

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
**APPOINTMENTS**

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	CMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	CMTE REPORT FILED	DATE CONFIRMED	NOTES
35GL-20-1941	Michael J. Um, MD	Member	Guam Memorial Hospital Authority Board of Trustees	6/26/20	Six (6) Years; April 15, 2020 to April 14, 2026	Committee on Health, Tourism, Historic Preservation, Land, and Justice	6/30/20	9/16/20 5:00 p.m.	10/15/20 4:27 p.m.		



**SENATOR THERESE M. TERLAJE**

Committee on Health, Tourism, Historic Preservation, Land and Justice  
*I Mina'trentai Singko na Liheslaturan Guåhan*  
35<sup>th</sup> Guam Legislature

October 8, 2020

**The Honorable Tina Rose Muña Barnes**

Speaker

*I Mina'trentai Singko na Liheslaturan Guåhan*

163 Chalan Santo Papa

Hagåtña Guam, 96910

**VIA: The Honorable Régine Biscoe Lee**   
Chairperson, Committee on Rules

**RE: Committee Report on the Appointment of Michael J. Um, MD to serve as a Member, Board of Trustees to the Guam Memorial Hospital Authority**

*Håfa Adai* Speaker Barnes:

Transmitted herewith is the Committee Report on the **Executive Appointment of Michael J. Um, MD** to serve as a *Member, Board of Trustees of the Guam Memorial Hospital Authority*, and which was referred to the Committee on Health, Tourism, Historic Preservation, Land and Justice.

Committee votes are as follows:

<u>4</u>	TO CONFIRM
<u>0</u>	TO NOT CONFIRM
<u>1</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

**COMMITTEE ON RULES**


**RECEIVED:**

October 8, 2020

10:22 A.M.



Sincerely,

  
Therese M. Terlaje

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Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)



*SENATOR THERESE M. TERLAJE*

Committee on Health, Tourism, Historic Preservation, Land and Justice

*I Mina' trentai Singko na Libeslaturan Guåhan*

35<sup>th</sup> Guam Legislature

## COMMITTEE REPORT

# Nomination of Michael J. Um, MD

To Serve as a Member, Board of Trustees of  
the Guam Memorial Hospital Authority

For a term length of six (6) years;  
April 15, 2020 to April 14, 2026

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Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)



## SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice  
*I Mina' trentai Singko na Libeslaturan Guåhan*  
35<sup>th</sup> Guam Legislature

October 8, 2020

### MEMORANDUM

**To:** All Members  
Committee on Health, Tourism, Historic Preservation, Land and Justice

**From:** Senator Therese M. Terlaje <sup>Tmt</sup>  
Committee Chairperson

**Subject:** Committee Report on the Appointment of Michael J. Um, MD

Transmitted herewith for your consideration is the Committee Report on the appointment of **Michael J. Um, MD** to serve as a *Member, Board of Trustees of the Guam Memorial Hospital Authority*.

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
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Supporting Documents
- Committee Report Digest
- Committee Vote Sheet

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'!*

Senator Régine Biscoe Lee,  
Chair

Senator Amanda L. Shelton,  
Vice Chair

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telen Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), PhD,  
Member

Senator Sabina Flores Perez,  
Member



**COMMITTEE ON RULES**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

June 30, 2020

Senator Clynton E. Ridgell,  
Member

Senator Joe S. San Agustin,  
Member

Senator Jose "Pedo" Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and Chair, Subcommittee on Protocol

## MEMO

**To:** **Rennae Meno**  
Clerk of the Legislature

**Attorney Ana Won Pat-Borja**  
Legislative Legal Counsel

**From:** **Senator Régine Biscoe Lee**  
Chair, Committee on Rules

**Re:** **Referral of Appointment**

*Bueñas yan Håfa Adai!*

As Chair of the Committee on Rules, I am forwarding the referral of the following appointment:

**Appointee: Michael J. Um, MD**

**Position: Member, Guam Memorial Hospital Authority, Board of Trustees**

The appointee's nomination packet may be referenced in the Guam Legislature's website at <http://guamlegislature.com/index/messages-and-communication/>. Please refer to the following document:

**"35GL-20-1941– Office of the Governor of Guam – Appointment and Supporting Documents for Michael J. Um, MD, Member, Guam Memorial Hospital Authority, Board of Trustees."**

Please ensure that the aforementioned appointment is referred to the **Committee on Health, Tourism, Historic Preservation, Land, and Justice by Senator Therese M. Terlaje.**

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Régine Biscoe Lee".

Senator Régine Biscoe Lee  
Chair, Committee on Rules



*I Mina Trental Knitro Na Lihelaturan Guåhan*  
**APPOINTMENTS**

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	CMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	CMTE REPORT FILED	DATE CONFIRMED	NOTES
35GL-20-1941	Michael J. Um, MD	Member	Guam Memorial Hospital Authority Board of Trustees	6/26/20	Six (6) Years; April 15, 2020 to April 14, 2026	Committee on Health, Tourism, Historic Preservation, Land, and Justice	6/30/20				

**clerks@guamlegislature.org**

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**From:** Speaker's Office <speaker@guamlegislature.org>  
**Sent:** Monday, June 29, 2020 1:56 PM  
**To:** Clerks Office  
**Cc:** Rennae Meno  
**Subject:** Messages and Communications  
**Attachments:** Appointment for Gurvinder, Bic, S. Sobti.pdf; Appointment for Donald I. Weakley, Sr.pdf; Appointment for Lucy M. Alcorn.pdf; Appointment for Steven R. Hollister.pdf; Appontment for Michael J. Um, MD.pdf

06-29-20	11:16 AM	06-25-20	Appointment and Supporting Documents for Donald I. Weakley, Sr., Member, A.B. Won Pat International Airport Authority Board of Directors.	Office of the Governor of Guam	35GL-20-1937
06-29-20	11:16 AM	06-25-20	Appointment and Supporting Documents for Gurvinder "Bic" S. Sobti, Member, A.B. Won Pat International Airport Authority Board of Directors.	Office of the Governor of Guam	35GL-20-1938
06-29-20	11:16 AM	06-26-20	Appointment and Supporting Documents for Lucy M. Alcorn, Member, A.B. Won Pat International Airport Authority Board of Directors.	Office of the Governor of Guam	35GL-20-1939
06-29-20	11:16 AM	06-25-20	Appointment and Supporting Documents for Steven R. Hollister, Member, Guam Environmental Protection Agency.	Office of the Governor of Guam	35GL-20-1940
06-29-20	11:16 AM	06-26-20	Appointment and Supporting Documents for Michael J. Um, MD, Member, Guam Memorial Hospital Authority Board of Trustees.	Office of the Governor of Guam	35GL-20-1941



*Sinseru yan Minagåhet,*

**Office of the Speaker • Tina Rose Muña Barnes**  
Committee on Public Accountability, Human Resources & the  
Guam Buildup

35th Guam Legislature  
*I Mina'trentai Singko na Liheslaturan Guåhan*

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910  
T: (671) 477-2520/1  
[speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)

This e-mail message is intended only for the use of the individual or entity named above and may contain confidential and privileged information. If you are not the intended recipient, any disclosure, copying, distribution or use of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error, please immediately notify us by replying to [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org) and delete the message immediately. Thank you very much.

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(s) whose information has been included as part of this transmittal.

Gumai pribilehu yan konfedensia este siha na mensâhi. Solo espesiâtmente para hâgu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespâtcha. Yanggen lachi rinisibu-mu nu este na mensâhi , put fabot ago' guatu gi I numa'huyong gi as [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org) yan despues destrosa todû siha I kopian mensâhi. Si Yu'os ma'âse'.



UFISINAN I MAGA'HÅGA  
OFFICE OF THE GOVERNOR



LOURDES A. LEON GUERRERO  
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO  
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

June 26, 2020

Honorable Tina Rose Muña Barnes  
Speaker  
*I Mina'trentai Singko Na Liheslaturan Guåhan*  
Guam Congress Building  
163 Chalan Santo Papa  
Hagatna, Guam 96932

35GL-20-1941  
Speaker Tina Rose Muña Barnes

**RE: Board Appointment**

JUN 29 2020  
Time 11:16 AM  
Received By: [Signature]

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

APPOINTEE: Michael J. Um, MD  
POSITION: Member, Board of Trustees  
Guam Memorial Hospital Authority  
TERM LENGTH: Six (6) Years; April 15, 2020 to April 14, 2026

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

*Senseramente,*

**LOURDES A. LEON GUERRERO**  
*Maga'hågan Guahan*  
Governor of Guam

cc: Lt. Governor of Guam

LOURDES A. LEON GUERRERO  
MAGA'HAGA • GOVERNOR



JOSHUA F. TENORIO  
SIGUNDO MAGA'LARI • LIEUTENANT GOVERNOR

June 26, 2020

Michael J. Um, MD

Dear Dr. Um:

Pursuant to my authority under 10 GCA § 80105, I am reappointing you to serve as a

**MEMBER, BOARD OF TRUSTEES  
GUAM MEMORIAL HOSPITAL AUTHORITY  
Term Length: Six (6) Years; April 15, 2020 to April 14, 2026**

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 Guahân*. If you have any questions or concerns, please contact Michael Weakley of the Governor's Office at 475-9477.

*Senseramente,*

**LOURDES A. LEON GUERRERO**  
*Maga'hagan Guahan*  
Governor of Guam

cc: Lt. Governor of Guam  
Chairman, GMHA Board  
Administrator, GMHA

**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

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

### EDUCATION

SCHOOL (Name, City and State)	DATES OF ATTENDANCE	TYPE OF DEGREE	YEAR EARNED
<b>High School</b> Bishop Diego HS, Santa Barbara, CA	1996-2000	High school diploma	2000
<b>College</b> UC Berkeley, Berkeley, CA	2000-2005	BA	2005
<b>Graduate School</b> Saint Louis University School of Medicine, MO	2008-2012	MD	2012
<b>Other Degree</b>			

## EMPLOYMENT HISTORY

<b>Name of Present/Last Employer and Mailing Address</b> One Love Pediatrics 744 N. Marine Corps Dr. C211 Upper Tumon, GU 96913		<b>Position Title</b> physician-owner
		<b>Dates Held</b> 9/2016-present
<b>Previous Employer and Mailing Address</b> Guam Memorial Hospital Authority 850 Gov Camacho Rd Tamuning, GU 96913		<b>Position Title</b> Pediatric Hospitalist
		<b>Dates Held</b> 1/2016-present
<b>Previous Employer and Mailing Address</b> UCSF Benioff Children's Hospital 747 52nd St Oakland, CA 94609		<b>Position Title</b> Urgent Care Physician
		<b>Dates Held</b> 7/2015-10/2015
<b>Previous Employer and Mailing Address</b> Pediatric Evening Referral Clinic 2999 Regent Street #325 Berkeley, CA 94705 (Has since moved)		<b>Position Title</b> Urgent Care Physician
		<b>Dates Held</b> 7/2015-10/2015
<b>Previous Employer and Mailing Address</b> UCSF Benioff Children's Hospital 747 52nd St Oakland, CA 94609		<b>Position Title</b> Pediatric Resident
		<b>Dates Held</b> 7/2012-7/2015

## PRIOR GOVERNMENT OF GUAM SERVICE

<b>Agency or Department Name</b> N/A		<b>Position Title</b> N/A	
<b>Address</b> N/A	<b>Phone No.</b> N/A	<b>Dates Held</b> N/A	
<b>Agency or Department Name</b>		<b>Position Title</b>	
<b>Address</b>	<b>Phone No.</b>	<b>Dates Held</b>	

**PRIOR GOVERNMENT SERVICE (EXCLUDING GOVERNMENT OF GUAM)**

<b>Agency or Department Name</b> N/A		<b>Position Title</b> N/A	
<b>Address</b> N/A	<b>Phone No.</b> N/A	<b>Dates Held</b> N/A	

<b>Agency or Department Name</b>		<b>Position Title</b>	
<b>Address</b>	<b>Phone No.</b>	<b>Dates Held</b>	

**TRAINING**

<b>INSTITUTE/SEMINARS/ON-THE-JOB TRAINING</b>	<b>DATE</b>
TeamSTEPPS	2/22/16-2/23/16

**AWARDS**

<b>List all educational, professional, civic awards, and recognition for public service:</b>
N/A

**PROFESSIONAL INVOLVEMENT**

<b>List involvement on a local/national/international level. List organizations, activities participated in, and offices held:</b>
Member, Board of Directors, GMHA, 2019 - Present Member of Guam Medical Association Board certified member of American Academy of Pediatrics

### COMMUNITY / CIVIC INVOLVEMENT

*List organizations, activities participated in, and offices held:*

Make-A-Wish Guam & CNMI: medical advisor and advocate, 2018-present  
Guam Korean Chamber of Commerce: founding member, vice-president, 2018-present  
GMH Bylaws Committee: committee chair, 2017-present  
GMHVA Angels in Need charity fund: founder/physician consultant, 2016-present

### PUBLICATIONS AND PRESENTATIONS

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

N/A

### MILITARY SERVICE (Please attach Form DD-214)

<i>BRANCH</i>	<i>DATES OF SERVICE</i>	<i>RANK AT DISCHARGE</i>	<i>TYPE OF DISCHARGE</i>
N/A	N/A	N/A	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:

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**(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:

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**LOURDES A. LEON GUERRERO**  
Governor

**JOSHUA F. TENORIO**  
Lieutenant Governor



**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: Michael J. Um

- 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
Guam Memorial Hospital	Employee
One Love Pediatrics	Owner

  
\_\_\_\_\_  
Signature

6/17/20  
\_\_\_\_\_  
Date





# SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910

Telephone (671) 475-3370/475-3449

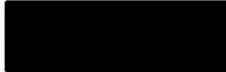
Fax (671) 472-2856

**DANIELLE T. ROSETE**  
Clerk of Court

Name: **MICHAEL JUNG-BAE UM**

SS#:

ID# GU DL#



Date of Birth:



## CERTIFICATE OF SEARCH

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

**Criminal Cases:**

- A.  No Case Found
- B. 1. Criminal Case No.
- 2. Criminal Case No.
- 3. Criminal Case No.
- 4. Criminal Case No.
- 5. Criminal Case No.

