



*Ufisinan Todu Guam*

**SENATOR DENNIS G. RODRIGUEZ, Jr.**

*I Mina'trentai Unu Na Liheslaturan Guåhan*

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

October 27, 2011

**Honorable Judith T. Won Pat, Ed.D.**

**Speaker**

**I Mina'trentai Unu Na Liheslaturan Guåhan**

155 Hesler Place

Hagåtña, Guam 96910

**VIA: The Honorable Rory J. Respicio**  
**Chairperson, Committee on Rules**

RECEIVED  
OCT 27 11 53 AM  
HAGATNA

**RE: Committee Report – Bill No. 249-31(COR), as Substituted**

**Dear Speaker Won Pat:**

Transmitted herewith, for your consideration, is the **Committee Report on Substitute Bill No. 249-31 (COR) -An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated;** Sponsored by Senator Dennis G. Rodriguez, Jr., and referred to the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform. Bill No. 249-31(COR), as introduced, was publicly heard on July 12, 2011.

Committee votes are as follows:

<u>&lt;/</u>	<b>TO PASS</b>
<u>—</u>	<b>NOT TO PASS</b>
<u>—</u>	<b>ABSTAIN</b>
<u>4</u>	<b>TO REPORT OUT ONLY</b>
<u>—</u>	<b>TO PLACE IN INACTIVE FILE</b>

Senseramente,

**Senator Dennis G. Rodriguez, Jr.**  
**Chairman**

Attachments



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**SENATOR DENNIS G. RODRIGUEZ, Jr.**

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CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

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## **COMMITTEE REPORT ON**

### **BILL NO. 249-31 (COR)** **As Substituted**

**An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated.**




*Ufisinan Todu Guam*  
**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

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JUL 29 2011

MEMORANDUM

**To:** **ALL MEMBERS**  
Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform.

**From:** **Senator Dennis G. Rodriguez, Jr.**   
Committee Chairperson

**Subject:** **Committee Report on Bill no. 249-31(COR).**

Transmitted herewith, for your consideration, is the **Committee Report on Substitute Bill No. 249-31 (COR) -An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated; Sponsored by Senator Dennis G. Rodriguez, Jr.**

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 249-31 (COR)
- Copy of Substitute Bill No. 249-31(COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 249-31(LCOR)
- Notices of Public Hearing (1<sup>st</sup> and 2<sup>nd</sup>)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

Please take the appropriate action on the attached voting 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'!*

Attachments



*Ufisinan Todu Guam*

**SENATOR DENNIS G. RODRIGUEZ, Jr.**

*I Mina'trentai Unu Na Liheslaturan Guåhan*

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

## COMMITTEE VOTING SHEET

**SUBSTITUTE BILL NO. 249-31 (COR) – an Act to Authorize the Department of Public Health & Social Services Director to Charge Third Party Payers, First, for Services Provided to Individuals Who Qualify Under Any Welfare Program (Medicaid, Medically Indigent Program, etc.) by Adding a New Article 12 to Chapter 2, Title 10, Guam Code Annotated; introduced by D. G. Rodriguez, Jr..**

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		✓ 10/27/11				
ADOLPHO B. PALACIOS, Sr. Vice Chairman						
JUDITH T. WON PAT, Ed.D. Speaker						
BENJAMIN J. F. CRUZ Vice-Speaker					✓ 10/27/11	
TINA ROSE MUÑA BARNES Legislative Secretary						
THOMAS C. ADA		✓ 10/27/11				
VICENTE C. PANGELINAN						
RORY J. RESPICIO						
JUDITH P. GUTHERTZ, DPA					10/27/11 ✓	
FRANK F. BLAS, Jr.					10/27/11	
V. ANTHONY ADA		10/27/11				
ALINE A. YAMASHITA, Ph.D.						
SAM MABINI, Ph.D.						
MANA SILVA TAIJERON					10/25/11 ✓	
CHRISTOPHER M. DUENAS		10/27/11				



*Ufisinan Todu Guam*  
**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
*I Mina'trentai Unu Na Liheslaturan Guåhan*  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

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**COMMITTEE REPORT DIGEST**

**Bill No. 249-31(COR)**

**OVERVIEW:** The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform conducted a public hearing on July 12, 2011. The hearing convened at 8:43AM in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 249-31 (COR) -An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated.; Sponsored by Senator Dennis G. Rodriguez, Jr..

**Public Notice Requirements**

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on July 5, 2011 (5-day notice), and again on July 8, 2011 (48-hour notice). Notice was published *on-line and print* in the Pacific Daily News on July 6, 2011 and July 8, 2011, respectively.

**Senators Present**

Senator Adolpho B. Palacios, Sr.	Acting Chairman
Senator Aline A. Yamashita	Committee Member

The public hearing on agenda item Bill No. 249-31(COR) was called to order at 8:43am.

**II. SUMMARY OF TESTIMONY & DISCUSSION.**

**Acting Chairman Palacios** convened the Public Hearing on Bill 249-31(COR). He read the Sponsor Statement as provided by Senator Dennis G. Rodriguez, Jr., author of Bill 249-31 (COR) and invited Mr. Daniel T. Perez to provide testimony.

**Mr. Daniel T. Perez**, President & Chairman of the Board, Community Regional Health Centers: His concern relevant to MIP is that the reform law that currently applies to Guam does not allow the health centers to collect from third party payors. It is critical to the health centers that this be allowed to provide medical services, medical drugs and other services. The bill will allow the health centers to survive if patients are allowed to receive services at the current rate (cost) of services. The funding without third party payors, has caused funding to be expended. Vice Chairman Palacios identified page 2, line 12 as the addition to the law which will allow public health centers to collect from third party payors that may be used as funding for the health centers. After clarification, Mr. Perez states his support for the Bill. Indicates that the Community Regional Health Center Board will discuss this bill at their next board meeting and will submit written testimony.



*Ufisinan Todu Guam*

**SENATOR DENNIS G. RODRIGUEZ, Jr.**

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CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

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There being no other testimony, or comments by Senators, Acting Chairman Palacios declared the bill as having been duly heard, and concluded the public hearing on Bill No. 249-31(COR). The committee would continue to accept written testimony for a few days subsequent to the public hearing.

