community. I found her to be a strong advocate for her position. We don't always agree and we haven't always agreed, but I believe she respected my position and I know without question I've always respected hers. So I would without hesitation recommend Nadine to continue in a role on the Allied Health Board. And thank you very much for this opportunity to speak today.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Si yu'os ma'åse'* Mr. Somerfleck. Mayor Savares, did you want to testify?

MELISSA SAVARES, MAYOR, MUNICIPALITY OF DEDEDO: Hi, good morning. Thank you for the opportunity. My name is Melissa Savares, Mayor of Dededo. I have known Nadine for over 40 years, being in the village, growing up. We actually watched her grow because she's much younger than we are but Nadine also serves as a Municipal Planning Council member on my Dededo Municipal Planning Council and when we asked her to, you know, serve, she was kind of hesitant and asked, well, what do we do, you know, and, you know, municipal planning council, you review all kinds of things and we go from one extreme to another, but also to finding ways to take care of our people and in our regular meetings, she never hesitates to contribute as a role of the MPC member. You know, she also serves as a Eucharistic minister at our church, you know, so as far as our faith based community, she's also very active there, her husband's in the choir, and, you know, so she grew up in a community, and she cared about the community that she was raised in, and now she's giving back and, being in the Allied Board, Health Board, I know that she'll continue to do work for the people of Guam. She continues to serve as our Municipal Planning Council member, but she's concerned not just about Dededo, but across the board from DOE to when she was at Mental Health, Behavioral Health and all aspects and all members of the family units. So it's not just the young children she's concerned about, she's concerned even about their grandparents and great grandparents. So I think that, I know that her serving on the Allied Health board. She will definitely be an asset to the organization. You know, she agrees to disagree. Nadine has it in her heart to continue to make this community a better place. Thank you.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Si yu'os ma'åse'* Mayor and thank you to all of you who have testified in support of Nadine's nomination. I really appreciate you taking the time. I know, she's been serving on the board already. So maybe it's tempting to say, oh, she's got this, but I really appreciate you coming down and making a real record of what she means to our community. I think that's very valuable. Senator Taitague, did you have any questions for the panel before we hear from the nominee?

SENATOR TELO T. TAITAGUE: Thank you, Madam Speaker and good morning to you as well and of course, those who are here this morning, I wanted to make sure I was here because I think it's so important to show my respect to you, Nadine, that I greatly appreciate you wanting to serve on the board and serving our community in your capacity and, you know, I come from five sisters as well. Five, I'm number four in line, you know, so close to the end. My youngest sister passed away, so now I'm the baby, but I tell you, you know, when you have five sisters, you tend to have that, you're strong, you're strong minded but you're open minded and having five sisters, you're, you have somebody to put you in your place. So the fighting part, that's nothing, right? The best part about fighting is that you've learned to know how to get out of a fight. You know, everyone knows how to get into a fight, but coming out of one. It's very difficult, and, when you have that support of all your sisters, fighting is nothing. It's the love that you have and the support and that's why I know you're so perfect for this job, because of the support you have from your family. Right? You couldn't do it without it, and your husband, you know, what a great, especially in your capacity, all the problems that you hear. So, thank you. Thank you for giving back to this island, you know, you're greatly appreciated. Please know that, first and foremost. Now this will be your second term or your third term or how many terms?

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Senator, I'm gonna allow her to testify next. I put that off.

SENATOR TELO T. TAITAGUE: Oh, okay. Okay, anyways. If I just finish off, it's, okay, let me let you go ahead now and so I just have a few questions and then I'm good. Okay. Thank you.

NADINE CEPEDA, APPOINTEE: Håfa Adai and good morning, Madam Chair, Therese Terlaje and Senator Telo Taitague. My apologies. I'm actually overcoming a flu. But naturally, my voice is raspy, so I'm going to try to limit it. It's an opportunity to appear before you and it is an honor and a privilege to be as a member of the Guam Board of Allied Health Examiners. This will be my fourth term. but I have to say, I came in very young, naive, to a professional board of different and multiple disciplines but we are determined and committed to regulate and ensure the safety of our community. I do know that we are the first board that actually passed with the help of Speaker Terlaje to

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get the ethics done because so many things are happening professionally and where are the standards and who are being held accountable for ethics and so we passed that. Just in 2021, in December, we had rules or 2022. My apologies, the board had passed, with the help of this body and with the governor, actually passed rules and regulation that's happened over 15 years. We are now at the standard of national standards, which should be. Because if our people are educated, they have the training of 3,000 hours and pass an exam, they should be able to go to anywhere else in the country and be able to get a job. We are no different and so, as Vince who is the vice chair, I've held positions as secretary and treasurer with the same body. It's because we decide as a group. Who are the best leaders and we have great leaders of the body. We continue to make the changes. It gave me an opportunity to actually be part of the American Marriage Family Regulatory Board. I was a board member in the national level for two years. It put Guam in the map and I learned a lot. What are the biggest or biggest complaints when people are taking their license away. To include, and now I'm a subject expert in writing exams with the Marriage Family Therapy. Now, there's other opportunities to get involved with other organizations like the American, professional counselors.