Criminal Record: Page 1 of 1

**Civil Cases:**

- A.  No Case Found
- B. 1. Civil Case No.
- 2. Civil Case No.
- 3. Civil Case No.
- 4. Civil Case No.
- 5. Civil Case No.

Civil Record: Page 1 of 1

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, Hagatña, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: 06/25/2020

**DANIELLE T. ROSETE**  
Clerk of Court

BY: **EVAN L. TOPASNA**  
Deputy Clerk

Prepared By: ET



The absence of an original Court Seal invalidates this document



Government of Guam  
GUAM POLICE DEPARTMENT  
RECORDS & IDENTIFICATION SECTION  
P.O. Box 23909  
Guam Main Facility, Guam 96921



June 17, 2020

**SUBJECT: CRIMINAL HISTORY RECORD**

<b>NAME:</b>	Michael Jung-Bae UM		
<b>DATE OF BIRTH:</b>	[REDACTED]	<b>FINGERPRINT#:</b>	[REDACTED]
<input checked="" type="checkbox"/>	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: angela

**STEPHEN C. IGNACIO**  
Chief of Police

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



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

## NOTICE of Virtual Public Hearing- Wednesday, September 16, 2020 beginning at 2:00 p.m.

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com> Thu, Sep 10, 2020 at 9:10 AM

To: Speaker's Office <speaker@guamlegislature.org>, Vice Speaker Telena Cruz Nelson <senatorcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, Senator Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Clynt Ridgell <sen.cridgell@teleguam.net>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Wil Castro <wilcastro671@gmail.com>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Senator James Moylan <senatormoylan@guamlegislature.org>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>

Cc: phnotice@guamlegislature.org, Guam MIS <mis@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>, Audio / Video <av@guamlegislature.org>

Bcc: Desk Editor <deskeditor@postguam.com>, mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairiki <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, riimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, akaur@gannett.com, dcristost@guam.gannett.com, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofiguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, guam@pstripes.osd.mil, carlsonc@pstripes.osd.mil, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, Kevin Kerrigan <kevin@spbgum.com>, jolene@spbgum.com, Mai Habib <mai.habib@spbgum.com>, raygibsonshow@gmail.com, manasilva626@██████████ KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Manuel Cruz <acruzma812@██████████>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@██████████>, Andrea Pellacani <andrea@grassrootsguam.com>, Guam Progress <guamprogress@yahoo.com>, Kelly Park <kcn.kelly@gmail.com>, Ibarra Hernandez <ihernandez@guamlegislature.org>, Zennia Pecina <Zennia.Pecina@dphss.guam.gov>, Bernadette Santos ██████████@gmail.com, Glynis Almonte ██████████@yahoo.com, RN Rose P Grino ██████████@gmail.com, MARGARET PEREZ HATTORI-UCHIMA <muchima@triton.uog.edu>, Mary Okada <mary.okada@guamcc.edu>, Melanie Mendiola <mel.mendiola@investguam.com>

September 10, 2020

### MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje, Chairperson  
Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **NOTICE of Virtual Public Hearing** - Wednesday, September 16, 2020 beginning at 2:00 p.m.

*Håfa Adai!*

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a virtual public hearing on **Wednesday, September 16, 2020 beginning at 2:00 p.m.** utilizing the Zoom meeting virtual platform.

In compliance with open government law, the mandated five (5) day notice for these hearings was published in the Guam Daily Post on Wednesday, September 9, 2020 and the 48-hour notice

will be published in the Guam Daily Post on September 14, 2020. The public notice is attached to this email notice. The public hearing agenda is as follows:

### **AGENDA**

- **2:00 p.m. to 4:00 p.m.** - Roundtable Discussion on Building Nursing Capacity on Guam with the Guam Board of Nurse Examiners, the Guam Nurses Association, the University of Guam, School of Health, and the Guam Community College.
- **5:00 p.m.** - Confirmation Hearing- Executive Appointment of Dr. Michael J. Um, MD to serve as a Member of the Guam Memorial Hospital Authority, Board of Trustees.

**Individuals who wish to provide testimony on the Executive Appointment must register with the committee no later than 5:00 p.m. on September 15, 2020**, via email at [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) with their full name, contact number and email address. Written testimonies may be submitted via email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com).

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4, and stream online via *I Liheslaturan Guåhan's* live feed on Youtube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. In compliance with the Americans with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Senator Therese M. Terlaje by phone or via email.

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### **Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

*I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Mailing address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)

website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

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#### **2 attachments**



**5 Day Public Notice\_Sept. 16, 2020 Public Hearing.pdf**  
3212K



**FIRST EMAIL Notice of Public Hearing\_Wednesday, September 16, 2020\_TMT.pdf**  
342K



## SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice  
*I Mina' trentai Singko na Libeslaturan Guåhan*  
35<sup>th</sup> Guam Legislature

September 10, 2020

### MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje, Chairperson <sup>TMT</sup>  
Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **NOTICE of Virtual Public Hearing** Wednesday, September 16, 2020  
beginning at 2:00 p.m.

---

*Håfa Adai!*

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a virtual public hearing on **Wednesday, September 16, 2020 beginning at 2:00 p.m.** utilizing the Zoom meeting virtual platform.

In compliance with open government law, the mandated five (5) day notice for these hearings was published in the Guam Daily Post on Wednesday, September 9, 2020 and the 48-hour notice will be published in the Guam Daily Post on September 14, 2020. The public hearing agenda is as follows:

### AGENDA

- 2:00 p.m. to 4:00 p.m. - Roundtable Discussion on Building Nursing Capacity on Guam with the Guam Board of Nurse Examiners, the Guam Nurses Association, the University of Guam, School of Health, and the Guam Community College.
- 5:00 p.m.- Confirmation Hearing- Executive Appointment of Dr. Michael J. Um, MD to serve as a Member of the Guam Memorial Hospital Authority, Board of Trustees.

**Individuals who wish to provide testimony on the Executive Appointment must register with the committee no later than 5:00 p.m. on September 15, 2020**, via email at [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) with their full name, contact number and email address.

---

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Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)

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# Belarus protest leader, allies disappear

By Andrew Osborn and Maria Vasilyeva  
Reuters

Masked men detained Belarusian protest leader Maria Kolesnikova in central Minsk on Monday morning and drove her away in a van and two of her allies also disappeared later, the opposition movement said.

Kolesnikova, a member of the opposition coordination council, is the last of three female politicians left in Belarus who joined forces before an Aug. 9 presidential election to try to challenge veteran incumbent Alexander Lukashenko.

A vocal critic of Lukashenko, she has played an important role in weeks of mass demonstrations and strikes by protesters who accuse Lukashenko of rigging his reelection.

Lukashenko, who has been in power for the last 26 years, denies that allegation and has accused foreign powers of trying to topple him in a revolution. He has responded with a crackdown which some those detained say includes torture and beatings.

Three European Union diplomats

**KOLE-SNIKOVA:** Belarusian opposition politician Maria Kolesnikova attends a rally to protest against police brutality and to reject the presidential election results in Minsk, Belarus, on Sunday. Tut. By via Reuters



told Reuters that the EU is now preparing to impose economic sanctions on 31 senior Belarus officials, including the interior minister, in response to the election and subsequent crackdown.

Facing his deepest crisis yet, Lukashenko retains the support of Russian President Vladimir Putin, who has promised to send in police

to support him if needed.

Kolesnikova's abduction, if confirmed, comes as Belarusian authorities appear to be stepping up their efforts to try to halt the protests and obstruct the work of the opposition council, which they have accused of plotting to overthrow Lukashenko.

On Sunday, tens of thousands of people demonstrated across the

country demanding Lukashenko step down. Security forces detained 633 protesters, Belarusian authorities said.

### Masked men

Police in Minsk were cited by Russia's Interfax news agency as saying they had not detained Kolesnikova.

A witness, Anastasia, was cited by the Tut.By media outlet as saying she had seen Kolesnikova pushed into a dark-colored van by masked men in plain clothes in central Minsk.

She said Kolesnikova's mobile phone had dropped to the ground during the tussle and that one of the masked men detaining her had picked it up before the van sped off.

The opposition council said two other activists, Anton Rodnenkov and Ivan Kravtsov, disappeared soon afterward and said the authorities appeared to be systematically targeting its members.

"It's obvious that these methods are illegal and cannot lead to anything else apart from an escalation in the situation in the country, deepening the crisis and fueling protests," it said in a statement.

# Trump vows to sharply scale back US economic ties with China

WASHINGTON (Bloomberg News) — President Donald Trump said he intends to curb the U.S. economic relationship with China, contrasting himself with Joe Biden by threatening to punish any American companies that create jobs overseas and to forbid those that do business in China from winning federal contracts.

"We'll manufacture our critical manufacturing supplies in the United States, we'll create 'made in America' tax credits and bring our jobs back to the United States and we'll impose tariffs on companies that desert America to create jobs in China and other countries," Trump said at a White House news conference on Monday where he complained at length about his Democratic reelection opponent.

"If they can't do it here, then let them pay a big tax to build it someplace else and send it into our country," he said of U.S. corporations. "We'll prohibit federal contracts from companies that outsource to China and we'll hold China accountable for allowing the virus to spread around the world."

Trump has recently entertained the idea of "decoupling" the U.S. economy from China, a dream of U.S. China hawks.

"Whether it's decoupling or putting massive tariffs on China, which I've been doing already," he said, "we're going to end our reliance on China because we can't rely on China, and I don't want them building a military like they're building right now and they're using our money to build it."

He did not say when he would imple-

ment the policies but framed the moves as part of a second-term agenda.

"If Biden wins, China wins because China will own this country," Trump said. "It's the most important election in our history, right now, most important election in our history. Under my administration, we will make America into the manufacturing superpower of

the world, and we'll end our reliance on China once and for all."

Trump has sought to make China an election-year issue. He has portrayed Biden as a lackey of Beijing and has blamed the country for the U.S. coronavirus outbreak, as polls show widespread public disapproval of the president's handling of the pandemic.

**SENATOR THERESE M. TERLAJE**  
I Mina'ntenjal Sirigko na Liheslaturan Guåhan  
35<sup>th</sup> Guam Legislature

**Committee On Health,  
Tourism, Historic Preservation, Land  
and Justice**

**VIRTUAL PUBLIC HEARINGS • 2:00 PM • WEDNESDAY, September 16, 2020**

**AGENDA:**

**2:00 p.m. to 4:00 p.m.** - Roundtable Discussion on Building Nursing Capacity on Guam with the Guam Board of Nurse Examiners, the Guam Nurses Association, the University of Guam, School of Health, and the Guam Community College.

**5:00 p.m.** - Confirmation Hearing- Executive Appointment of Dr. Michael J. Um, MD to serve as a Member of the Guam Memorial Hospital Authority, Board of Trustees.

Individuals who wish to provide testimony on the Executive Appointment must register with the committee no later than 5:00 p.m. on September 15, 2020, via email at senatorterelaje@guam.gov with their full name, contact number and email address. Written testimony may be submitted via email or via hand delivery or mail to the Office of Senator Therese M. Terlaje, Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910. In compliance with the ADA, individuals requiring special accommodations or services should contact us at (671) 472-3586 or by email to senatorterelaje@guam.gov. The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via I Liheslaturan Guåhan's live feed at [http://www.guamlegislature.com/live\\_feed.htm](http://www.guamlegislature.com/live_feed.htm). This ad is paid for with government funds.

**GUAM VISITORS BUREAU**  
SETBISION BISITAN GUÅHAN

**PUBLIC NOTICE ANNOUNCEMENT**

The Guam Visitors Bureau will hold a Regular Meeting and an Executive Session of the Board of Directors on **Thursday, September 10, 2020 at 1:30 p.m. via Teleconference.**

Join the Regular Board of Directors meeting from your computer, tablet or smartphone:

<http://www.gotomeet.me/GUAMVISITORSBUREAU/bodmeeting9102020>

You can also dial in using your phone:  
(Toll-free): 1 877 309 2073  
Access Code: 861-876-013

Any individuals needing special accommodations are requested to contact GVB at 646-5278 for assistance.