**Fiscal Note:** Requested on June 28, 2011 (attached) and not received as of July 15, 2011.

### **III. FINDINGS AND RECOMMENDATIONS**

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform, hereby **reports out Substitute Bill No. 249-31(COR)**, with the recommendation to

*Report out Only.*

2011 JUN 24 PM 5:02 ERM

**I MINA'TRENTAI UNU NA LIHESLATURAN GUAHAN**  
**2011 (FIRST) Regular Session**

**Bill No. 249-31(COR)**

Introduced by:

D. G. RODRIGUEZ, JR. *[Signature]*  
M. SILVA TAIJERON *[Signature]*  
V. A. ADA *[Signature]*

**AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES DIRECTOR TO CHARGE THIRD PARTY PAYERS, FIRST, FOR SERVICES PROVIDED TO INDIVIDUALS WHO QUALIFY UNDER ANY WELFARE PROGRAM (MEDICAID, MEDICALLY INDIGENT PROGRAM, ETC.) BY ADDING A NEW ARTICLE 12 TO CHAPTER 2, TITLE 10, GUAM CODE ANNOTATED.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that there is no Medicaid or Medically Indigent Program recovery and reimbursement policy from third-party payers in the Guam statute. In the enactment of the Deficit Reduction Act of 2005 (PL. 109-761) every State and Territory participating under Title XIX of the Social Security Act must comply with the changes to the third-party liability policies of the Medicaid program under Section 6035 of the DRA amended section 1902 (a)(25). The amendment requires every State and Territory to:

(1) Clarify which specific entities are considered "third parties" and "health insurers" that may be liable for payment and that cannot discriminate against individuals based on their eligibility for Medicaid; and

(2) Require that states pass laws requiring health insurers: provide the state with coverage, eligibility and claims data needed by the state to identify potentially liable third parties; honor assignments to the state of a

1 Medicaid/Medically Indigent recipient's right to payment by such insurers for  
2 health care items or services; and not deny such assignment or refuse to pay  
3 claims submitted by Medicaid or the Medically Indigent Program based on  
4 procedural reasons

5 Any State or Territory not in compliance with this Act will be sanctioned.  
6 The DPHSS has received numerous phone calls and letters from the federal  
7 government inquiring on the status of compliance of the Deficit Reduction Act of  
8 2005.

9 **Section 2.** A new Article 12 is hereby added to Chapter 2 of Title 10, Guam  
10 Code Annotated, to read:

11 **"ARTICLE 12**

12 **§3000. Authority of the Department of Public Health and Social**  
13 **Services.** The Department of Public Health and Social Services is hereby  
14 authorized to recover from third-party payers for services provided to recipients of  
15 Medicaid/Medically Indigent Program, etcetera.

16 **§3001 Third-Party Payer Basis and Purpose.** This Article sets forth the  
17 Department of Public Health & Social Services' (DPHSS) Medicaid and Medically  
18 Indigent State Plan requirements concerning:

19 (a) The legal liability of third parties to pay for services provided under the  
20 plan;

21 (b) Assignment to the DPHSS of an individual's rights to third party  
22 payments; and



1 (c) Cooperative agreements between the DPHSS, Division of Social Services and  
2 other entities for obtaining third party payments.

3 **§3002 Definitions**

4 (a) "*DPHSS*" shall mean the Department of Public Health & Social  
5 Services;

6 (b) "*Director*" shall mean the Director of the Department of Public Health  
7 & Social Services;

8 (c) "*Health care insurer*" shall mean a self-insured health benefit plan, a  
9 group health plan as defined in section 607(1) of the employment retirement  
10 income security act of 1974, a pharmacy benefit manager or any other party that by  
11 statute, contract or agreement is responsible for paying for items or services  
12 provided to an eligible person under this act,

13 (d) "*Health care services*" includes products provided or purchased through  
14 an approved facility

15 (e) "*Insurance, medical service, or health plan*" includes a preferred  
16 provider organization, an insurance plan described as Medicare supplemental  
17 insurance, and a personal injury protection plan or medical payments benefit plan  
18 for personal injuries resulting from the operation of a motor vehicle.

19 (f) "*Private insurer*" means:

20 (1) Any commercial insurance company offering health or casualty  
21 insurance to individuals or groups (including both experience-rated  
22 insurance contracts and indemnity contracts);

23 (2) Any profit or nonprofit prepaid plan offering either medical services  
24 or full or partial payment for services included in the State plan; and

25 (3) Any organization administering health or casualty insurance plans for  
26 professional associations, unions, fraternal groups, employer-

1 employee benefit plans, and any similar organization offering these  
2 payments or services, including self-insured and self-funded plans  
3

4 (g) “*Third-party payer*” means an entity that provides an insurance, medical  
5 service, or health plan by contract or agreement, including an automobile liability  
6 insurance or no fault insurance carrier, and any other plan or program that is  
7 designed to provide compensation or coverage for expenses incurred by a  
8 beneficiary for health care services or products.

9 (h) “*Title IV-D agency*” means the organizational unit in the State that has  
10 the responsibility for administering or supervising the administration of a State  
11 plan for child support enforcement under title IV-D of the Act.

#### 12 **§3003. State Plan Requirements**

13 (a) The Division of Social Services State Plan must provide for:

14 (1) Identifying third parties liable for payment of services under the plan  
15 and for payment of claims involving third parties.

16 (2) Assignment of rights to benefits, cooperation with the agency in  
17 obtaining medical support or payments, and cooperation in identifying  
18 and providing information to assist the State in pursuing any liable  
19 third parties; and

20 (3) Assuring the requirements for cooperative agreements and incentive  
21 payments for third party collections are met.

22 (4) On or before January 1 of each year, the Director shall publish a  
23 report on health care insurer compliance with the claims data

24 **§4004. Health care services incurred on behalf of covered beneficiaries;**  
25 **collection from third-party payer.**

1 (a) In the case of a person who is a covered beneficiary, the DPHSS shall  
2 have the right to collect from a third-party payer reasonable charges for health care  
3 services incurred by the DPHSS on behalf of such person through a health facility  
4 to the extent that the person would be eligible to receive reimbursement or  
5 indemnification from the third-party payer if the person were to incur such charges  
6 on the person's own behalf. If the insurance, medical service, or health plan of that  
7 payer includes a requirement for a deductible or copayment by the beneficiary of  
8 the plan, then the amount that the DPHSS may collect from the third-party payer is  
9 a reasonable charge for the care provided less the appropriate deductible or  
10 copayment amount.

11 (b) A covered beneficiary may not be required to pay an additional amount  
12 to the DPHSS for health care services by reason of this section.

13 (c) No provision of any insurance, medical service, or health plan contract  
14 or agreement having the effect of excluding from coverage or limiting payment of  
15 charges for certain care shall operate to prevent collection by the DPHSS under  
16 subsection (a) if that care is provided:

17 (1) Through an approved facility;

18 (2) Directly or indirectly by a governmental entity;

19 (3) To an individual who has no obligation to pay for that care or for  
20 whom no other person has a legal obligation to pay; or

21 (4) By a provider with which the third party payer has no participation  
22 agreement.

