

*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*  
2015 (FIRST) Regular Session

Bill No. 71-33 (COR)

Introduced by:

FRANK B. AGUON, JR. 


**AN ACT TO REQUIRE THE GOVERNMENT OF GUAM TO CONDUCT A HEALTH ASSESSMENT OF ALL PEACE OFFICERS PRIOR TO THE IMPLEMENTATION OF PUBLIC LAW 32-232, RELATIVE TO THE PEACE OFFICER STANDARDS AND TRAINING (POST) PHYSICAL FITNESS QUALIFICATION TEST (PFQT).**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*

finds that Public Law No. 32-232, which was signed into law in December 2014, would officially implement the Peace Officer Standards and Training (POST) Physical Fitness Qualification Test (PFQT) for all peace officers serving in the government of Guam within three years from the date of passage of the legislation. This program would require the participation of each peace officer in a regularly scheduled fitness test. It is imperative that the government of Guam ensures that, prior to its initial implementation, these individuals are physically healthy and in good shape to undertake the rigorous physical test requirements. This can be accomplished through having these peace officers undergo a health assessment.

Furthermore, *I Liheslaturan Guahan* finds that although the POST adopted rules and regulations on the implementation of the PFQT provides for health screening to be provided by the peace officers, it is critical that all applicable

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1 government agencies sponsor the initial health assessment. The initial health  
2 assessment provides early identification of emerging physical, mental and  
3 behavioral concerns, *prior* to the official PFQT. During the initial health  
4 assessment, the Peace Officer *shall* be given the opportunity to discuss any  
5 concerns and *may* be referred to specialty care, treatment or rehabilitation services  
6 to correct any identified health threats and/or injuries.

7 Therefore, this provision would require the government agencies to sponsor  
8 the initial health assessment within nine to eighteen months *prior* to the official  
9 PFQT; and further provide the Peace Officer sufficient time to continue their  
10 physical conditioning and preparation for the official implementation of the POST-  
11 PFQT.

12 **Section 2. Health Assessment Requirement for Peace Officers Prior to**  
13 **the Initial Implementation of the Peace Officer Standards and Training**  
14 **(POST) Physical Fitness Qualification Test.**

15 Prior to the initial implementation of the Peace Officer Standards and  
16 Training (POST) Physical Fitness Qualification Test by the Peace Officers,  
17 government of Guam agencies or branch *shall* sponsor the initial health assessment  
18 which *shall* include, but not limited to, the following:

- 19 (a) Health risk questionnaire;
- 20 (b) Vital signs; and
- 21 (c) Urine dipstick.

22 The costs of the initial health assessment for each Peace Officer *shall* be  
23 borne by the government of Guam. The appropriate government entity *shall* utilize  
24 its fiscal year operational budget for the execution of the requirement highlighted  
25 herein. Should the government of Guam sponsored health insurance policy  
26 provide for the conduct of such or similar health assessment, the government entity  
27 *may* have such costs incurred by the peace officer health insurance policy holder.

1           As contained within the POST rules and regulations, succeeding health  
2 screening *shall* be provided by the peace officer, and *shall* be consistent with the  
3 provisions set forth therein.

4           **Section 3. Severability Clause.**   If any provision of this law or its  
5 application to any person or circumstance is found to be invalid, or contrary to law,  
6 such invalidity *shall not* affect other provisions or applications of this law which  
7 can be given effect without the invalid provision or application, and to this end the  
8 provisions of this act are severable.