GUAM VISITORS BUREAU | SETBISION BISITAN GUÅHAN  
401 Pole San Vitores Road | Tumon, Guam 96913 | (671) 646-5278 | (671) 646-8881 fax  
guamvisitorsbureau.com | visitguam.com | info@visitguam.com



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

## SECOND NOTICE of Virtual Public Hearing- Wednesday, September 16, 2020 beginning at 2:00 p.m.

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com> Mon, Sep 14, 2020 at 12:16 PM

To: Speaker's Office <speaker@guamlegislature.org>, Vice Speaker Telena Cruz Nelson <senatorcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, Senator Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Clynt Ridgell <sen.cridgell@teleguam.net>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Wil Castro <wilcastro671@gmail.com>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Senator James Moylan <senatormoylan@guamlegislature.org>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>

Cc: phnotice@guamlegislature.org, Audio / Video <av@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>, Guam MIS <mis@guamlegislature.org>

Bcc: Desk Editor <deskeditor@postguam.com>, mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairiki <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, riimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, akaur@gannett.com, dcristost@guam.gannett.com, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofiguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, guam@pstripes.osd.mil, carlsonc@pstripes.osd.mil, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbg Guam>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbg Guam>, Kevin Kerrigan <kevin@spbg Guam>, jolene@spbg Guam, Mai Habib <mai.habib@spbg Guam>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Manuel Cruz <cruzma812@██████████>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@██████████>, Andrea Pellacani <andrea@grassrootsguam.com>, Guam Progress <guamprogress@yahoo.com>, Kelly Park <kcn.kelly@gmail.com>, Ibarra Hernandez <ihernandez@guamlegislature.org>, Zennia Pecina <Zennia.Pecina@dphss.guam.gov>, Bernadette Santos ██████████@gmail.com, Glynis Almonte ██████████@yahoo.com, RN Rose P Grino ██████████@gmail.com, MARGARET PEREZ HATTORI-UCHIMA <muchima@triton.uog.edu>, Mary Okada <mary.okada@guamcc.edu>, Melanie Mendiola <mel.mendiola@investguam.com>, lillian perez-posadas <lillian.perez-posadas@gmha.org>, Mike Um ██████████@gmail.com, Theresa Obispo ██████████@gmail.com, sarah thomas nededog ██████████@gmail.com, Sonia Siliang ██████████@gmail.com, "Annie Bordallo (Medical Director)" <annie.bordallo@gmha.org>

September 14, 2020

### MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje, Chairperson  
Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **NOTICE of Virtual Public Hearing** - Wednesday, September 16, 2020 beginning at 2:00 p.m.

*Håfa Adai!*

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a virtual public hearing on **Wednesday, September 16, 2020 beginning at 2:00 p.m.** utilizing the Zoom meeting virtual platform.



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### **Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

*I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature

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website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

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**SECOND Notice of Public Hearing\_Wednesday, September 16, 2020\_TMT.pdf**

361K



## SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice  
*I Mina' trentai Singko na Libeslaturan Guåhan*  
35<sup>th</sup> Guam Legislature

September 14, 2020

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# 1945 law payments deducted from war survivors' claims

By Haidee Eugenio Gilbert  
haidee@postguam.com

At least 21 of Guam's World War II survivors recently were awarded war claims with deductions anywhere from \$22.09 to about \$2,000.

The amounts deducted were for the compensation that the war survivors already received under a 1945 law.

The people of Guam suffered through the Japanese occupation of the island from December 1941 to July 1944, from forced labor to torture, rape and murder.

In 1945, Congress passed the Guam Meritorious Claims Act, which authorized the Secretary of the Navy to appoint a claims commission to adjudicate and settle war claims not in excess of \$5,000.

These deductions are stated in the Foreign Claims Settlement Commission's "final decisions" dated Aug. 25, 2020.

Because of the deductions, the war

survivors who were supposed to receive \$10,000 or \$12,000 will end up receiving anywhere from \$7,558 to \$11,977.91.

In the final decisions, the commission said a 2016 law "required" it "to deduct, from a payment made to a compensable Guam victim, amounts paid to such victim under the Guam Meritorious Claims Act of 1945, Public Law 79-224."

The commission has been adjudicating war claims filed under the Guam World War II Loyalty Recognition Act of 2016. Del. Michael San Nicolas' technical corrections bill amended the 2016 statute, and that bill became law in March of this year.

So far, the commission has awarded claims of \$10,000 to \$12,000.

These were for war injuries, forced labor, forced march, internment and hiding to evade internment. War survivors or their surviving spouses or children can claim up to \$25,000 for war deaths, rape and torture.

Here are some of the war claims



**CLAIMANTS:** World War II survivors seek assistance at the information desk of the Guam War Claims Processing Center in the old Hakubotan building in Tamuning on Jan. 24.  
Dontana Keraskes/The Guam Daily Post

awarded with deductions from a 1945 law:

- Deduction, \$1,582.89; final award, \$8,417.11
- Deduction, \$920.27; final award, \$9,079.73
- Deduction, \$330; final award, \$9,670
- Deduction, \$465; final award, \$9,535.
- Deduction, \$787.91; final award, \$9,212.09
- Deduction, \$755.61; final award, \$9,244.39
- Deduction, \$51.12; final award, \$9,948.88
- Deduction, \$344.92; final award, \$11,655.08
- Deduction, \$91.12; final award, \$9,908.88
- Deduction, \$124.63; final award, \$9,875.37

- Deduction, \$275.41; final award, \$9,724.59
- Deduction, \$310; final award, \$11,690
- Deduction, \$22.09; final award, \$11,977.91
- Deduction, \$124.62; final award, \$11,875.38
- Deduction, \$51.12; final award, \$9,948.88
- Deduction, \$33; final award, \$11,967
- Deduction, \$41.72; final award, \$9,958.28
- Deduction, \$123; final award, \$11,877

(Complete document unavailable); final award, \$7,558

(Complete document unavailable); final award, \$9,958

(Complete document unavailable); final award, \$9,450

Once a final decision is listed for a claim, that means the commission's work has been completed and it is now up to the Department of the Treasury to pay the claim.

San Nicolas on Thursday said an additional \$14.92 million was set aside to fund the remaining war claims.

The delegate announced that the Department of the Interior has notified the Government of Guam that \$65,109,936 in Section 30 funds was remitted. Section 30 funds are federal income taxes paid by military and other federal personnel on Guam and paid in advance to GovGuam.

# GDOE launches poster series for home learners

In an effort to be safe and proactive as more of its students enter the virtual world, the Guam Department of Education Division of Curriculum and Instruction launched its Virtual Learners Posters series.

"With all of our students learning at home this quarter, we are excited to offer these virtual learner resources with tips on how to be successful in the ongoing shift to distance learning that we are all experiencing," said Superin-

tendent Jon Fernandez.

The series targets goals to help students navigate the virtual world safely while being respectful and responsible digital citizens. The series includes tips on digital citizenship, academic routines in the home, privacy policies, self-care activities, online teaching strategies and other at-home tips to "help teachers, students and families transition smoothly onto digital platforms," the department said in a release issued Friday.

"With the sudden shift to distance learning, we curated infographics with the intent of helping our community employ safe and appropriate digital citizenship practices while learn-

ing to become successful learners in the digital world," said Joe Sanchez, deputy superintendent of curriculum and instructional improvement. "We will continue to work to ensure that every student is online, connected and engaged."

All the posters, which are being offered at all school levels for all community stakeholders, including families and educators, were produced in three languages – English, CHamoru and Chuukese.

The posters are also available online on the Guam DOE website at [www.gdoe.net](http://www.gdoe.net).

Information was provided in a press release. **(Daily Post Staff)**



**JUDICIARY OF GUAM**  
Guam Judicial Center  
120 West O'Brien Drive Hagåtña, Guam 96910  
[www.guamcourts.org](http://www.guamcourts.org)

**INVITATION FOR BID  
NO. IFB 20-06**

**RENOVATIONS OF ROUTE 4 BUILDING – SHELL**

The Judiciary of Guam is accepting bids from qualified vendors for the **Renovations of the Route 4 Building-Shell**, for the Judiciary of Guam.

Interested and qualified vendors may request for printed or electronic copies of the IFB package and Drawings with Specifications from the Procurement Office, 1st Floor, Guam Judicial Center in Hagåtña, Guam beginning **Tuesday, September 8, 2020 from 8:00am to 5:00pm, Guam Standard Time, Monday to Friday**, except Government of Guam holidays.


All bids must be submitted to the Procurement Office **no later than 2:00pm, Monday, September 21, 2020, Guam Standard Time**. All bids will be publicly opened and read aloud on that said date and time at the Administrator of the Courts Conference Room, 1st Floor, Guam Judicial Center in Hagåtña, Guam.

For any periodic updates of the IFB please visit the Judiciary's website <http://guamcourts.org>. For further information or to request for copies of the IFB package, please contact the Procurement Office at **671-475-3175/3393/3141/3290** or email [mantonio@guamcourts.org](mailto:mantonio@guamcourts.org) and/or [jcepeda@guamcourts.org](mailto:jcepeda@guamcourts.org).

/s/ KRISTINA L. BAIRD  
Administrator of the Courts

**"The Judiciary of Guam is an equal opportunity provider and employer."**

**SENATOR THERESE M. TERLAJE**  
I Mina'tremaj Slingta na Liheslaturan Guåhan  
35<sup>th</sup> Guam Legislature



**Committee On Health,  
Tourism, Historic Preservation, Land  
and Justice**

**VIRTUAL PUBLIC HEARINGS • 2:00 PM • WEDNESDAY, September 16, 2020**

**AGENDA:**

**2:00 p.m. to 4:00 p.m.** - Roundtable Discussion on Building Nursing Capacity on Guam with the Guam Board of Nurse Examiners, the Guam Nurses Association, the University of Guam, School of Health, and the Guam Community College.

**5:00 p.m.** - Confirmation Hearing- Executive Appointment of Dr. Michael J. Um, MD to serve as a Member of the Guam Memorial Hospital Authority, Board of Trustees.

Individuals who wish to provide testimony on the Executive Appointment must register with the committee no later than 5:00 p.m. on September 15, 2020, via email at [senatorteralajeguam@gmail.com](mailto:senatorteralajeguam@gmail.com) with their full name, contact number and email address. Written testimony may be submitted via email or via hand delivery or mail to the Office of Senator Therese M. Terlaje, Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910. In compliance with the ADA, individuals requiring special accommodations or services should contact us at (671) 472-3586 or by email to [senatorteralajeguam@gmail.com](mailto:senatorteralajeguam@gmail.com). The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via I Liheslaturan Guåhan's live feed at [http://www.guamlegislature.com/live\\_feed.htm](http://www.guamlegislature.com/live_feed.htm). This ad is paid for with government funds.

GUAM DAILY POST • MONDAY, SEPTEMBER 14, 2020



**SENATOR THERESE M. TERLAJE**

Committee on Health, Tourism, Historic Preservation, Land and Justice  
*I Mina' trentai Singko na Libeslaturan Guåhan*  
35<sup>th</sup> Guam Legislature

**VIRTUAL PUBLIC HEARING AGENDA**

**WEDNESDAY, September 16, 2020**

**Beginning at 5:00 p.m.**

*via Virtual Conference Platform*

*(Please log into hearing link 15 minutes prior to hearing time)*

**AGENDA**

**5:00 p.m.- Executive Appointment of Michael J. Um, MD, to serve as a member of the Guam Memorial Hospital Authority, Board of Trustees, for a term length of six (6) years; April 15, 2020 to April 14, 2026.**

In compliance with the ADA, individuals requiring special accommodations or services should contact us at (671) 472-3586 or by email to

[senatorteralajeguam@gmail.com](mailto:senatorteralajeguam@gmail.com).

All testimony will be included in the Committee Reports for each agenda item and published on the [guamlegislature.org](http://www.guamlegislature.org) website. You can watch the hearing on *TV Channel 21GTA or Channel 117/60.4 Docomo*; or via

[http://www.guamlegislature.com/live\\_feed.htm](http://www.guamlegislature.com/live_feed.htm) A recording of the hearing will be available on YouTube at [Guam Legislature Media](#) after the hearing.

We look forward to your participation. *Si Yu'os Ma'åse'!*

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Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

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**I Mina'trentai Singko na Liheslaturan Guåhan**  
**Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

**Date:** Wednesday, September 16, 2020

**Time:** 5:00 PM

**Appointment of Michael J. Um, MD to serve as a Member of the Board of Trustees of the Guam Memorial Hospital Authority**  
**Term Length: Six (6) Years; April 15, 2020 to April 14, 2026**

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Michael J. Um, MD, Appointee					X		
2								
3								
4								
5								
6								
7								
8								
9								
10								

**10 GCA HEALTH AND SAFETY**  
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**2013 NOTE:** This section was originally entitled, "*Powers.*" Repealed and added as 10 GCA § 80109 by P.L. 30-190:1 (Aug. 28, 2010).