23 (d) Under regulations prescribed under subsection (e), records of the facility  
24 that provided health care services to a beneficiary of an insurance, medical service,  
25 or health plan of a third-party payer shall be made available for inspection and

1 review by representatives of the payer from which collection by the DPHSS is  
2 sought.

3 (e) To improve the administration of this section the Director may prescribe  
4 regulations providing for the collection of information regarding insurance,  
5 medical service, or health plans of third-party payers held by covered beneficiaries.

6 (f) Information obtained under this subsection may not be disclosed for any  
7 purpose other than to carry out the purpose of this section

8 (g) Amounts collected under this section from a third-party payer or under  
9 any other provision of law from any other payer for health care services provided  
10 at or through an approved facility shall be credited to the appropriation supporting  
11 the maintenance and operation of the facility and shall not be taken into  
12 consideration in establishing the operating budget of the facility.

13 (h) In the case of a third-party payer that is an automobile, liability insurance  
14 or no fault insurance carrier, the right of the DPHSS to collect under this section  
15 shall extend to health care services provided to a person entitled to health care  
16 under this Act.

17 **§3005. Obtaining health insurance information: Initial application and**  
18 **redetermination processes for Medicaid eligibility.**

19 (a) If the Medicaid agency determines eligibility for Medicaid, it must,  
20 during the initial application and each redetermination process, obtain from the  
21 applicant or recipient such health insurance information as would be useful in  
22 identifying legally liable third party resources so that the agency may process  
23 claims under the third party liability payment procedures. Health insurance  
24 information may include, but is not limited to, the name of the policy holder, his or

1 her relationship to the applicant or recipient, the social security number (SSN) of  
2 the policy holder, and the name and address of insurance company and policy  
3 number.

4 (b) Cooperation in establishing paternity and in obtaining medical support  
5 and payments and in identifying and providing information to assist in pursuing  
6 third parties who may be liable to pay.

7 **§3006. Confidentiality of information obtained.** Any information  
8 obtained by the director or the administration under this section shall be  
9 maintained as confidential as required by the health insurance portability and  
10 accountability act of 1996 (p. l. 104-191; 110 stat. 1936) and other applicable law  
11 and shall be used solely for the purpose of determining whether a health care  
12 insurer was also providing coverage to an individual during the period that the  
13 individual was an eligible member, for the purposes of avoiding payments by the  
14 system for services covered through other insurance and for enforcing the  
15 administration's right to assignment

16 **§3007. Legal proceedings, compromise, settlement or waiver.**

17 (a) The DPHSS may institute and prosecute legal proceedings against a  
18 third-party payer to enforce a right of the DPHSS under this section.

19 (b) The Director may compromise, settle, or waive a claim of the DPHSS  
20 under this section.

21 **§3008. Reports.** The agency must provide such reports with respect to the  
22 data exchanges and trauma code edits set forth, as the Director prescribes for the  
23 purpose of determining compliance under and evaluating the effectiveness of the  
24 third party liability identification system.

1           **§3009. Rules and Regulations.** The DPHSS, Welfare Division shall adopt  
2   necessary rules and regulations for the purposes of this Act and submit to the *I*  
3   *Liheslaturan Guåhan* as per the Adjudication Act.

4           **§3010. Severability.** *If* any provision of this Law or its application to any  
5   person or circumstance is found to be invalid or contrary to law, such invalidity  
6   shall *not* affect other provisions or applications of this Law which can be given  
7   effect without the invalid provisions or application, and to this end the provisions  
8   of this Law are severable.”

**I MINA'TRENTAI UNU NA LIHESLATURAN GUAHAN  
2011 (FIRST) Regular Session**

**Bill No. 249-31 (COR)**

**As Substituted** Committee on Health & Human Services,  
Economic Development, Senior Citizens,  
And Election Reform.

Introduced by:

D. G. RODRIGUEZ, JR.

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**AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC  
HEALTH & SOCIAL SERVICES DIRECTOR TO CHARGE  
THIRD PARTY PAYERS, FIRST, FOR SERVICES PROVIDED  
TO INDIVIDUALS WHO QUALIFY UNDER ANY WELFARE  
PROGRAM (MEDICAID, MEDICALLY INDIGENT  
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(1) Clarify which specific entities are considered “third parties” and “health insurers” that may be liable for payment and that cannot discriminate against individuals based on their eligibility for Medicaid; and

(2) Require that states pass laws requiring health insurers: provide the state with coverage, eligibility and claims data needed by the state to identify potentially liable third parties; honor assignments to the state of a Medicaid/Medically Indigent recipient's right to payment by such insurers for health care items or services; and not deny such assignment or refuse to pay claims submitted by Medicaid or the Medically Indigent Program based on procedural reasons

**Section 2.** A new Article 12 is hereby added to Chapter 2 of Title 10, Guam Code Annotated, to read:

## “ARTICLE 12

**§3000. Authority of the Department of Public Health and Social Services.** The Department of Public Health and Social Services is hereby authorized to recover from third-party payers for services provided to recipients of Medicaid/Medically Indigent Program, etcetera.

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(a) The legal liability of third parties to pay for services provided under the plan;

(b) Assignment to the DPHSS of an individual's rights to third party payments; and



(c) Cooperative agreements between the DPHSS, Division of Public Welfare and other entities for obtaining third party payments.

**§3002. Definitions.**

(a) “*DPHSS*” shall mean the Department of Public Health & Social Services;

(b) “*Director*” shall mean the Director of the Department of Public Health & Social Services;

(c) “*Health care insurer*” shall mean a self-insured health benefit plan, a group health plan as defined in section 607(1) of the employment retirement income security act of 1974, a pharmacy benefit manager or any other party that by statute, contract or agreement is responsible for paying for items or services provided to an eligible person under this act,

(d) “*Health care services*” includes products provided or purchased through an approved facility

(e) “*Insurance, medical service, or health plan*” includes a preferred provider organization, an insurance plan described as Medicare supplemental insurance, and a personal injury protection plan or medical payments benefit plan for personal injuries resulting from the operation of a motor vehicle.

(f) “*Private insurer*” means:

(1) Any commercial insurance company offering health or casualty insurance to individuals or groups (including both experience-rated insurance contracts and indemnity contracts);

(2) Any profit or nonprofit prepaid plan offering either medical services or full or partial payment for services included in the State plan; and

(3) Any organization administering health or casualty insurance plans for professional associations, unions, fraternal groups, employer-

1 employee benefit plans, and any similar organization offering these  
2 payments or services, including self-insured and self-funded plans  
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4 (g) “*Third-party payer*” means an entity that provides an insurance, medical  
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19 third parties; and

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21 payments for third party collections are met.