There's so much work ahead of us because we evolve and time has changed. The reality, the needs of our people are quite different. Statistically, it's one out of five students who have a mental health issue. If people think they're just coming to school to learn, those are gone. We need to think of how they are doing because they cannot learn if they're not healthy. I sit here because Dan Somerfleck has been an advocate. Clearly, I was at Mental Health for 15 years before I moved to the court or to DOE and truly, he was the one that did the, sorry, the lawsuit, but it allowed us to get the money we needed. to get us to services and fill in the gaps of services. Are we there yet? Not quite, but we will because our people deserve the best and that's what this board does. It regulates and ensures the safety of our community. If someone is doing something they shouldn't do, they're not trained to do it and it's not in their scope of work, we need to ensure that person is held accountable because we need to ensure that they're doing what's right and what they're trained and educated to do and so I sit here and really I'm touched. I'm humbled by my sister, by these professionals who have asked because they don't have to. They all have busy schedules, but they came here because they're speaking on behalf of me to be reappointed and I am so humbled by Senator. I'm sorry, Mayor Melissa Sarvares. Vince Pereda, who has been a colleague and has been part of the board for many years. And of

course, Attorney Dan Somerfleck, who does really a good job with Guam Legal Services. And we don't always agree, but it's okay.

The goal here is to get what the people of Guam deserve and that's why everyone sits here, because we all have a part. And my sister, of course, at different capacities, not only is she my sister, but she served at different capacities as well, for the public. And so, I just wanted in closing, I wanna say thank you for this opportunity once again but truly, it is about serving people and it's not about recognition because I do know my biggest reward is when someone tells me miss I'm doing much better. Thank you for helping me. That is my reward and to me I cannot move mountains but I will try to really do change one life at a time and as a therapist That is my goal. So thank you very much.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Si yu'os ma'åse'* Nadine and I thank you for being willing to serve again in this capacity for all the years that you have done it and I agree with the testimony, that we have seen and that you've mentioned as well that this Allied Health Board has really moved things along where not all the boards have. In fact, we have some that are really dragging and, we're so proud of the Allied Health Board because they worked very, very, very hard and we don't get as many complaints about complaints that are made to the board because they are addressed. That's number one for me. And number two, yeah, you did pass the ethics and you passed rules and regs that were long overdue. So long overdue and all of the boards need to do that, but you were able to lead in that regard. So I'm very, very proud of the Allied Health Board. Very grateful for Vice chair, all the individual members of your allied health board. It's a funny board. I mean, you know, it's got all different professions on there, and none of the other boards deal with that kind of thing. They all are, you know, a one track profession, and they deal with each other, but you are dealing, kind of have to become experts in all other fields in order to make good decisions as to what the rules should be, and what the standards, you know, which standards we're going to implement. And so I think you've really raised the standard for Guam, and I want to thank you for that and of course, your work. outside the board is, is, has been testified. I'm very grateful for you and thank you for your service and all of you actually who are here are a great testament. It's like takes one to know one. You're very much also, I'm very grateful for each of you and your work for our community. *Si yu'os ma'åse'*. I'd like to recognize Senator Taitague. Senator Chris Barnett, thank you for joining us this morning. Senator Taitague.

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SENATOR TELO T. TAITAGUE: I should have waited to hear your testimony because then it, it says so much about you and what you're doing at the Allied Health Board and, you know, to me there's two words that I always keep in mind when I'm sitting in this position and as well I hope you take under your, your hand too, is that, you know, accountable and you mentioned that. Transparency is very important too as well because even though you're there to ensure that everyone's doing the right thing and you're not turning a blind eye, but you're also showing the public what is going on, because they need to know, you know and, I greatly appreciate that. Wow, your testimony was excellent. I see the passion that your sister spoke about. But then again, I know all, most of your sisters. I've seen them. They're amazing. So amazing and again, I want to thank you for serving. I know that this is going to be your fourth. but you're very young, so you must have started when you were like, what, 18? You know, when you first started this out, but, so you still have many years to go to serve and especially in your line of work, there's such a lack of social workers on this island. It's amazing. So with all that passion that you have, the only thing I ask is that you also lift others in your field to follow your footsteps, to try and get others to go into this line of work. That's all I ask, is that if you can encourage other people to be social workers and to be as good as you, that would be the ultimate high because we definitely need that in our community right now. *Si yu'os ma'åse'* and to those who testified, thank you so much for taking the time and recognizing how wonderful this person is. Thank you, Madam Chair.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Si yu'os ma'åse'* Senator Telo. Senator Barnett.