**§ 80105. Board of Trustees.**

(a) The governance and control of the Guam Memorial Hospital Authority are vested in a Board of Trustees (Board). The Board *shall* be composed of ten (10) members: four (4) members representing the general public, who *shall* possess a background and experience in healthcare, management, finance or any other business-related field; one (1) member representing the Allied Health Professions; two (2) members representing the Guam Nursing Association; and two (2) members representing the Guam Medical Community, appointed by *I Maga'lahaen Guåhan* as provided herein, with the advice and consent of *I Liheslaturan Guåhan*. In addition, one (1) member who *shall* be the President, or designee, of the Guam Memorial Hospital Volunteers Association, who *shall* be an ex-officio member with full participatory rights and privileges, but without the right of voting. The GMH Volunteers Association President or designee *shall* have been a member of the GMH Volunteers Association for a minimum of five (5) years prior to assuming a position on the Board.

(b) Each Trustee shall be entitled to receive the sum of One Hundred Dollars (\$100.00) for his/her attendance at any meeting of the Board, but such compensation shall not apply to more than four (4) meetings or exceed Four Hundred Dollars (\$400) in any one (1) calendar month. No Trustee shall receive any other compensation, but shall be reimbursed for actual travel, subsistence and out-of-pocket expenses incurred in the discharge of his or her responsibilities, including authorized attendance at meetings held away from Guam.

**SOURCE:** Added by P.L. 14-029:1(May 27, 1977) as GC § 49004. Subsection (a) amended by P.L. 15-041:1 (June 21, 1979). Subsection (b) amended by P.L. 15-055:6 (Aug. 10, 1979). Codified as 10 GCA § 80106. Subsection (d) amended by P.L. 19-004:16 (May 21, 1987). Subsection (f) added by P.L. 19-004:17 (May 21, 1987). Subsection (a) amended by P.L. 25-150:9 (July 7, 2000). Subsection (b) amended by P.L. 25-150:10 (July 7, 2000). Subsections (g) added by P.L. 25-150:11 (July 7, 2000). Subsection (h) added by P.L. 25-150:12 (July 7, 2000). Subsection (i) added by P.L. 28-068:II:III:35 (Sept. 30, 2005). Repealed and added by P.L. 30-190:1 (Aug. 28, 2010). Subsection (a) amended by P.L. 32-154:2 (May 21, 2014).

**2013 NOTE:** This section was originally entitled, "*Hospital Rates.*" Added by P.L. 14-148:3 (Sept. 30, 1978). Repealed and added by P.L. 18-026:8 (Dec. 31, 1985) and P.L. 25-005:7 (May 10, 1999). Repealed by P.L. 30-190 (Aug. 28, 2010).

**§ 80105.1. Duties of the Board of Trustees.**

(a) The Board shall be liable for the negligent act of any hospital employee or officer, if the Board knew or had notice that said employee or officer was inefficient and incompetent to perform the services for which he was hired, or said Board retained such inefficient or incompetent person after knowledge or notice of such inefficiency or incompetency.

(b) No Trustee shall be liable for any decision made in the good faith, non-malicious fulfillment of his duties.

(c) The Board shall be liable as fiduciaries in the execution of their duties.

(d) No Trustee shall be actively engaged in the selling of services or goods to the Hospital without the express approval of the Board of Trustees.

The form of approval shall be by the adoption of a Board Resolution confirming said approval. This restriction shall not apply to health care professionals who provide direct patient care services to the Hospital.

(e) No Trustee shall act when a conflict of interest occurs. The Trustee shall disclose the nature of the conflict of interest to the members present and abstain from any discussion or voting on the issue until it has been disposed of by action of the remaining members present. If a Trustee knowingly fails to disclose a conflict of interest in the manner listed herein and subsequently votes on an action to be taken by the Board, then the vote of the conflicted Trustee shall not be counted for purposes of constituting official Board action. Any Trustee who knowingly fails to disclose a conflict of interest in the manner listed herein shall be subject to removal from the Board, pursuant to § 80107 of this Chapter.

(f) [Repealed.]

**SOURCE:** Added by P.L. 30-190:1 (Aug. 28, 2010). Subsection (f) repealed by P.L. 31-014:4 (Apr. 4, 2011).

**2013 NOTE:** This section, originally entitled "*Fees*," was apparently added as untitled and uncodified law by P.L. 19-005:55 (Aug. 21, 1987), and codified as § 80105.1 by the Compiler. Repealed and added by P.L. 23-22:2 (May 30, 1995), and repealed by P.L. 25-005:8 (May 10, 1999). The authority to set fees is found in § 80109 of this Chapter.

**§ 80105.2. Meetings.**



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Meetings of the Board shall be held at a regular time and place as determined by the Board. Special meetings may be called by the Chairman or by a majority of the members, as often as may be necessary. Meetings of the Board, regular or special, shall be subject to the Open Government Law of Guam. A majority of the members shall constitute a quorum and an affirmative vote of five (5) members is required for any action to be valid.

**SOURCE:** Added by P.L. 30-190:1 (Aug. 28, 2010).

**2013 NOTE:** This section was originally entitled, "*Health Care Professional Fees Schedule.*" Added by P.L. 24-032:3 (May 19, 1997). Repealed by P.L. 30-190:1 (Aug. 28, 2010).

**§ 80105.3. Term of Office.**

The members of the Board of Trustees shall serve staggered terms of six (6) years. On the expiration of the term of any member, or in the event of a vacancy on the Board due to resignation, death or any other cause, *I Maga'lahi* shall, in the manner provided herein and with the advice and consent of *I Liheslatura*, appoint another member for a full term in the first instance, or for the remainder of the unexpired term. When there is a change of administration of the government of Guam after a gubernatorial election, no courtesy resignation shall be requested by the new administration nor offered by any member of the Board.

**SOURCE:** Added by P.L. 30-190:1 (Aug. 28, 2010).

**§ 80105.4. Qualifications of Members of the Board of Trustees.**

The composition of the members of the Board shall be broadly based in terms of its members' personal expertise and shall strive for a balanced representation of the general population. Trustees, and Trustee candidates, must be United States citizens or permanent resident aliens domiciled in Guam for at least three (3) years prior to appointment to the Board. No person shall sit on the Board as a member who is an employee of the Guam Memorial Hospital Authority.

**SOURCE:** Added by P.L. 30-190:1 (Aug. 28, 2010).

**§ 80105.5. Trustees Nominating Council; Establishment.**

**[Repealed.]**

**SOURCE:** Added by P.L. 30-190:1 (Aug. 28, 2010). Repealed by P.L. 31-014:2 (Apr. 4, 2011).

**§ 80105.6. Tenure of Members Currently Serving as Trustees.**

The current members of the Board shall continue to serve until the expiration of their term as set out in § 80105.3 of this Chapter and in the event of a vacancy, said vacancy shall be filled in accordance with this Chapter.

**SOURCE:** Added by P.L. 30-190:1 (Aug. 28, 2010).

**§ 80106. Board Members Not Deemed Officers or Employees of the Government of Guam.**

The members of the Board shall not, by reason of such membership, be deemed employees of the government of Guam.

**SOURCE:** Added by P.L. 30-190:1 (Aug. 28, 2010).

**CROSS-REFERENCE:** *See also* 17 GCA § 16105.

**2013 NOTE:** This section was originally entitled, "*Board of Trustees.*" Repealed and added as 10 GCA § 80105 by P.L. 30-190 (Aug. 28, 2010).

**§ 80107. Removal from Office.**

**[Repealed.]**

**SOURCE:** Repealed by P.L. 31-014:3 (Apr. 4, 2011).

**2013 NOTES:** This section was originally entitled, "*Administrator.*" Subsection (b)(9) added by P.L. 15-112:3 (Mar. 14, 1980). Codified as 10 GCA § 80107. Repealed and added by P.L. 25-150:8 (July 7, 2000). Subsection (b) amended by P.L. 25-183:1 (July 8, 2001).

P.L. 28-068:42 (Sept. 30, 2005) transferred duties and responsibilities assigned to the Civil Service Commission to the Director of Administration, effective January 1, 2006 pursuant to P.L. 28-068:47 and 48.

**§ 80108. Officers.**

The Board shall elect a Chairman, a Vice-Chairman, a Secretary and a Treasurer from among its membership every two (2) years.

**SOURCE:** Added by P.L. 14-029:1 (May 27, 1977) as GC § 49006. Subsection (d) amended by P.L. 16-098:6 (July 2, 1982). Codified as 10 GCA § 80108. Repealed and added by P.L. 30-190:1 (Aug. 28, 2010).

**§ 80109. Powers.**

The Hospital shall have and exercise each and all of the following powers:

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(a) Maintain and operate a facility providing acute, chronic and all other health care services, including those services specifically provided by contract for the Department of Mental Health and Substance Abuse, for the people of Guam.

(b) (1) Establish a schedule of fees, in accordance with Title 10 GCA § 80105, to be charged for care and services at or by the Hospital. The schedule of fees shall be sufficient to recover the operating costs and fixed costs and to generate such revenue as is necessary to enable the Hospital to meet its financial obligations, operating expenses and capital improvement needs. The Guam Public Utilities Commission shall not have any purview over the Authority rates. The rates established per fee schedule may be increased by the Board of Trustees up to five percent (5%) per year; provided, that the total revenues from all increases per fee schedule shall not exceed five percent (5%) of the total revenues adopted by the Board in the Authority's budget for that fiscal year, or decreased as necessary.

(2) Fees for new services, medications, or supplies, or rate increases of more than five percent (5%) annually shall be established by the Authority, approved and ratified by the Board of Trustees and forwarded to *I Liheslaturan Guåhan* for approval. Prior to the approval and ratification by the Board of Trustees, public hearings must be conducted by the Authority for any new fee or rate increase of more than five percent (5%).

(3) *I Liheslaturan Guåhan* shall have forty-five (45) days from the receipt of the proposed new fee or rate increase to conduct a public hearing and approve the increase or new fee. If *I Liheslaturan Guåhan* does not disapprove or amend the proposed new fee or increase in rates within the forty-five (45) days, the new fee or rate increase will immediately become effective.

(c) The Authority may establish interim fees for new, untariffed services, medication and supplies, without prior legislative approval and without compliance with the Administrative Adjudication Law; provided, that:

(1) the interim fees are consistent with the Authority's Net Revenue Enhancement Engagement Pricing Model, as prepared by

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Deloitte & Touche, dated February 7, 1992, or such other protocol as may be approved by the Board of Trustees; and

(2) a petition for permanent approval of the interim fees is filed by the Authority with *I Liheslaturan Guåhan* within three (3) months of the Authority's establishment of the interim fee.

(d) Forward the billings for the cost of medical care and services rendered to any person under the Old Age Assistance for the Aged Program, Aid to the Blind Program, and Aid to the Permanently and Totally Disabled Program of the Social Security Act, as well as those persons considered medically indigent as the term is defined in Chapter 2 of this Title, of which shall be paid by the Department of Public Health and Social Services.

(e) Acquire, subject to the laws of Guam, by grant, purchase, gift, devise or lease, and hold and use any real property necessary or convenient or useful for the carrying on of any of its powers pursuant to the provisions of this Article; upon written certification of the Administrator, that specified and specialized medical equipment and related supplies are needed immediately for the health and welfare of the patients of the Hospital in particular, and the people of Guam in general, the Guam Memorial Hospital Authority shall be exempt from the provisions of §§ 5210 and 5211 of Title 5, Guam Code Annotated, in the acquisition of the medical equipment and related supplies specified in such written certification of the Administrator; provided, that the Hospital shall use its best judgment and efforts to secure the best equipment and supplies at the lowest cost, utilizing businesses licensed to do business on Guam whenever possible.

(f) Establish its internal organization and management;

(g) Perform such acts as may be reasonably necessary to accomplish the purpose for which it was formed;

(h) Adopt a seal;

(i) Sue or be sued in its own corporate name;

(j) Employ, retain or contract for the services of qualified managers, specialists or as individuals or as organizations;

(k) Adopt such rules and regulations pursuant to the Administrative Adjudication Act as may be necessary for the exercise

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of the Hospital's powers, performance of its duties and administration of its operations;

(l) Adopt and maintain a uniform system of accounting;

(m) Adopt and maintain a travel authorization policy, notwithstanding any law to the contrary;

(n) Adopt rules and regulations governing selection, compensation, promotion, performance evaluation, disciplinary action and other terms and conditions of employment affecting personnel, subject to the provisions of the Administrative Adjudication Law. Such rules and regulations *shall* provide for the employment and retention of persons on the basis of merit, and *shall* include an orderly and systematic method of recruitment and the establishment of a list of qualified applicants for employment purposes, *except* that compensation for non-medical personnel *shall* remain consistent with compensation plans and pay scales as determined by the Civil Service Commission or its successor. Non-medical personnel are defined as personnel employed by the Authority who are *not* physicians, nurses, medical technicians or technologists, licensed or certificated therapists of any sort, laboratory technicians, personnel certificated in any medical or nursing field, nurse practitioners, pharmacists or other medical personnel. It is further provided:

(1) that the conduct of any GMHA Medical Peer Review proceeding *shall* be conducted in strict compliance with the Health Care Quality Improvement Act, as amended (HCQIA), of Title IV of Public Law 99-660 (42 U.S.C. 11101 et seq.) authorizing the Secretary of the U.S. Department of Health and Human Services to establish a National Practitioner Data Bank (NPDB) to collect and release certain information relating to the professional competence and conduct of physicians, dentists and other health care practitioners; and §1921 of the Social Security Act (42 U.S.C. 1396r-2) (§1921) requiring each state to adopt a system of reporting to the Secretary of adverse licensure actions taken against health care practitioners and entities;

(A) The Board *shall* provide for third-party peer review services for those peer review proceedings wherein the

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physician who is the subject of a peer review asserts that an impartial proceeding cannot otherwise be achieved.