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24 (a) In the case of a person who is a covered beneficiary, the DPHSS shall  
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26 services incurred by the DPHSS on behalf of such person through a health facility

1 to the extent that the person would be eligible to receive reimbursement or  
2 indemnification from the third-party payer if the person were to incur such charges  
3 on the person's own behalf. If the insurance, medical service or health plan of that  
4 payer includes a requirement for a deductible or copayment by the beneficiary of  
5 the plan, then the amount that the DPHSS may collect from the third-party payer is  
6 a reasonable charge for the care provided less the appropriate deductible or  
7 copayment amount.

8 (b) A covered beneficiary may not be required to pay an additional amount  
9 to the DPHSS for health care services by reason of this section.

10 (c) No provision of any insurance, medical service, or health plan contract  
11 or agreement having the effect of excluding from coverage or limiting payment of  
12 charges for certain care shall operate to prevent collection by the DPHSS under  
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23 review by representatives of the payer from which collection by the DPHSS is  
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6 (g) Amounts collected under this section from a third-party payer or under  
7 any other provision of law from any other payer for health care services provided  
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9 the maintenance and operation of the facility and shall not be taken into  
10 consideration in establishing the operating budget of the facility.

11 (h) In the case of a third-party payer that is an automobile, liability insurance  
12 or no fault insurance carrier, the right of the DPHSS to collect under this section  
13 shall extend to health care services provided to a person entitled to health care  
14 under this Act.

15 **§3005. Obtaining health insurance information: Initial application and**  
16 **redetermination processes for Medicaid and Medically Indigent Program**  
17 **eligibility.**

18 (a) If the Medically Indigent Program (MIP) or the Medicaid agency  
19 determines eligibility for MIP or Medicaid, it must, during the initial application  
20 and each redetermination process, obtain from the applicant or recipient such  
21 health insurance information as would be useful in identifying legally liable third  
22 party resources so that the agency may process claims under the third party liability  
23 payment procedures. Health insurance information may include, but is not limited  
24 to, the name of the policy holder, his or her relationship to the applicant or

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2 address of insurance company and policy number.

3 (b) Cooperation in establishing paternity and in obtaining medical support  
4 and payments and in identifying and providing information to assist in pursuing  
5 third parties who may be liable to pay.

6 **§3006. Confidentiality of information obtained.** Any information  
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8 maintained as confidential as required by the Health Insurance Portability and  
9 Accountability Act (HIPAA) of 1996 (P. L. 104-191; 110 stat. 1936) and other  
10 applicable law and shall be used solely for the purpose of determining whether a  
11 health care insurer was also providing coverage to an individual during the period  
12 that the individual was an eligible member, for the purposes of avoiding payments  
13 by the system for services covered through other insurance and for enforcing the  
14 administration's right to assignment

15 **§3007. Legal proceedings, compromise, settlement or waiver.**

16 (a) The DPHSS may institute and prosecute legal proceedings against a  
17 third-party payer to enforce a right of the DPHSS under this section.

18 (b) The Director may compromise, settle, or waive a claim of the DPHSS  
19 under this section.

20 **§3008. Reports.** The agency must provide such reports with respect to the  
21 data exchanges and trauma code edits set forth, as the Director prescribes for the  
22 purpose of determining compliance under and evaluating the effectiveness of the  
23 third party liability identification system.

24 **§3009. Severability.** *If* any provision of this Law or its application to any  
25 person or circumstance is found to be invalid or contrary to law, such invalidity

1 shall *not* affect other provisions or applications of this Law which can be given  
2 effect without the invalid provisions or application, and to this end the provisions  
3 of this Law are severable.”

4       **Section 3. Effective Date.** This Act shall become immediately effective  
5 upon enactment.



**AGENDA ITEM: Bill No. 249-31 (COR) -An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated. (By D.G. Rodriguez, Jr.)**

BILL NO: 249-31 (COR) Page 1 of 2

## **Sponsor Statement on Bill 249-31**

***Bill No. 249-31 (COR) -An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated. (By D.G. Rodriguez, Jr.)***

Bill 249-31 was introduced at the request of the Department of Public Health and Social Services. Title XIX of the Social Security Act mandates every participating State or Territory to comply with third-party liability policies of the Medicaid program. Enacting this policy will legally allow the Department of Public Health and Social Services to recover payments from third party payers for services provided to Medicaid and MIP recipients.

Since the passage of the Deficit Reduction Act of 2005, Guam has not enacted in its statute the requirement of health insurers provide coverage, eligibility and claims data needed by the territory to identify potentially liable third parties, honor assignments to the territory of a Medicaid/MIP recipient's right to payment by such insurers for health care items or services and not deny such assignment or refuse to pay claims submitted by Medicaid or the Medically Indigent Program (MIP) based on procedural reasons.

The consequences for Guam to continually ignore this federal mandate by not passing a third party liability policy will result in sanctions and may put federal programs in jeopardy. Bill 249-31 ensures Guam compliance with the federal law and also provides some relief to ensure limited public health resources are maximize for the truly indigent community.





**EDDIE BAZA CALVO**  
GOVERNOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

GOVERNMENT OF GUAM

**DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES**  
**DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT**



**JAMES W. GILLAN**  
DIRECTOR

**LEO G. CASIL**  
DEPUTY DIRECTOR

**MEMORANDUM**

**To:** Governors Special Assistant, External Affairs: Telo Taitague

**From:** Director Department of Public Health and Social Services

**Subject:** **Bill No. 249**

*Hafa Adai!* The department supports the intent of Bill No. 249 “AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES DIRECTOR TO CHARGE THIRD PARTY PAYERS, FIRST, FOR SERVICES PROVIDED TO INDIVIDUALS WHO QUALIFY UNDER ANY WELFARE PROGRAM (MEDICAID, MEDICALLY INDIGENT PROGRAM, ETC)” with some comments.

This bill if passed into law will comply with Section 6035(b) of the Deficit Reduction Act Section 1902(a)(25), Subsection (I) of the Act requiring states and territories to have laws that mandate health insurers or other parties that are responsible for payment of a claim for a health care item or service to provide the State with information that enables the State Medicaid agency to determine the existence of third party coverage for Medicaid recipients. It will also strengthen both Medicaid and Medically Indigent Program’s (MIP) ability to identify and collect payment from third party payers that are responsible to pay claims primary to Medicaid and MIP.