SENATOR CHRIS BARNETT: Good morning Madam Chair. Good morning to the panel. I always think to myself you can tell a lot about who we're hearing testimony on by who's sitting at the table when we hear that testimony and you have some pretty good company down there. Anyone the speaker speaks highly of, I'm encouraged to support so, and you know, I see obviously, Vanjie, Mr. Somerfleck, the Mayor, Mr. Pereda, you got good company. So, I was just wondering, because I know some of the people watching the hearing might be wondering what exactly is the Board of Allied Health and what they do. So, if you could, just for the viewing public, explain in your perspective, what this board does and how it is critical to the people of Guam.

NADINE CEPEDA, APPOINTEE: Absolutely. So, the purpose of the Guam Allied Board Examiners are actually 12 to 13 different disciplines and so, we regulate what are the national standards and what are in law. So if there's any complaints, we hold those professionals accountable. So if there's any complaints, you'll go to the office, or it's called HPLO. I don't know what the acronym stands for, but it's under Health Licensing Board Office. They have great staff and so because they're managing all the other boards and it's quite difficult when you're even managing one board to be exact but truthfully, it's knowing the law. We're not saying we're lawyers. That's why we have legal. But more importantly is what's put into law. The people have to follow that so it ensures the community safety based on the law and oftentimes we do a lot of research to then match up with the national standards and so really that's why this board is critical because like I said, it's physician assistants, it's clinical psychologists, it's veterinarian, it's PTOT, speech. There's so many with so many vast specialties that require their specialists to sit in. But we also have to be somewhat familiar with what they do and so that's why this board is very critical. Because we have so many people doing stuff, we need to know if they're doing the right thing, what's within their scope of work. Because when you start to explore outside of that scope, we can harm people and that's not what we're here for. We want to ensure the safety of the community. It's getting what they're paying for. And what's in their education and what's in their training. So I hope that answers your question, Senator Barnett.

SENATOR CHRIS BARNETT: Sure does. Thank you Ms. Nadine for that and nothing further at this time, Madam Chair. *Si yu'os ma'åse'.*

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Si yu'os ma'åse'* Senator Barnett. Senator Brown. Thank you for being here with us. Do you have any questions for Nadine or the panel? All right. Thank you. All right. There being no additional testimony the committee will consider the reappointment of Nadine T. Cepeda to serve as a member, Marriage and Family Therapist Representative of the Guam Board of Allied Health Examiners for three years from December 2nd, 2022, to December 1st, 2025 duly heard. *Si yu'os ma'åse'* again. Thank you for being here.

Public Hearing adjourned: **9:10 A.M.**

III. FINDINGS AND RECOMMENDATION

- On Tuesday, February 6, 2024 at 8:30 am the Committee on Health, Land, Justice, and Culture held an appointment hearing for the Re-Appointment of Nadine T. Cepeda (Marriage & Family Therapist Representative) to serve as a Member of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022 to December 1, 2025.
- This will be her fourth term serving as a Member of the Guam Board of Allied Health Examiners.
- With her broad range of professional experience coupled with her institutional knowledge of the licensing board and counseling profession, Ms. Cepeda is an ideally qualified member of the board.
- As she accepted her re-appointment, Ms. Cepeda shared that she, alongside her colleagues, are determined and committed to regulating and ensuring the safety of our community. She looks forward to stepping up and tackling the evolving needs of our people and filling the gaps in services provided. The goal of this board is to get what the people of Guam deserve. She adds she may not be able to move mountains, but she will always try her best. Her goal is to change one life at a time and in her capacity as a therapist and board member, she gets the opportunity to work towards that every day.
- During the appointment hearing, Ms. Cepeda's family and colleagues attested to great character, dedication, and commitment to the island community as she serves on this board.
- There was no testimony in opposition of Ms. Cepeda's Re-Appointment to serve as a Member of the Guam Board of Allied Health Examiners.

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The Committee on Health, Land, Justice and Culture hereby reports on the **Re-Appointment of Nadine T. Cepeda to serve as a Member (Marriage & Family Therapist Representative) of the Guam Board of Allied Health Examiners for three (3) Years from December 2, 2022, to December 1, 2025**, with the recommendation TO DO CONFIRM .