(2) A medical peer review *shall not* be overturned by the Board, *except* as strictly prescribed by the National Practitioner Data Bank, as provided pursuant to Title 45 – Public Welfare, Part 60, Code of Federal Regulations, and as the regulations and authorizing statutes may be revised;

(3) No “Void” or Reversal of Professional Peer Review Action by Board Without Successful Appeal; Mandatory. No GMHA medical peer review action that adversely affects the clinical privileges of physicians, dentists and other health care practitioners shall be reversed by the Board, nor shall a “void” be sought with the National Practitioners Data Bank:

(A) without the appellant having successfully appealed the initial action before a subsequent GMHA peer review committee duly conducted by medical professionals authorized to conduct the appeal proceeding; or

(B) without the finding(s) of the GMHA medical peer action having been reversed by the Guam Board of Medical Examiners, wherein the appellant successfully appealed the GMHA medical peer review action; or

(C) without the appellant having successfully appealed the GMHA medical peer review action before the Judiciary of Guam;

any one of which may be deemed satisfactory to reverse the initial GMHA medical peer review action and seek a “void” with the NPDB; *provided*, that the conduct of the appeal and action taken in granting the appeal is legally acceptable to the National Practitioner Data Bank pursuant to applicable federal law, rules and regulations.

(4) Personal Liability - No Waiver of Immunity. The members of the Board of Trustees, and the GMHA Legal Counsel, *shall not* be personally immune from legal and civil liability for a knowing violation of Items (1), (2) and (3) of this Subsection (n).

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(o) Do any and all other things necessary to the full and convenient exercise of the above powers;

(p) Contract with a corporation to exercise any or all the powers of the Administrator, and of those officers authorized by § 80108 of this Chapter, if the Board so chooses;

(q) Acquire in accordance with the Procurement Law (5 GCA Chapter 5) and hold and use any personal property or construct any projects necessary or convenient or useful for carrying on of any of its powers pursuant to the provisions of this Chapter;

(r) (1) With the concurrence of *I Maga 'lahen Guahan* [Governor], negotiate with appropriate federal official (Secretary of Defense, officials of Tripler Army Hospital, etc.) for the implementation of § 105(k) of the Compact of Free Association Act of 1985 with the Freely Associated States of Micronesia.

(2) All terms of the agreement shall be negotiated by the Guam Memorial Hospital Authority in the best interests of the people of Guam. The agreement must be submitted to *I Maga 'lahi* for his review and approval.

(s) Arrange a line of credit, a revolving loan fund, and/or a direct loan, the total cumulative amount not to exceed Twenty-five Million Dollars (\$25,000,000), with banks or other lending institutions licensed to do business on Guam. All terms of the line of credit, a revolving loan fund, and/or a direct loan agreement shall be negotiated by the Authority and *I Maga 'lahen Guahan* [Governor] in the best interests of the people of Guam. The terms of the line of credit, a revolving loan fund, and/or a direct loan shall include the following:

(1) the line of credit, a revolving loan fund, and/or a direct loan shall be used by the Authority when a cash shortage threatens the operation of the Hospital, and provided that the loan shall not be used for the hiring of non-health care professionals not involved with providing direct patient care or patient care support;

(2) no charge shall be levied by a lender for making the loan;

(3) the interest rate shall be subjected to negotiation between the Authority or designee as authorized by the Board of

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Trustees, *I Maga'lahaen Guåhan* and the lender; such interest rate shall be computed on a monthly average and based on the actual amount extended to the Authority; and

(4) interest earned by the lender shall be exempt from taxation by the government of Guam.

(5) *I Maga'lahaen Guåhan* is authorized to pledge funds which Guam shall receive from the State Attorneys General Tobacco Litigation, as provided by Public Law 24-174, or the General Fund, or both funds in any combination, as a security for repayment of the loan, in addition to any revenues which may be pledged by the Authority. *I Maga'lahaen Guåhan* and the Authority are hereby authorized to execute the loan agreement, a revolving loan fund, and/or a direct loan agreement and other necessary documentation.

(6) The line of credit authorized in this Act shall not be used in the calculation for rate relief in any rate methodology for any rate case before the Public Utilities Commission.

(7) The primary source of repayment for the line of credit, revolving loan fund, and/or a direct loan shall be as authorized in Public Law 30-196, Chapter III, Part I, Section 6(b) (the FY 2011 Budget Act). If required, the Authority may pledge, in addition, only its revenues as a security for repayment as determined by the negotiated agreement.

(8) Any money borrowed shall be repaid in accordance with the terms established in the negotiated agreement, but not to exceed an amortization period of more than twenty-five (25) years. In no case shall any amount borrowed be refinanced permitting repayment more than twenty-five (25) years after the loan is made.

(9) Notwithstanding the provisions of Chapter 6 of Title 5 of the Guam Code Annotated, the government of Guam hereby waives immunity from any suit or action in contract upon the loan and guaranty but *does not* waive sovereign immunity as to the personal liability of elected or appointed officials and employees of the government Guam. For the purposes of this provision only, immunity is also waived as to the award of attorney fees and related costs of the lender in connection with any suit brought by



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the lender to enforce any right or obligation incurred under the loan authorized hereby or in connection with the enforcement of any agreement, note or pledge that arises directly from the indebtedness authorized hereby.

(10) This Guarantee is a general obligation of the government of Guam, subject to the full faith and credit of the government of Guam. The Guarantor consents to any and all extension of time and waiver or modification of obligations guaranteed hereunder.

(11) *I Maga'lahren Guåhan*, the Governor of Guam, at his discretion and with his consent, may pledge Compact Impact Funds received from the Department of Interior as a source of funding to secure the balance of the Twenty-five Million Dollar line of credit, revolving loan fund, and/or a direct loan authorized in this Act to be used for the reduction of the Guam Memorial Hospital Authority's vendor payables.

(t) Notwithstanding any other provision of law, make, negotiate and enter into a commercial lease, or issue a permit or license for the use of its real property and other related facilities for a term not to exceed five (5) years.

(u) Retain or contract, in accordance with applicable procurement law, services relative to the providing of cafeteria and/or other food vendor services, in whole or in part as determined to be necessary and appropriate. This shall include, but not be limited to, the management and operation of services for cafeteria, snack bar, restaurant, and/or other food related services or activities as deemed appropriate for non-inpatient visitors, patrons and GMHA staff.

(1) The solicitation and contracting for food services may include, to the extent deemed practicable, appropriate and necessary, the use of assets, real property and/or facilities, and as further provided for in accordance with Subsection (t) of this § 80109.

(2) The authorization pursuant to this Subsection (u) to retain and contract services relative to the providing of cafeteria and/or other food services shall not apply or pertain to replacing, supplanting and/or eliminating GMHA's in-house Dietetic Services

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department currently providing nutritional food services for inpatients.

(v) Notwithstanding Subsection (s) of this Section, to arrange a line of credit, a revolving loan fund, and/or a direct loan, the amount not to exceed Nine Million Two Hundred Thousand Dollars (\$9,200,000), to finance the Guam Memorial Hospital Authority Labor and Delivery Ward renovation Phases One through Four, and to include the “Arts In Public Buildings and Facilities” fee as required by § 852 of Article 2 of Chapter 8, Title 1, Guam Code Annotated, with banks or other lending institutions licensed to do business on Guam. All terms of the line of credit, a revolving loan fund, and/or a direct loan agreement shall be negotiated by the Guam Economic Development Authority and *I Maga'låhen Guåhan* (the Governor) in the best interests of the people of Guam. The terms of the line of credit, a revolving loan fund, and/or a direct loan shall include the following:

(1) (A) the line of credit, a revolving loan fund, and/or a direct loan shall be used by the Authority for the renovation of the Guam Memorial Hospital Labor and Delivery Ward (GMHA Maternal and Child Healthcare (MCH) Renovation Project);

(B) such line of credit shall not be authorized, nor shall any borrowing be initiated that incurs interest expenses until the architectural and engineering specifications are completed and approved by the Board of Trustees of the Guam Memorial Hospital Authority (GMHA), and the Request for Proposal or Invitation for Bid to commence renovation is pending funding;

(2) no charge shall be levied by a lender for making the loan;

(3) the interest rate shall be subject to negotiation between the Board of Directors of GEDA, *I Maga'låhen Guåhan*, and the lender; and such interest rate shall be computed on a monthly average and based on the actual amount extended for the Authority; and

(4) interest earned by the lender shall be exempt from taxation by the government of Guam.

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(5) The line of credit, a revolving loan fund, municipal lease financing, and/or a direct loan may be secured by a pledge or other reservation of revenues collected by the government of Guam from the taxes collected under the “Business Privilege Tax Law” (namely, 11 GCA Chapter 25, excluding the alcoholic beverage taxes, liquid fuel taxes, automotive surcharges, tobacco taxes and real property taxes). The Business Privilege Tax pledged or reserved may only be pledged or reserved on a basis that is subordinate to the pledge of revenues from the Business Privilege Tax that secure the Government’s Business Privilege Tax Bonds (currently, the Business Privilege Tax Bonds, Series 2011A, 2012B-1, 2012B-2, 2013C and 2015D, as well as any future bonds (collectively, the “Business Privilege Tax Bonds”)) issued under the indenture relating to the Business Privilege Tax Bonds (the “Indenture”), as well as any parity obligations permitted to be issued under such Indenture, on a basis that is in accordance with and complies with such Indenture. The sum of Six Hundred Thousand Dollars (\$600,000) will be continuously appropriated annually to pay for the principal, interest, and debt reserve for the line of credit, a revolving loan fund, and/or a direct loan. *I Maga’lâhen Guåhan* and the Guam Economic Development Authority are hereby authorized to execute the loan agreement, a revolving loan fund, and/or a direct loan agreement and other necessary documentation.

(6) Any money borrowed shall be repaid in accordance with the terms established in the negotiated agreement, but not to exceed an amortization period of more than twenty-five (25) years.

(7) Notwithstanding the provisions of Chapter 6 of Title 5 of the Guam Code Annotated, the government of Guam hereby waives immunity from any suit or action in contract upon the loan and guaranty, but does not waive sovereign immunity as to the personal liability of elected or appointed officials and employees of the government of Guam. For the purpose of this provision only, immunity is also waived as to the award of attorney fees and related costs in connection with any suit brought to enforce any right or obligation incurred under the loan authorized hereby or in connection with the enforcement of any agreement, note or pledge that arises directly from the indebtedness authorized hereby.

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(8) This Guarantee is a general obligation of the government of Guam, subject to the full faith and credit of the government of Guam. The Guarantor consents to any and all extension of time and waiver or modification of obligations guaranteed hereunder.

(9) Alternative Financing. *I Maga'låhen Guåhan* and the Guam Economic Development Authority are authorized to utilize the following alternative financing if necessary:

(A) Federal Guaranteed Loan or Community Facilities Loan and Grants, instrumentalities of the United States Department of Agriculture, if such financing better serves the needs of the people of Guam; and/or

(B) Municipal Lease Financing. *I Maga'låhen Guåhan*, with the assistance of the Guam Economic Development Authority, is authorized to enter into a municipal lease financing as defined under Title 5, Guam Code Annotated, Division 5, Chapters 58, 58A, 58B, 58D and 58E.

(C) *I Maga'låhen Guåhan* is authorized to identify a fund source, except for funding sources that are already identified and earmarked for the Guam Memorial Hospital Authority, limited to the amounts in this Act, and utilize such source for the purposes of renovating the labor, delivery, recovery, postpartum ward where our babies are born. *I Maga'låhi* shall notify *I Liheslatura* (the Legislature) of the fund source(s) identified pursuant to this provision no later than ten (10) working days after identification of funds.

(10) The GMHA Board of Trustees shall cause an update of its facilities master plan that will guide the capital improvement of the Guam Memorial Hospital. The Trustees shall allocate sufficient funds from the amount obtained from the line of credit, revolving fund, and/or direct loan authorized by this Subsection for the purpose of completing a master plan update. Review and approval of the completed master plan update shall be in accordance with the AAL. Said master plan update shall be completed within one hundred eighty (180) days from the date of enactment of this statute.