Below are the department’s comments on Bill 249:

- Section 1 (2) – should delete the last paragraph, the DRA law only requires States or Territories to pass a law on Third Party Liability
- Section 2, §3001(c) – Division of Social Services should be change to Division of Public Welfare
- Section 2, §3003(a)(4) – should be deleted, it is not a Medicaid State Plan requirement
- Section 2, §3005 – should also include MIP eligibility
- Section 2, §3008- the required reports is not clear and is not required by Centers for Medicaid and Medicare Services.

GOVERNMENT OF GUAM

**DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES**  
***DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT***

- It is recommended for the legislature to create a third party liability law for the entire health insurance industry in collaboration with Guam Insurance Commissioner and not specifically for Medicaid and MIP.

The intent of the DRA law is to reinforce the current process of Medicaid in obtaining payment from third party payers. Should you have any questions, please contact me at 735-7101.

Senseramente,

JAMES W. GILLAN



## COMMITTEE ON RULES

*I Mina'trentai Unu na Libeslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

July 19, 2011

### Memorandum

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

To: Pat C. Santos  
Clerk of the Legislature

MAJORITY  
MEMBERS:

From: Senator Rory J. Respicio

Speaker  
Judith T. Won Pat

Subject: Fiscal Notes

Vice Speaker  
Benjamin J. F. Cruz

*Hafa Adai!*

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Attached please find the fiscal notes for the bill numbers listed below.  
Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Bill Nos.:

Senator  
Thomas C. Ada

77-31 (COR)	237-31 (COR)	246-31 (COR)
172-31 (COR)	239-31 (COR)	249-31 (COR)
209-31 (COR)	240-31 (COR)	251-31 (COR)
212-31 (COR)	242-31 (COR)	252-31 (COR)
226-31 (LS)	243-31 (COR)	253-31 (COR)
228-31 (COR)	244-31 (COR)	254-31 (COR)
233-31 (COR)	245-31 (COR)	256-31 (COR)

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

MINORITY  
MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Senator  
Christopher M. Duenas

*Si Yu'os ma'åse'!*

2011 07 19 10 25 AM  
EPM

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**BENITA A. MANGLONA**  
DIRECTOR

**STEPHEN J. GUERRERO**  
DEPUTY DIRECTOR

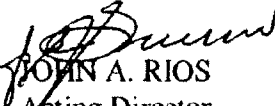
JUL 18 2011

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith are Fiscal Notes on the following Bill Nos.: 77-31(COR), 172-31(COR), 209-31(COR), 212-31(COR), 226-31(LS), 228-31(COR), 233-31(COR), 237-31(COR), 239-31(COR), 240-31(COR), 243-31(COR), 244-31(COR), 245-31(COR), 246-31(COR), 249-31(COR), 251-31(COR), 252-31(COR), 254-31(COR), 256-31(COR) and Fiscal Note Waivers on Bill Nos.: 242-31(COR), 253-31(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

  
JOHN A. RIOS  
Acting Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 249-31(COR)**

**AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES DIRECTOR TO CHARGE THIRD PARTY PAYERS, FIRST, FOR SERVICES PROVIDED TO INDIVIDUALS WHO QUALIFY UNDER ANY WELFARE PROGRAM (MEDICAID, MEDICALLY INDIGENT PROGRAM, ETC.) BY ADDING A NEW ARTICLE 12 TO CHAPTER 2, TITLE 10, GUAM ANNOTATED.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Public Health & Social Services	Dept./Agency Head: James W. Gillan
Department's General Fund (GF) appropriation(s) to date:	47,156,869
Department's Other Fund (Specify) appropriation(s) to date: Environmental Health Fund, Guam Cancer Trust Fund and Healthy Futures Fund	10,423,961
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$57,580,830</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	1/	1/	1/	1/	1/	1/
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

1. Does the bill contain "revenue generating" provisions? / / Yes /x/ No  
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A / / Yes / / No  
If no, what is the additional amount required? \$ / / N/A
3. Does the Bill establish a new program/agency? / / Yes /x/ No  
If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes /x/ No  
Is there a federal mandate to establish the program/agency? / / Yes /x/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /x/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /x/ Yes / / No  
/x/ Requested agency comments not received by due date / / Other: \_\_\_\_\_

Analyst: Orilda J. Guerrero Date: 7/19/11 Director: John A. Rios, Acting Director Date: 7/18/11

**Footnotes:**

1/ The proposed legislation authorizes the Department to recover from third party payers for health care services provided to recipients of Medicaid or the Medically Indigent Program relative to being in compliance with the enactment of the Deficit Reduction Act of 2005 under Title XIX of the Social Security Act. In its current form, there is a potential impact as DPHSS may institute and prosecute legal proceedings against third-party payers to enforce a right of DPHSS under the proposed legislation. However, such associated costs cannot be determined at this time.



## COMMITTEE ON RULES

*I Mina'trentai Unu na Liheslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

June 27, 2011

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

**VIA FACSIMILE**  
**(671) 472-2825**

MAJORITY  
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Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. panglinan

MINORITY  
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Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

**Ms. Benita Manglona**  
**Director**  
**Bureau of Budget & Management Research**  
**P.O. Box 2950**  
**Hagåtña, Guam 96910**

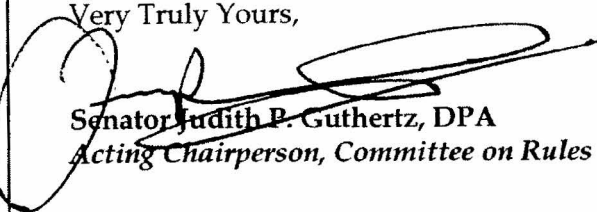
**RE: Request for Fiscal Note -**  
**Bill Nos. 242-31 (COR) through 249-31 (COR)**

*Hafa Adai* Ms. Manglona:

Transmitted herewith is a listing of *I Mina'trentai Unu na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

*Si Yu'os ma'åse'* for your attention to this matter.

Very Truly Yours,

  
Senator Judith P. Guthertz, DPA  
Acting Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

2011 JUN 29 AM 8:04

ATB

MESSAGE CONFIRMATION

JUN-28-2011 10:06 AM TUE

FAX NUMBER : 4772240  
NAME : GNF

NAME/NUMBER : 4722825  
PAGE : 8  
START TIME : JUN-28-2011 10:04AM TUE  
ELAPSED TIME : 01' 42"  
MODE : STD ECM  
RESULTS : [ O.K ]



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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

June 27, 2011

Senator  
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ASST. MAJORITY LEADER

VIA FACSIMILE  
(671) 472-2825

MAJORITY  
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Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Ms. Benita Manglona  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

RE: Request for Fiscal Note -  
Bill Nos. 242-31 (COR) through 249-31 (COR)

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Hafa Adia Ms. Manglona:

Senator  
Dennis G. Rodríguez, Jr.  
ASST. MAJORITY WHIP

Transmitted herewith is a listing of *I Mina'trentai Unu na Libeskatunin Guåhan*'s most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Senator  
Thomas C. Ada

*Si Yu'os ma'ase'* for your attention to this matter

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangolinan

Very Truly Yours,

MINORITY  
MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

Senator Judith P. Guthertz, DPA  
Acting Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

Rec'd by: Jackie  
date: 6/28/11  
time: 1:29pm



## COMMITTEE ON RULES

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Senator  
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Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

### MINORITY MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

June 27, 2011

### MEMORANDUM

To: Pat Santos  
Clerk of the Legislature

Attorney Therese M. Terlaje  
Legislative Legal Counsel

From: Senator Judith P. Guthertz, DPA  
Acting Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 247-31 (COR) through 249-31 (COR)

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 247-31 (COR) through 249-31 (COR).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

(3) Attachment

2011 JUN 28 AM 10:17  
Hans



*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**Bill Log Sheet**

**June 24, 2011**

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
249-31 (COR)	D. G. Rodriguez, Jr., M. Silva Taijeron, V. A. Ada	AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES DIRECTOR TO CHARGE THIRD PARTY PAYERS, FIRST, FOR SERVICES PROVIDED TO INDIVIDUALS WHO QUALIFY UNDER ANY WELFARE PROGRAM (MEDICAID, MEDICALLY INDIGENT PROGRAM, ETC.) BY ADDING A NEW ARTICLE 12 TO CHAPTER 2, TITLE 10, GUAM CODE ANNOTATED.	06/24/11 5:02 p.m.	6/27/11		Committee on Health & Human Services, Senior Citizens, Economic Development and Election Reform			



Joseph Anthony Mesngon &lt;jmesngon.senatorrodriguez@gmail.com&gt;

**Senator 1st Notice PH 7-12-11**

1 message

Clifton Herbert &lt;cherbert.senatorrodriguez@gmail.com&gt;

Tue, Jul 5, 2011 at 1:53 PM

To: phnotice@guamlegislature.org

Ufisinan Todu Guam  
SENATOR DENNIS G. RODRIGUEZ, Jr.  
I Mina'trentai Unu Na Liheslaturan Guåhan  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638Email: Cherbert.senatorrodriguez@gmail.com

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

The Confidential Information is disclosed conditioned upon your agreement that you will treat it confidentially and in accordance with applicable law, ensure that such data isn't used or disclosed except for the limited purpose for which it's being provided and will notify and cooperate with us regarding any requested or unauthorized disclosure or use of any Confidential Information.

By accepting and reviewing the Confidential information, you agree to indemnify us against any losses or expenses, including attorney's fees that we may incur as a result of any unauthorized use or disclosure of this data due to your acts or omissions. If a party other than the intended recipient receives this e-mail, he or she is requested to instantly notify us of the erroneous delivery and return to us all data so delivered.

**Senators 1st Notice PH 7-12-11.pdf**

66K

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)**

**As of Oct. 17, 2011**

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fbtorres@judiwonpat.com	sgrarmes@guamlegislature.org
floterlaje@gmail.com	speaker@judiwonpat.com
frank.blasjr@gmail.com	tanya4families@gmail.com
gavin@tinamunabarnes.com	tcastro@guam.net
guamnativesun@yahoo.com	telo.taitague@guam.gov
jamespcastro@gmail.com	tinaokada@gmail.com
jane@tinamunabarnes.com	tom@senatorada.org
jason@senatorpalacios.com	tterlaje@guam.net
jamacho@senatorada.com	uriah@tinamunabarnes.com
jean@tinamunabarnes.com	val.g@senatormabini.com
jeff.m@senatormabini.com	victoria@senatorpalacios.com
jennifer@senatorpalacios.com	vkomiyama.senatordrodriguez@gmail.com
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judiguthertz@gmail.com	
julian@senatorpalacios.com	
leonguerrero.angela@gmail.com	
lou4families@gmail.com	



SENATOR DENNIS G. RODRIGUEZ, JR.

**Chairman,**  
Committee on  
Health & Human  
Services,  
Senior Citizens,  
Economic  
Development,  
& Election Reform

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural Affairs,  
Procurement, General  
Government  
Operations, & Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing & Recreation

**Member,**  
Committee on Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

**Member,**  
Committee on the  
Guam Military Buildup  
& Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt, Banking,  
Insurance,  
Retirement, & Land

**Member,**  
Committee on Utilities,  
Transportation, Public  
Works,  
& Veterans Affairs

Assistant Majority Whip

TO: ALL SENATORS

FROM: SENATOR DENNIS G. RODRIGUEZ, JR.  
CHAIRPERSON *DR*

SUBJECT: 1<sup>ST</sup> NOTICE OF PUBLIC HEARING

1<sup>ST</sup> NOTICE OF PUBLIC HEARING  
Tuesday, July 12, 2011 8:30AM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on July 12, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

8:30AM

- **Bill No. 249-31 (COR) -An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated. (By D.G. Rodriguez, Jr.)**
- **Bill No. 252-31 (COR) - . An act to add a new provision to referendum titles by amending §17106 of Article 1, Chapter 17, Title 3, Guam Code Annotated. (By D.G. Rodriguez, Jr.)**

10:00AM

- **Informational Briefing: Department of Mental Health and Substance Abuse**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

*Ufisinan Todu Guam • 31<sup>st</sup> Guam Legislature*

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520

E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com)



Joseph Anthony Mesngon &lt;jmesngon.senatorrodriguez@gmail.com&gt;

## Fwd: Public Hearing 1st Notice July 12,2011

1 message

Clifton Herbert &lt;cherbert.senatorrodriguez@gmail.com&gt;

Wed, Jul 13, 2011 at 8:50 AM

To: Joseph Mesngon &lt;jmesngon.senatorrodriguez@gmail.com&gt;