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(11) That, if the labor and delivery ward operations or facilities are privatized, to include any public-private partnership, then, as a condition of such privatization agreement, the party or parties which have assumed control or ownership of the operations or facilities shall assume any outstanding debt and provide compensation to the Guam Memorial Hospital Authority for any incurred expenses that were financed under this Subsection.

**SOURCE:** Added by P.L. 14-029:1 (May 27, 1977) as GC § 49003. Subsection (b) amended by P.L. 14-091:2 (Dec. 27, 1977). Subsection (l) repealed and reenacted by P.L. 14-140:28 (Aug. 31, 1978), repealed by P.L. 16-098:1 (July 2, 1982). Subsection (o) added by P.L. 15-135:11 (Aug. 22, 1980). Subsection (e) amended P.L. 16-007:10 (Apr. 24, 1981), repealed and reenacted by P.L. 16-098:4 (July 2, 1982). Subsection (n) amended by P.L. 16-098:5 (July 2, 1982). Subsection (c) amended by P.L. 16-124:21 (Dec. 29, 1982). Subsection (p) added by P.L. 16-124:22 (Dec. 29, 1982). Subsection (a) amended by P.L. 17-021:1 (Aug. 18, 1983). Subsection (b) amended by P.L. 17-083:1 (Dec. 21, 1984). Codified as 10 GCA § 80104. Subsection (b) repealed and reenacted by P.L. 18-026:7 (Dec. 31, 1985). Subsections (o) (1, 5 & 6) amended by P.L. 18-026:10 (Dec. 31, 1985). Subsection (q) added by P.L. 18-026:13 (Dec. 31, 1985). Subsection (c) amended by, P.L. 20-228:1 (Jan. 30, 1991), P.L. 29-014:2 (Sept. 7, 2007). Subsection (s) added by P.L. 25-150:2 (July 7, 2000), amended by P.L. 30-200:2 (Dec. 9, 2010). Subsections (s)(10) and (11) added by P.L. 32-043:2 (July 2, 2013). Subsection (s)(9) amended by P.L. 32-105:1 (Jan. 14, 2014). Subsection (u) added by P.L. 31-002:2 (Mar. 8, 2011). Subsection (n) amended by P.L. 32-158:2 (May 21, 2014). Subsection (v) added by P.L. 32-204:1 (Oct. 13, 2014), and P.L. 33-151:1 (May 13, 2016).

**2013 NOTE:** This section was originally codified as GC § 49007, entitled "*Employment Practices.*" Repealed and added as 10 GCA § 80113 by P.L. 30-190:1 (Aug. 28, 2010).

Numbers and/or letters were added or altered to adhere to the Compiler's alphanumeric scheme in accordance to 1 GCA § 1606.

**NOTE:** P.L. 20-228:1 (Jan. 30, 1991) amended 10 GCA § 80103(c). This appeared to be a manifest error. The correct section is § 80104(e).

**NOTE:** The authority to establish fees was also found in § 80105.1 of this Chapter, which was apparently added as untitled and uncodified law by P.L. 19-005:55 (Aug. 21, 1987), repealed and added by P.L. 23-22:2 (May 30, 1995), and repealed by P.L. 25-005:8 (May 10, 1999).

**§ 80110. Administrator and Chief Executive Officer.**

(a) The Board shall hire or contract an Administrator, who shall be its Chief Executive Officer. The Administrator's duties and compensation, salary and endowments, shall be determined by the Board. The Administrator shall meet the following minimum qualifications:



## SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice  
*I Mina' trentai Singko na Liheslaturan Guåhan*  
35<sup>th</sup> Guam Legislature

### COMMITTEE REPORT DIGEST

#### I. OVERVIEW

The Committee on Health, Tourism, Historic Preservation, Land and Justice convened a virtual public hearing on Wednesday, September 16, 2020 beginning at 5:00 PM in *I Liheslatura's* Virtual Conference Platform. The item on the agenda was the consideration of the appointment of Michael J. Um, MD to serve as a Member, Board of Trustees of the Guam Memorial Hospital Authority, and whose appointment history is as follows:

- Appointed by *I Maga'Hågan Guåhan* on June 26, 2020 to serve Six (6) years; April 15, 2020 to April 14, 2026;
- Appointment packet forwarded to *I Liheslatura* on June 29, 2020;
- Appointment packet forwarded to this committee for public consideration on June 30, 2020.

#### **Public Notice Requirements**

Notices for this Confirmation Hearing were disseminated via email to all senators and all main media broadcasting outlets on Thursday, September 10, 2020 (5-Day Notice) and again on Monday, September 14, 2020 (48 Hour Notice). The notice was also published in the Guam Daily Post on Wednesday, September 9, 2020 and Monday, September 14, 2020.

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### **Senators Present**

Senator Therese M. Terlaje, Chairperson

Senator Telo T. Taitague

Senator Louise B. Muña, Committee Member

Senator James Camacho Moylan, Committee Member

### **Appearing Before the Committee**

Michael J. Um, MD, Appointee

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

The public hearing was called to order at 5:10 p.m. Chairperson Therese M. Terlaje presented the agenda items that would be heard during the hearing. The appointment of Michael J. Um, MD to serve as a Member, Board of Trustees, Guam Memorial Hospital Authority was the item on the agenda.

### **Chairperson Therese M. Terlaje:**

*Hafa adai.* The Committee on Health, Tourism, Historic Preservation, Land and Justice is now called to order. Today is Wednesday, September 16, 2020 and the time is 5:10 p.m. Notices for this Confirmation Hearing were disseminated via email to all Senators and all main media broadcasting outlets on Thursday September 10, 2020 and again on Monday September 14, 2020.

The notice was also published in the Guam Daily Post on Wednesday September 9 and Monday September 14<sup>th</sup>. We have one confirmation today and that is the reappointment of Michael J. Um. MD to serve as a member of the Guam Memorial Hospital Board Authority, Board of Trustees. I would like to acknowledge the presence of my colleagues here

starting with the Minority Leader, Senator Telo T. Taitague and Senator Louise B. Muña. Thank you, senators, for joining us today.

Before we begin doctor, I just want to thank you for your work at GMH during this pandemic and offer you our condolences on the nurse that was lost up there and of course, the patients and all the staff that have taken ill to the disease. Thank you again for your work.

So, the re-appointment of Dr. Um is for a term length of six years from April 15, 2020 to April 14, 2026 and this re-appointment was received by the Legislature on June 26, 2020 and referred to the Committee on June 30, 2020.

I'm going to enter into the record some excerpts from the code governing the GMHA Board of Trustees (§ 80105.1 Chapter 80, 10GCA).

(a) The Board shall be liable for the negligent act of any hospital employee or officer if the board knew or had notice that said employee or officer was inefficient and incompetent to perform the services for which he was hired or said board retained such inefficient or incompetent person after knowledge or notice of such inefficiency or incompetency.

(b) No Trustee shall be liable for any decision made in good faith non-malicious fulfillment of his duties.

(c) The Board shall be liable as fiduciaries in the execution of their duties.

(d) No trustee shall be actively engaged in the selling of services or goods to the hospital without the express approval of the Board of



Trustees. The form of approval shall be by the adoption of a Board Resolution confirming said approval.

There's another section in the code that talks about the composition of the Board and there are ten (10) members but two (2) of them are members representing the medical community and all the members are appointed by the Governor of Guam.

And so, Dr. Um is one of the two members representing the medical community. There's also an additional section of the code that states, "No person shall sit on the Board as a member who is an employee of the Guam Memorial Hospital Authority," (Reference to § 80105.4 of Chapter 80, 10GCA). And so, we are going to talk about that in just a little bit.

Dr. Um, thank you again for accepting this reappointment and for your service on the Board in these past years. If you would like to testify or offer any remarks on your behalf, you're welcome to do so at this time.

**Michael J. Um, MD, Appointee:** Yes, I guess I'll make this pretty short. I wasn't really sure what to expect once I joined the Board but now that, especially with COVID going around, being on the Board as well as being one of the active medical staff members still being involved with bylaws, and then the MEC at GMH, and now being tapped for the Physicians Advisory Group, it's all just kind of kind of surrounding my world with COVID. So, I feel like it's given me a lot of information. A lot of ways to kind of think of what ways we can help maybe think outside the box. And so far, as to my experience with the Board, the Board has been really engaged. I know one of the big things we were concerned about was that the Board previously was just not making quorum. I don't think we've missed a single meeting except for maybe one of them right when pandemic hit.

And personally, for my subcommittee, the Joint Conference and Professional Affairs Subcommittee, we are responsible for the credentialing and it's not super glamorous or terribly exciting but a few things that we did to try to kind of expedite and make the whole process a little smoother- we kind of retooled the way that all the credentials from medical records through the billing process. And, a lot of physicians were upset. So, I heard that from the MEC, GMH side and then of course from the Board end because we're the fiduciaries, we've been making money come in and so we just started our first steps in our first meeting with (inaudible) about tackling that.

So, hopefully we'll be able to speed that along and make that a little bit smoother so ultimately what that will do is relieve physician headaches from getting called in and we'll be able to recoup our charges a little faster. That's not super exciting I understand, but it was kind of a big deal for us.

**Chairperson Therese M. Terlaje:** Thank you Dr. Um. That actually is a very big deal because that is one of the findings of the audits that have been going on for years, to fix that process. So, it's great. When you said that you have immersed yourself in COVID, I understand at high risk and so I am very glad that you have recovered very well,

**Michael J. Um, MD, Appointee:** Yeah, you probably heard that I caught COVID as well. But there was a little bit of a silver lining in that I was able to go to Naval Hospital today and donate some plasma.

**Chairperson Therese M. Terlaje:** So, are they not accepting that type of donation at GMH right now?

**Michael J. Um, MD, Appointee:** They need a special type of equipment and I don't think we have at GMH. It's not just the regular blood draw. The blood gets taken in and then spun down and then it comes back. So, a regular blood draw will take I don't know, probably like ten to fifteen minutes but this was about an hour process. But what I understand is that it'll be open for the public. Sorry, the stock will be available to the whole island, not just the military.

**Chairperson Therese M. Terlaje:** Great. Well I'm glad you talked about the committee you were in. I was going to ask you about that and what you think they have accomplished. So, thank you for that. Do you think the Board or you as a board member are confident in the measures that have been implemented by the management at GMH, in regular times and during COVID times?

**Michael J. Um, MD, Appointee:** In regular times, that sounds like so long ago. The things that I really liked was that the management seemed to be way more proactive and involved, compared to what I had seen previously. I think that really helped get a lot of the committees at meetings a lot smoother because they would actually show up to meetings and would have answers. For example, like with the NCB meeting, it was the first time I ever saw the CEO show up or the medical director show up. So, we would have answers and that would be very helpful. Of course, once we got thrown into the COVID era, you know we just can't train for this, right? Everybody was just kind of learning on the fly. Now that we're about six, seven months into it, I think overall, we were doing really well until recently when the cases kind of started piling up again. I think that we're tackling the number of COVID admissions perhaps. But we're still definitely not where we want to be, like we were back in April and May.

So, I think with my position on the board and being on the Physician Advisory Group, I would like to see maybe if there are some, more different ways we can approach this. I don't think we've done a terrible job. I think we've done a pretty good job considering the limited resource that we have. But you know if there's a way to, I would love to find it and I wouldn't like to be complacent or think this is the only way we can do it. So, it'll take some more discussion and we would all love to be really processed. But I think it's going to take some time as we kind of poke and prod and figure out what's going to work for the island. But overall, I feel like GMH has done a pretty great job, especially Dr. Aguon with the ICU.

**Chairperson Therese M. Terlaje:** I understand. What about for staff protection. Are you satisfied with the efforts?

**Michael J. Um, MD, Appointee:** Yes, I think what initially the concern was COVID from the patients that were coming in undetected. In reality it looks like what we're seeing is that, once the virus took a foothold in the community and we had a very high prevalence in the community, it was actually more because of informal contact with the staff. Let's say like when they're taking a break or having lunch. The personal protective equipment and all the protocols were being followed really well and once we realized that was the issue then of course everybody was informed, and all the departments stepped in to make sure people weren't congregating and spreading it out. I think the numbers were about close to 40 maybe or more total staff that had that contracted COVID. Thankfully for the most part they've been pretty okay. I mean of course we've had a couple that weren't.

**Chairperson Therese M. Terlaje:** Do you think the Board is active enough in deciding priority use of funding?

**Michael J. Um, MD, Appointee:** It comes up to us. I think maybe Byron Evaristo, from the financial group probably has a better pulse on that. But it's funny that you mentioned that. I was doing some thinking after our last Physicians Advisory Group meeting and was wondering if we, although we've been meeting very regularly and haven't missed meetings, it might be and I haven't discussed this with the rest of the board yet, but it might not be a bad idea to meet a little bit more frequently and just make sure everybody's very well versed on the hospital's response and any anything that we can do to help it or any challenges. We definitely hear the good stories that come through but maybe it might be prudent to have maybe a special meeting in between the regular meetings just to get a better pulse on it. But I will have to bring this up to the rest of the Board and see if they're all okay with throwing on another meeting. But I think it could have some value. Yes, but for that question, I would say yes, you can always do more. So, let's see what everybody's personal threshold is going to be for that.

**Chairperson Therese M. Terlaje:** Yes, well what I was thinking was that the hospital had many challenges to begin with and then of course the CMS concerns. I was normally going to ask you all about that: Are we meeting CMS requirements quickly enough? Is the Board actively ensuring that? But of course, now that we're in COVID I can see why more meetings might make sense. Because you're dealing with the same things that you've always dealt with plus, plus, plus.

**Michael J. Um, MD, Appointee:** Yes. It's kind of amazing to think that we were talking about working toward getting a new hospital and then COVID hit. We still kind of need a new hospital but now we have to deal with COVID. So, I don't know if you were able to hear (inaudible). I don't know if you were able to hear Dr. Aguon's interview on KUAM the other day about how she was talking about the condition of the hospital. Of course, it's all something we're so very familiar with, but still the staff at

GMH is still able to just push on through and do what we have to do to provide service for the island.

**Chairperson Therese M. Terlaje:** Yes, could you ...Well if I could welcome Senator James Moylan. Thank you, Senator for joining us today.

If you could just maybe expand a little on if you think the Board is effectively or the management are effectively responding to CMS issues. And, are we bettering our patient care? Especially that. Well, I guess it's hard now...

**Michael J. Um, MD, Appointee:** For the updates that we get at least from the CMS citations, from the reports and the updates that we get, it seems like yes, the hospital is progressing along, and they've addressed the CMS issues. As from what I can recall from CMS issues, most of it was from previous procedures and admin issues and less direct patient care problems. So, thankfully from a patient care perspective, of course the structural stuff is a little bit different, but from a patient care perspective it seemed like it wasn't the main concern. So, it looks like that's definitely going in the right direction. I don't know if there are any outstanding ones that we need to be aware of. But I think overall, I think so, as far as the CMS concerns,

**Chairperson Therese M. Terlaje:** Well the patient care ones were on the front page of the paper not too long ago regarding the pediatrics in fact.

**Michael J. Um, MD, Appointee:** Yes.

**Chairperson Therese M. Terlaje:** Yes, and so Dr. Um, you're a pediatric physician and I know you have your own private clinic as well, but you also have a working relationship with the hospital. Could you just explain

that and confirm that it meets the requirements of the statute? That is that you're not an employee.

**Michael J. Um, MD, Appointee:** Yes, I think this came up on my first confirmation hearing. So, as a hospitalist, I help out and I take calls for GMH sometimes and so I'm considered an independent contractor for my term. So, I think when we went through legal council last time, they confirmed that that wouldn't count as an employee relationship as I was an independent contractor. My time in the hospital has kind of decreased a little bit as my clinic has become busier as we do a little bit of COVID testing as well.

Now we've actually been able to establish more of a hospice program. So now, we have three full-time hospitalists and then, so they'll take care of the patients during the day and then now the community pediatricians just kind of chip in and help at night. And so now I'm being one of those community pediatricians helping to chip in.

One thing I was thinking though, being an active staff member and being involved in the MEC and the bylaws has just been so useful and fit in finding out how the hospital is doing, what the other department's concerns are. Things that honestly if I was just on the Board and separate from that, I'm not sure I would. And, I think I know why you don't want a hospital employee to be a member of the Board. But I think having an active staff member is actually a pretty great benefit and you might want to think about that down the line for future Board members that are supposed to be the healthcare representatives.

**Chairperson Therese M. Terlaje:** I appreciate that and actually Dr. Um, I would like to encourage that. We haven't had many recommendations from the medical professionals as to the hospital. We've heard from a

couple for example, Dr. Akimoto suggests that there are too many employees at the hospital that are non-patient care employees and so I've raised this to the Board and other things. Of course, we've heard from prior physicians that were there that have also brought up issues of management or even preference of certain physicians over others, and other things. But because you are the medical representative on the Board, I would want to encourage you to please, if you have recommendations as to how to solve issues or to prevent even the appearance of what's bothering the physicians, I would like to remove that if we can. And so, I would like your recommendations in that regard. And I think I agree with you, your experience working there and having to deal with their protocols, and everything might be just the right person to give me that type of recommendation. And you are in the Physicians Advisory Group. I'm sure you're active in the physicians outside groups, and so you can hear their complaints and I would like your help to solve this if possible.

**Michael J. Um, MD, Appointee:** One thing that I've noticed that was really striking to me right when I got to GMH like five years ago, and now I'm realizing a lot of frustrations can kind of stem from this, is that GMH is still in a very analog system. We're not digitized and that means it takes a lot of people to go through and churn through this paperwork. So back on the JCPA Committee, while we're looking at who the analyzers are, how many we have, what they are doing, how it gets to the builders and encoders, it was all manual. People are just reading through and going through one by one and it's slow. We just don't have the infrastructure currently to make it digitized and streamlined. So, I can say if we upgraded at least just that part of it, a lot of things... we can at least feel and look a lot smoother and better. Let's just keep that in mind.

**Chairperson Therese M. Terlaje:** Is the new EHR, Electronic Health Record system going to address any of those types of issues? I thought that's what it was for.



**Michael J. Um, MD, Appointee:** We hope so, but it hasn't gone live yet and I think the go live date, because of COVID, has been pushed back. And definitely, I've been in two hospitals, in written training, where they started rolling out the new HER. When they roll out the new EHR, even the best EHR's, I think it's EPIC right now, there's a lot of complaining and a lot of growing pains before everybody gets accustomed to it. So even when we roll in that new EHR, I just want to prepare you. It's going to feel slower at first before we speed up and then the efficiencies kick in.

**Chairperson Therese M. Terlaje:** I appreciate that. Thank you, Dr. Um. I'm going to open it up now to the minority leader Senator Telo Taitague.

**Senator Telo T. Taitague:** Thank you Madam Chair for the opportunity and you know Dr. Um, once you get past the Oversight Chair, especially Senator Terlaje. She's very thorough. So now, it's a breeze with the rest of us and it's all good stuff. But actually, there is one thing though but first, I want to thank you for willing to stay on this Board and continue to serve. That says a lot about you and wanting to give to this community. So, I greatly appreciate you wanting to do that and serving. So, I don't know you personally at all. I remember seeing you last year and listening to what you had to say. So, keeping first, I love your hair. How it's able to stand like that. I don't know if you use gel, but I don't think you even have to use gel for that hair.

**Michael J. Um, MD, Appointee:** I actually have to use wax.

**Senator Telo T. Taitague:** I'm sorry. Its wax? Well I know Senator Moylan is very jealous. We all are actually. But to get to know you just a

little bit more, what would you like to see personally as a board member not that you've had a chance to sit on the board? What would you like to see personally done to improve at the hospital? Like a pet project that you would like to see done.

**Michael J. Um, MD, Appointee:** My pet project? Well, definitely on a bigger scale, just the infrastructure improvements are the biggest thing. On the Peds floor, like today was a pretty rainy day. We would have rain coming down from the roof and maintenance would have to basically make a plastic shoot so that it could all go into a bucket and that was just how it would be right in the middle of the nurse's station. We would just kind of walk around giant puddles and that was just the way things were. and I guess I got it. Money is always an issue and now that we're thinking of going to a new hospital, that opens up a whole new set of challenges. So, the infrastructure stuff aside for my pet project, I would love, love, love to really streamline the records and the billing. One of the big things is that we get a lot of physicians flagged and we have these first notices if their records aren't complete. There are second and third notices and then some physicians we actually suspend their credentials for a little bit or privileges, rather. As we kind of start looking in, they would be getting notices for may be small typos that really didn't affect, as a communication tool between other providers, and really didn't affect it as a way to send off for billing. So, we wanted to find a way to kind to streamline that. Can you guys hear me okay? (Video and audio lag)

**Senator Telo T. Taitague:** Yes, sometimes I guess when using your video or drive you can turn it off so that you won't cut out, that's fine too. Okay, now I think we might have lost you.

**Michael J. Um, MD, Appointee:** So that would be one thing I would really love to just kind of streamline because it's a big source of

frustration for patients and I'm sure it's a source of frustration for the people waiting to get the charges back. So, I think that would be useful.

**Senator Telo T. Taitague:** Thank you for that and thanks for actually mentioning the infrastructure. I'm not going to extend this conversation with regards to the Army Corps of Engineers. If the Board has had a chance to look at it, I'm hoping now that I know you even spoke about it, I hope that's on your personal list of goals as well; to look at the Army Corps of Engineers Report. And of course, there is a task force from a bill that I introduced and passed in the legislature. It creates a task force for the building of a new hospital. So, I appreciate it if you can keep that on the radar and make that a personal goal. Once again, thank you so much. Thank you, Madam Chair, for the opportunity and good luck to you, Dr. Um. My door is always open if I can be of assistance.

**Chairperson Therese M. Terlaje:**

Okay, thank you Senator. Senator Muña.

**Senator Louise B. Muña:** Thank you Madam Chair. I'm using my phone right now so I have to find the screen where Dr. Um is on so I can actually look at him when I'm speaking to him. So, I just wanted to mention to Senator Taitague too that even in your capacity as a part of the Board for Make-a-Wish as a physician's advisory, that I've always told you that you always had the best hair in the entire Board. I wanted to make sure that they know that you don't only have the best hair now but that you have the best character. You know we have so many things that we involve ourselves in and not just specifically in our work, but you know all of our community efforts. And, I really want to thank you for reaching out for as many opportunities for you to serve the community and this is just one of them, as well as the Make-a-Wish too.

So, I want to thank you for that, but you know sometimes we can stretch a little bit too far and then we could be overwhelmed. So, I just want to ask you, continuing as a Board member for GMH with everything else, that you can handle everything that is in front of you?

**Michael J. Um, MD, Appointee:** Thank you. I appreciate that because I've actually had to say no to a few things fairly recently because I felt like I was getting too stretched out. One thing though is that we are in a pandemic and the island is definitely in a crisis mode. And so, I don't know. I just have a very strong sense of obligation and responsibility. If I can do this then I really should do this. We've had a couple people step down from the Physicians Advisory Group and those meetings, they take a couple hours long and our chat is always constant. Actually, it feels weird saying that the meetings are enjoyable, but it's not painful. The meetings aren't painful and so the relationship at the Board is pretty good. But now as I was saying earlier, it might be time to have a few more meetings if the rest of everybody else is amenable to it. But thank you. I appreciate that you're thinking about that, about me but yes.

**Senator Louise B. Muña:** Well, I mean because you also have life as well too. So, you want to make sure that you have balance all around, right? I think one of the advantages of having you on the board is that we sort of have two doctors on Board, because you're married to a doctor too as well. So, it keeps you in check as well too. So, it's kind of nice to have the both of you period, to have you here. You could have chosen anywhere in the world to serve with your expertise and you chose here even with all the inconsistencies and some of the issues that we have to deal with on a daily basis, on a yearly basis. You still decided to stay and serve and so that's one of the things that we really want to appreciate you for doing. I'm trying to think if I have any other questions.

Like Senator Taitague said, having Senator Terlaje as the Chair for Health, she's going to make sure that she covers all of her bases and all I can offer you, just like the Minority Leader can offer you, is if you have any questions or issues, that you can come to any one of us. So, I just want to thank you again for continuing on with the Board and say hi to Dr. Amanda.

**Michael J. Um, MD, Appointee:** Thank you. Will do.

**Chairperson Therese M. Terlaje:** Thank you. Senator Moylan.

**Senator James C. Moylan:** Thank you Madam Chair. Thank you, doctor. Just something really quick, you already made a notion to it; the condition of the hospital and we had a recent meeting with some of the other doctors and they also explained the same thing. But what I'd really like to do is go into the hospital and take some pictures. You're telling me that we have these water conditions that are still like a waterfall and they're basically at different levels of the floors and in the hallways. I remember the old story or the previous situations where it was even raining inside the elevators. So, you're just reconfirming for me that this is still happening. There's nothing new even though, and my point is, even though last year the Committee Chair here, Senator Terlaje worked hard to get in last year's budget, \$10 million dollars, that we are still wondering when in the world it's going to get to the hospital.

So I'm hoping that you as the Board member can help push that through because even if we're looking at a new hospital it's going to be down the line and in the meantime, unless you guys all get rain boots when you go into the hospital for you and the patients, you don't want to be puddling through water. And today's weather is a good example.

So, describe to me other than that one coming down on the floor at the nursing station where they funnel it, what else do you see with the water condition at the hospital please?

**Michael J. Um, MD, Appointee:** Typically, the main ones are the big windows as you go through the hall. So, my usual route when I go to the hospital, I always go through the OB ward to see any babies. So, after a really rainy day, we will see towels and gowns basically draped on the side too, because the water is coming in through the windows. And then up on the Peds floor or the old Peds floor, because it's on the fourth floor, the top floor, that's probably why all the water was coming through the third floor. I don't really go there very often because it's the adult side. So, I don't see that and then also on the ground level as you're walking in from the back side of the hospital, sometimes you can see some puddles there too.