----- Forwarded message -----

From: **Clifton Herbert** <cherbert.senatorrodriguez@gmail.com>

Date: Tue, Jul 5, 2011 at 3:15 PM

Subject: Public Hearing 1st Notice July 12,2011

To: [clynt@spbgum.com](mailto:clynt@spbgum.com), [dcrisostomo@guampdn.com](mailto:dcrisostomo@guampdn.com), [dmgeorge@guampdn.com](mailto:dmgeorge@guampdn.com), [dtamondong@guampdn.com](mailto:dtamondong@guampdn.com), [gdumat-ol@guampdn.com](mailto:gdumat-ol@guampdn.com), [gerry@mvguam.com](mailto:gerry@mvguam.com), [hottips@kuam.com](mailto:hottips@kuam.com), [jason@kuam.com](mailto:jason@kuam.com), [john@kuam.com](mailto:john@kuam.com), [jtyquiengco@spbgum.com](mailto:jtyquiengco@spbgum.com), [marvic@mvguam.com](mailto:marvic@mvguam.com), [mindy@kuam.com](mailto:mindy@kuam.com), [mpieper@guampdn.com](mailto:mpieper@guampdn.com), [mvariety@pticom.com](mailto:mvariety@pticom.com), [news@spbgum.com](mailto:news@spbgum.com), [nick.delgado@kuam.com](mailto:nick.delgado@kuam.com), [parroyo@k57.com](mailto:parroyo@k57.com), [reporter3@glimpsesofofguam.com](mailto:reporter3@glimpsesofofguam.com), [rgibson@k57.com](mailto:rgibson@k57.com), [ricknauta@hitradio100.com](mailto:ricknauta@hitradio100.com), [sabrina@kuam.com](mailto:sabrina@kuam.com), [slimtiaco@guampdn.com](mailto:slimtiaco@guampdn.com), [thebigshow@k57.com](mailto:thebigshow@k57.com), [therese.hart.writer@gmail.com](mailto:therese.hart.writer@gmail.com), [zita@mvguam.com](mailto:zita@mvguam.com), James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbgum.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Pacific Daily News <news@guampdn.com>, William Gibson <breakfastshowk57@gmail.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, "Leon Guerrero, Lourissa C" <lleonquerr@guam.gannett.com>

Ufisinan Todu Guam  
**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
 I Mina'trentai Unu Na Liheslaturan Guåhan  
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: [Cherbert.senatorrodriguez@gmail.com](mailto:Cherbert.senatorrodriguez@gmail.com)

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Ufisinan Todu Guam  
**SENATOR DENNIS G. RODRIGUEZ, Jr.**  
I Mina'trentai Unu Na Liheslaturan Guåhan  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatordrodriguez@gmail.com

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**Public Hearing 1st Notice July 12, 2011.pdf**

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## SENATOR DENNIS G. RODRIGUEZ, JR.

### **PRESS RELEASE**

#### FIRST NOTICE OF PUBLIC HEARING

Tuesday, July 12, 2011 8:30AM

**Chairman,**  
**Committee on**  
**Health & Human**  
**Services,**  
**Senior Citizens,**  
**Economic**  
**Development,**  
**& Election Reform**

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural Affairs,  
Procurement, General  
Government  
Operations, & Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing & Recreation

**Member,**  
Committee on Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

**Member,**  
Committee on the  
Guam Military Buildup  
& Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt, Banking,  
Insurance,  
Retirement, & Land

**Member,**  
Committee on Utilities,  
Transportation, Public  
Works,  
& Veterans Affairs

Assistant Majority Whip

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on, July 12, 2011, at *Liheslaturan Guåhan*'s Public Hearing Room in Hagåtña, on the following:

8:30AM

- **Bill No. 249-31 (COR) -An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated. (By D.G. Rodriguez, Jr.)**
- **Bill No. 252-31 (COR) - . An act to add a new provision to referendum titles by amending §17106 of Article 1, Chapter 17, Title 3, Guam Code Annotated. (By D.G. Rodriguez, Jr.)**

10:00AM

- **Informational Briefing: Department of Mental Health and Substance Abuse**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

###

*Ufisinan Todu Guam • 31<sup>st</sup> Guam Legislature*

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520  
E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com)



Joseph Anthony Mesngon &lt;jmesngon.senatordrodriguez@gmail.com&gt;

---

**Senators Second Notice of Public Hearing July 12, 2011**1 message

---

Clifton Herbert &lt;cherbert.senatordrodriguez@gmail.com&gt;

Fri, Jul 8, 2011 at 10:29 AM

To: phnotice@guamlegislature.org

Bcc: jmesngon.senatordrodriguez@gmail.com

Ufisinan Todu Guam  
SENATOR DENNIS G. RODRIGUEZ, Jr.  
I Mina'trentai Unu Na Liheslaturan Guåhan  
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Dear Senators,

*Buenas yan Hafa Adai!*

Please find attached Notice and Agenda regarding Tuesday, July 12, 2011 Public Hearing and Informational Briefing regarding the Department of Mental Health and Substance Abuse. Thank you and have a great day!

**Si Yo'us Ma'ase.**

Sincerely,

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638Email: Cherbert.senatordrodriguez@gmail.com

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**2 attachments**

4



 **Public Hearing 2nd Notice July 12, 2011.pdf**  
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 **Public Hearing Agenda July 12, 2011.pdf**  
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SENATOR DENNIS G. RODRIGUEZ, JR.

**Chairman,**  
Committee on  
Health & Human  
Services,  
Senior Citizens,  
Economic  
Development,  
& Election Reform

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural Affairs,  
Procurement, General  
Government  
Operations, & Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing & Recreation

**Member,**  
Committee on Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources


**Member,**  
Committee on the  
Guam Military Buildup  
& Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt, Banking,  
Insurance,  
Retirement, & Land

**Member,**  
Committee on Utilities,  
Transportation, Public  
Works,  
& Veterans Affairs

Assistant Majority Whip

TO: ALL SENATORS

FROM: SENATOR DENNIS G. RODRIGUEZ, JR.   
CHAIRPERSON

SUBJECT: 2<sup>nd</sup> NOTICE OF PUBLIC HEARING

2<sup>nd</sup> NOTICE OF PUBLIC HEARING  
Tuesday, July 12, 2011 8:30AM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on July 12, 2011, at *Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

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*Ufisinan Todu Guam • 31<sup>st</sup> Guam Legislature*

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E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com)



Joseph Anthony Mesngon &lt;jmesngon.senatorrodriguez@gmail.com&gt;

## Public Hearing 2nd Notice July 12, 2011

1 message

Clifton Herbert &lt;cherbert.senatorrodriguez@gmail.com&gt;

Fri, Jul 8, 2011 at 10:33 AM

To: clynt@spbguam.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbguam.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofiguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slintiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbguam.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Pacific Daily News <news@guampdn.com>, William Gibson <breakfastshowk57@gmail.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, "Leon Guerrero, Lourissa C" <lleonguerr@guam.gannett.com>

Bcc: jmesngon.senatorrodriguez@gmail.com

--

Ufisinan Todu Guam  
 SENATOR DENNIS G. RODRIGUEZ, Jr.  
 I Mina'trentai Unu Na Liheslaturan Guåhan  
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,  
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: [Cherbert.senatorrodriguez@gmail.com](mailto:Cherbert.senatorrodriguez@gmail.com)


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 **Public Hearing Agenda July 12, 2011.pdf**  
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SENATOR DENNIS G. RODRIGUEZ, JR.

**PRESS RELEASE**

2<sup>nd</sup> NOTICE OF PUBLIC HEARING

Tuesday, July 12, 2011 8:30AM

**Chairman,**  
**Committee on**  
**Health & Human**  
**Services,**  
**Senior Citizens,**  
**Economic**  
**Development,**  
**& Election Reform**

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural Affairs,  
Procurement, General  
Government  
Operations, & Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing & Recreation

**Member,**  
Committee on Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

**Member,**  
Committee on the  
Guam Military Buildup  
& Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt, Banking,  
Insurance,  
Retirement, & Land

**Member,**  
Committee on Utilities,  
Transportation, Public  
Works,  
& Veterans Affairs

Assistant Majority Whip

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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

###

*Ufisinan Todu Guam • 31<sup>st</sup> Guam Legislature*

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520  
E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com)



## UPDATE: Legislature's health committee to hold hearing Tuesday

(TODU).

Written by

**Pacific Daily News**

3:30 PM, Jul. 6, 2011|

The Legislature's Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a public hearing on Tuesday at the Legislature's public hearing room.

At 8:30 a.m. testimony on the following will be heard:

- Bill249, introduced by the committee's chairman, Sen. Dennis Rodriguez Jr., aims to authorize the Department of Public Health & Social Services Director to charge third-party payers, first, for services provided to individuals who qualify under any welfare program such as Medicaid, Medically Indigent Program, etc.; and
- Bill 252, also introduced by Rodriguez, relative to referendum titles.

At 10 a.m., there will be an informational briefing on the Department of Mental Health and Substance Abuse.

For further information, call the Office of Senator Dennis Rodriguez, Jr. at 649-8638

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# LOCAL

## Special activities honor the liberation of Guam

### Pacific Daily News

The National Park Service is offering special activities throughout this month to commemorate the liberation of Guam.

▲ From 10 a.m. to 3 p.m. tomorrow at Asan Beach, Armed Services Recognition Day will be celebrated.

▲ On Sunday at Fonte Plateau, there will be a 30-minute hike. Residents are asked to meet at the bunker on Route 6 one mile north of Top O' the Mar and discover the Japanese Command Post.

▲ From 1-3 p.m. July 16 at the T. Stell Newman Visitor Center, check out artifacts and listen to a special Curator's Corner presentation on the battle for Guam.

▲ At 2 p.m. on July 16, at Asan Beach, listen to a 30-minute "Sailor's

Story."

▲ At 2 p.m. July 17 at Piti Guns, there will be a 45-minute hike to three Japanese coastal defense guns. Meet in front of Our Lady of Assumption Church in Piti.

▲ At 2 p.m. July 23 at Asan Bay Overlook, hear about the 3rd Marine Division's struggle to take Nimitz Hill in a 30-minute presentation.

▲ At 2 p.m. July 24, at Apaca Point, residents can learn about the fight to capture Orote Peninsula through a 30-minute presentation.

▲ At 2 p.m. July 30 at Asan Bay Overlook, residents can learn about what happened to Guam after liberation in a 30-minute presentation.

▲ At 2 p.m. July 31 at Ga'an Point, residents can listen to the story of the 77th Army Division.

### LOCAL NEWS

#### Legislature's health committee hearing

The Legislature's health committee will be conducting a public hearing on Tuesday at the Legislature's public hearing room.

At 8:30 a.m. testimony on the following will be heard:

▲ Bill 249, introduced by the committee's chairman, Sen. Dennis Rodriguez Jr., aims to authorize the Department of Public Health and Social Services director to charge third-party payers, first, for services

provided to individuals who qualify under any welfare programs such as Medicaid, the Medically Indigent Program, etc.; and

▲ Bill 252, also introduced by Rodriguez, relative to referendum titles.

At 10 a.m., there will be an informational briefing on the Department of Mental Health and Substance Abuse.

For further information, call Rodriguez's office at 649-8638 (TODU).

Pacific Daily News



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SENATOR DENNIS G. RODRIGUEZ, JR.

**PUBLIC HEARING AGENDA**

TUESDAY JULY 12, 2011

8:30AM

Public Hearing Room, *I Liheslaturan Guåhan*, Hagatña, Guam

**Chairman,**  
Committee on  
Health & Human  
Services,  
Senior Citizens,  
Economic  
Development,  
& Election Reform

**Member,**  
Committee on  
Public Safety, Law  
Enforcement,  
& Judiciary

**Member,**  
Committee on  
Youth, Cultural Affairs,  
Procurement, General  
Government  
Operations, & Public  
Broadcasting

**Member,**  
Committee on  
Municipal Affairs,  
Tourism,  
Housing & Recreation

**Member,**  
Committee on Rules,  
Federal, Foreign &  
Micronesian  
Affairs, & Human &  
Natural Resources

**Member,**  
Committee on the  
Guam Military Buildup  
& Homeland Security

**Member,**  
Committee on  
Appropriations,  
Taxation,  
Public Debt, Banking,  
Insurance,  
Retirement, & Land

**Member,**  
Committee on Utilities,  
Transportation, Public  
Works,  
& Veterans Affairs

Assistant Majority Whip

I. Call to Order

II. Announcements

III. Items for Public Consideration

8:30AM

- **Bill No. 249-31 (COR) -An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated. (By D.G. Rodriguez, Jr.)**
- **Bill No. 252-31 (COR) - . An act to add a new provision to referendum titles by amending §17106 of Article 1, Chapter 17, Title 3, Guam Code Annotated. (By D.G. Rodriguez, Jr.)**

10:00AM

- **Informational Briefing: Department of Mental Health and Substance Abuse**

IV. Announcements

V. Adjournment

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Dennis G. Rodriguez, Jr. at 176 Serenu Avenue Suite 107, Tamuning, Guam, at our mailbox in the Legislature Building at 155 Hesler Place, Hagatña, Guam or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com). Copies of the aforementioned Resolution and/or Bills may be obtained at *I Liheslaturan Guåhan's* website at [www.guamlegislature.org](http://www.guamlegislature.org). Individuals requiring special accommodations or services, please contact our office at 649-8638. We look forward to your presence and participation.

*Ufisinan Todu Guam • 31<sup>st</sup> Guam Legislature*

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