**Senator James C. Moylan:** Okay. And your elevators?

**Michael J. Um, MD, Appointee:** The elevators I believe they're all working now and that was a very big deal and you're absolutely right though I think the report that we got from the inspection was that it was due to a lot of water damage from the elevator shaft. But as far as I know, the elevators are working. So that's good. But I got stuck in the elevator on my very first day at GMH. So, I never take the elevators.

**Senator James C. Moylan:** Okay, alright. Thank you doctor and Madam Chair, maybe that's something we can do, take a field trip there if we have the right protective mask and take some pictures and get that money to the hospital. Thank you very much.

**Michael J. Um, MD, Appointee:** That would be great.

**Chairperson Therese M. Terlaje:** Okay so Dr. Um, to follow up on those questions. First of all, the Electronic Health Records that were part of the CMS citation, that's how it started. I think besides just physicians recommending it and staff, but it was a CMS requirement. And so, to upgrade the Electronic Health Record system, they had said they needed millions of dollars. I think six million dollars at the time. So, we tried to get that. That was part of what that 10 million dollars was supposed to be used for. But the hospital has represented to us since then that they have taken care of it and they in fact said it would be implemented in December. So, if it's not implemented now and it's been rolled back, what is the date that you expect it to be implemented? Do you think that's a COVID delay or some other type of delay?

**Michael J. Um, MD, Appointee:** I believe it's a COVID delay because what we need is the people from stateside to come out and I think the travel became an issue. So, I think the last date that I heard was, it went from December to February. But now we're looking more at May. And so, the travel issue is going to be a problem because even if we're taking flights in their company just doesn't want them coming out. I don't know if that's what's going to hold it up. But people don't want... I think we are top five- the U.S including Territories for COVID risk under stratification. So, it's just not a very attractive place for people to want to come right now.

**Chairperson Therese M. Terlaje:** Okay, please keep me posted on that. what about as Senator Moylan was talking about, money for capital improvement projects. Are you aware that there was no request from the hospital for money for capital improvement projects from the Legislature? Now, I know that they've received, for example, \$1.5 million dollars of Department of Interior money which was supposed to be for the roof. But I am hearing from you now that it's not done for

sure. But they did not make any requests for capital improvement projects this year and I just want to know if the Board is aware. If they are aware of what's going on in these budget requests and if they are taking an active role in that type of thing?

**Michael J. Um, MD, Appointee:** I hear the reports with the Capital Improvement projects with Trustee Davis when we have that part of the Board, but I guess we are not aware of things that aren't happening or haven't been requested. That's very interesting. Yeah, so I didn't know that it hadn't been requested. I just assumed. I think there was a budget hearing not too long ago and they present to us, these are the things we're looking for and we look at it all and say yes, these are the things we should ask for. That's what I expect would have been asked for.

**Chairperson Therese M. Terlaje:** okay. Well I'm concerned because of course the patients see this and they see that it goes on for years and years. And so really, everybody's looking to the Board, if we're going to start. I don't know. It's the Board that I think really has to be responsible for that or I don't know how we're going to be able to answer to these patients.

The Army Corps of Engineers also made it very clear that you had to fix certain things and it had to be done immediately. They even prioritized it for GMH and so that's another thing. I mean, how active is the Board with following up on that regularly and are these being done? Because that was why everybody put it off. Because they said, why don't we just wait until the Army Corps does their assessment instead of investing any money in it. So that's done now and there's no such excuse. The Army Corps in fact reiterated, "Do it. Do it now," to certain capital improvement projects.



**Michael J. Um, MD, Appointee:** Yes, so for the Board, I'm sure Trustee Sharon Davis has a much better pulse on that. We get it after it comes into her subcommittee. So, the rest of the board members hear the summary report of it. But that's very interesting and I would love to bring that up at the next board meeting.

**Chairperson Therese M. Terlaje:** All right. Yes. I think I love the committee work because I've seen the reports from the committee. They're so thorough and the Facilities Committee does a very good job. But I just think we need every Trustee to question a little bit more because we have to answer these questions for the public, right. That's really the goal of course. But, alright.

Senators do you have any other questions, from the panel? Alright and again, please extend my thanks to everyone up at GMH and thank you for accepting again to serve on this Board, to put in the hours and put in the questions and the review that has really been called for by CMS and by the people of Guam.

So, thank you again Dr. Um. If there's anything that we can do to help you, we will try, and we will take your recommendations seriously and try to act on them as soon as we can.

**Michael J. Um, MD, Appointee:** Thank you so much.

**Chairperson Therese M. Terlaje:** We're going to call this public hearing adjourned now. The time is 5:50 p.m. Thank you again to the Senators and to Dr. Um. *Si Yu'os ma'åse'.*

The public hearing was adjourned at 5:50 PM.

### III. FINDINGS & RECOMMENDATIONS

- Dr. Michael J. Um was previously appointed to the GMHA Board of Trustees on April 29, 2019, to fill the unexpired term of Valentino Perez. Dr. Um has again been appointed to now serve on the Board for a full-term length of six (6) years. Dr. Michael J. Um, expressed to the Committee, a very strong sense of obligation and responsibility to serve the community.
- Chairperson Terlaje asked Dr. Um to confirm if his appointment to the GMHA Board, given his employment as a Hospitalist with the hospital, was in compliance with § 80105.4 of Chapter 80, 10GCA, which states that “No person shall sit on the Board as a member who is an employee of the Guam Memorial Hospital.” According to Dr. Um, GMH legal counsel confirmed, with his first appointment to the Board, that as an independent contractor to the hospital, his employment does not count as an employee relationship.
- Dr. Michael J. Um, shared with the Committee some of his accomplishments as a Member of the GMHA Board of Trustees, Joint Conference and Professional Affairs Subcommittee which includes efforts to retool the credentialing processes from medical records to billing, to expedite and make for a smoother process to recoup charges more efficiently and expressed his concerns with the infrastructural improvement needs of GMH, as a focus of his service along with an interest to streamline the records and billing process of the hospital.
- Upon the request from the Chairperson and panel of Senators, Dr. Um provided insight and recommendations on various issues, which include those related to measures that have been implemented by the GMH management prior to and during the COVID-19 pandemic, to include patient and staff safety protocol; infrastructural issues and improvements; Board involvement with

decisions on budgetary priorities and updates to the Committee on the status of the implementation of the Electronic Health Record systems, which has been delayed due to the COVID pandemic, which has presented travel related issues for the EHR vendor, until approximately May, 2021. Dr. Um suggested that with a consensus of fellow Board members, increasing the frequency of Board meetings is one solution to ensure that Boards members are very well versed on the hospital's response and anything that they can do to help it or any challenges.

- The Committee finds that Dr. Michael J. Um possesses the necessary skills, knowledge and dedication to contribute greatly to the mission and mandates of the Guam Memorial Hospital Authority, Board of Trustees and the improvement of patient care for the people of Guam.

The Committee on Health, Tourism, Historic Preservation, Land and Justice hereby reports on the appointment of Michael J. Um, MD to serve as a Member, Board of Trustees of the Guam Memorial Hospital Authority, with the recommendation To do Confirm.



**SENATOR THERESE M. TERLAJE**

Committee on Health, Tourism, Historic Preservation, Land and Justice  
*I Mina' trentai Singko na Libeslaturan Guåhan*  
 35<sup>th</sup> Guam Legislature

**COMMITTEE VOTE SHEET**

**Nomination of  
 Michael J. Um, MD  
 to Serve as a Member, Board of Trustees  
 Guam Memorial Hospital Authority,  
 Term length: Six (6) years; April 15, 2020 to April 14, 2026**

	SIGNATURE	TO DO CONFIRM	TO NOT CONFIRM	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
<b>Senator Therese M. Terlaje</b> Chairperson	<i>Therese M. Terlaje</i> 10/7/2020	✓				
<b>Senator Sabina Flores Perez</b> Vice Chairperson						
<b>Senator Kelly G. Marsh (Taitano), Ph.D.</b> Member						
<b>Senator James C. Moylan</b> Member	E-Vote 10/7/2020			✓		
<b>Senator Louise B. Muña</b> Member	E-Vote 10/7/2020	✓				
<b>Vice Speaker Telenia C. Nelson</b> Member						
<b>Senator Joe S. San Agustin</b> Member	E-Vote 10/8/2020	✓				
<b>Senator Amanda L. Shelton</b> Member	E-Vote 10/8/2020	✓				
<b>Senator Mary Camacho Torres</b> Member						

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Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt;

**Re: REQUEST FOR E-VOTE: Appointment of Michael J. Um, MD, GMHA Board of Trustees**

1 message

**Louise Muna** <senatorlouise@gmail.com>  
To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Wed, Oct 7, 2020 at 7:35 PM

Hafa Adai,

To Do Confirm,

Thank you.

On Wed, Oct 7, 2020, 7:24 PM Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt; wrote:

Hafa Adai Committee Members:

Please see attached Committee Report for Michael J. Um, MD as a **Member** of the **Guam Memorial Hospital Authority, Board of Trustees**.

Please indicate your preferred action, based on the following options:

- To Do Confirm;
- To Not Confirm;
- To Report Out Only;
- To Abstain; or
- To Place in Inactive File.

Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for Michael J. Um, MD, which will be filed with the Committee on Rules.

Si Yu'os Ma'åse'!

--

**Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

*I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature

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Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt;

**Re: REQUEST FOR E-VOTE: Appointment of Michael J. Um, MD, GMHA Board of Trustees**

1 message

**James Moylan** <senatormoylan@guamlegislature.org>  
To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Wed, Oct 7, 2020 at 8:22 PM

To report out only.

SYM.

On Wed, Oct 7, 2020, 7:24 PM Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt; wrote:

Hafa Adai Committee Members:

Please see attached Committee Report for Michael J. Um, MD as a **Member** of the **Guam Memorial Hospital Authority, Board of Trustees**.

Please indicate your preferred action, based on the following options:

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Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for Michael J. Um, MD, which will be filed with the Committee on Rules.

Si Yu'os Ma'åse'!

--

**Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

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35th Guam Legislature

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Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt;

**Re: REQUEST FOR E-VOTE: Appointment of Michael J. Um, MD, GMHA Board of Trustees**

1 message

Joe S. San Agustin &lt;senatorjoessanagustin@gmail.com&gt;

Thu, Oct 8, 2020 at 9:21 AM

To: Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt;

Cc: Senator Sabina Perez &lt;office@senatorperez.org&gt;, "Office of Senator Kelly Marsh (Taitano), PhD." &lt;office.senatorkelly@guamlegislature.org&gt;, James Moylan &lt;senatormoylan@guamlegislature.org&gt;, Senator Louise Borja Muna &lt;senatorlouise@gmail.com&gt;, Senator Telen Cruz Nelson &lt;senatortcnelson@guamlegislature.org&gt;, Office of Senator Shelton Guam Legislature &lt;officeofsenatorshelton@guamlegislature.org&gt;, "Mary C. Torres" &lt;senatormary@guamlegislature.org&gt;

To Do Confirm

**The Office of Senator Joe S. San Agustin**

Committee on General Government Operations, Appropriations &amp; Housing

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35th Guam Legislature

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On Wed, 7 Oct 2020 at 19:24, Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt; wrote:

Hafa Adai Committee Members:

Please see attached Committee Report for Michael J. Um, MD as a **Member** of the **Guam Memorial Hospital Authority, Board of Trustees**.

Please indicate your preferred action, based on the following options:

- To Do Confirm;
- To Not Confirm;
- To Report Out Only;
- To Abstain; or
- To Place in Inactive File.

Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for Michael J. Um, MD, which will be filed with the Committee on Rules.

Si Yu'os Ma'åse'!

--

**Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

*I Mina'trentai Singko na Liheslaturan Guahan*

35th Guam Legislature

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Senator Therese Terlaje <senatorterlajeguam@gmail.com>

## Re: REQUEST FOR E-VOTE: Appointment of Michael J. Um, MD, GMHA Board of Trustees

1 message

**Office of Senator Shelton Guam Legislature**

<officeofsenatorshelton@guamlegislature.org>

Thu, Oct 8, 2020 at 9:56 AM

To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Cc: Senator Sabina Perez <office@senatorperez.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, James Moylan <senatormoylan@guamlegislature.org>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telen Cruz Nelson <senatortcnelson@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, "Mary C. Torres" <senatormary@guamlegislature.org>

To Do Confirm.

On Wed, Oct 7, 2020 at 7:24 PM Senator Therese Terlaje <senatorterlajeguam@gmail.com> wrote:

Hafa Adai Committee Members:

Please see attached Committee Report for Michael J. Um, MD as a **Member** of the **Guam Memorial Hospital Authority, Board of Trustees**.

Please indicate your preferred action, based on the following options:

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Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for Michael J. Um, MD, which will be filed with the Committee on Rules.

Si Yu'os Ma'åse'!

--

**Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

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35th Guam Legislature

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--

*Si Yu'os Ma'åse,*

**Office of the People • Senator Amanda L. Shelton**

Legislative Secretary & Chairwoman of the Committee on Higher Education and the Advancement of Women, Youth, and Senior Citizens