

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-19-1350	Nathaniel B. Berg, MD	Member	Guam Board of Medical Examiners	12/19/19	Four (4) Years; October 23, 2019 to October 22, 2023	Committee on Health, Tourism, Historic Preservation, Land, and Justice	12/27/19	6/29/20 4:30 p.m.	10/15/20 4:16 p.m.		



SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina'trentai Singko na Libeslaturan Guåhan
35th 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 Nathaniel B. Berg, MD

Håfa Adai Speaker Barnes:

Transmitted herewith is the Committee Report on the appointment of **Nathaniel B. Berg, MD** to serve as a **Member** of the **Guam Board of Medical Examiners**, and which was referred to the **Committee on Health, Tourism, Historic Preservation, Land and Justice**.

Committee votes are as follows:

<u>3</u>	TO CONFIRM
<u>0</u>	TO NOT CONFIRM
<u>2</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

10:21 A.M.

Revision Rec'd:

October 15, 2020 @ 1:55 P.M.

Sincerely,


Therese M. Terlaje

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 | www.senatorterlaje.com



SENATOR THERESE M. TERLAJE

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

I Mina' trentai Singko na Libeslaturan Guåhan

35th Guam Legislature

COMMITTEE REPORT

Nomination of Nathaniel B. Berg, MD

To Serve as a Member of
the Guam Board of Medical Examiners for a
term length of four (4) years; October 23, 2019
to October 22, 2023.

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 | www.senatorterlaje.com



SENATOR THERESE M. TERLAJE

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

I Mina' trentai Singko na Libeslaturan Guåhan

35th Guam Legislature

October 8, 2020

MEMORANDUM

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

From: Senator Therese M. Terlaje ^{Tmt}
Committee Chairperson

Subject: Committee Report on the Appointment of Nathaniel B. Berg, MD

Transmitted herewith for your consideration is the Committee Report on the appointment of **Nathaniel B. Berg, MD** to serve as a **Member** of the **Guam Board of Medical Examiners**.

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
- Submitted Written Testimonies & 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'!

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 | www.senatorterlaje.com

Senator Régine Biscoe Lee,
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telena Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member



COMMITTEE ON RULES
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN
35TH GUAM LEGISLATURE

December 27, 2019

Senator Clynton E. Rido,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedro" Terlaja,
Member

Senator Therese M. Terlaja,
Member

Senator James C. Moylan,
Member

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

MEMO

To: Rennae Meno
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: Senator Amanda L. Shelton
Acting Chair, Committee on Rules

Re: Referral of Appointment

Buenas yan Håfa adai.

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

Appointee: Nathaniel B. Berg, MD
Position: Member, Guam Board of Medical Examiners.
Term Length: Four (4) Years; October 23, 2019 to October 22, 2023

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

"35GL-19-1350 – Office of the Governor of Guam – Appointment and Supporting Documents for Nathaniel B. Berg, MD, Member, Guam Board of Medical Examiners."

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

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 matter.

Respectfully,

Senator Amanda L. Shelton
Acting Chair, Committee on Rules

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

December 19, 2019

356L-19-1350
Speaker Tina Rose Muña Barnes

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

DEC 26 2019
Time 11:58 AM () PM
Received By:

2019 DEC 26 PM 2:18 PPT

RE: Board Appointment

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: Nathaniel B. Berg, MD
POSITION: Member, Guam Board of Medical Examiners
TERM LENGTH: **Four (4) Years; October 23, 2019 to October 22, 2023**

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

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

cc: Lt. Governor of Guam

OFISINAN I MAGA'HAGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LAIPI • DEPUTY GOVERNOR

December 19, 2019

Nathaniel B. Berg, MD
[REDACTED]

Dear Dr. Berg:

Pursuant to my authority under 10 GCA § 12203, I am pleased to reappoint you to serve as a

MEMBER, GUAM BOARD OF MEDICAL EXAMINERS
Term Length: Four (4) Years; October 23, 2019 to October 22, 2023

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

Senseramente,

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

cc: Lt. Governor of Guam
Administrator, HPLO

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 *Liheslaturan Guåhan* in accordance with Title 4, Guam Code Annotated Section 2103

NOMINEE INFORMATION

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

EDUCATION

SCHOOL (Name, City and State)	DATES OF ATTENDANCE	TYPE OF DEGREE	YEAR EARNED
High School Newton North High school, MASS		High School Diploma	1983
College University of Massachusett at Amherst, MASS		BS	1986
Graduate School Tufts University School of Medicine, Boston, MASS		MD	1990
Other Degree			

EMPLOYMENT HISTORY

Name of Present/Last Employer and Mailing Address GUAM RADIOLOGY CONSULTANTS Tamuning, Guam	Position Title Radiologist
	Dates Held 1999 - Present

Previous Employer and Mailing Address	Position Title
	Dates Held

Previous Employer and Mailing Address	Position Title
	Dates Held

Previous Employer and Mailing Address	Position Title
	Dates Held

Previous Employer and Mailing Address	Position Title
	Dates Held

PRIOR GOVERNMENT OF GUAM SERVICE

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

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

PRIOR GOVERNMENT SERVICE (EXCLUDING GOVERNMENT OF GUAM)

Agency or Department Name United States Army		Position Title Officer - Physician	
Address	Phone No.	Dates Held 1986 - 1999	

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

TRAINING

INSTITUTE/SEMINARS/ON-THE-JOB TRAINING	DATE
Internship - Letterman Army Medical Center	1990 - 1991
Radiology Residency - Walter Reed Army Medical Center	1991 - 1995
Extensive Post Graduate Training - Interventional Radiology	
Extensive Training & experience in Pain Management	

AWARDS

<i>List all educational, professional, civic awards, and recognition for public service:</i>
Diplomate, American Board of Radiology Chief Resident in Radiology - Walter Reed Army Medical Center Nuclear Regulatory Commission Recognized Radiation Safety Officer; Assistant Clinical Instructor in Radiology at Uniformed Services University of the Health Sciences (1994-1995); Phi Beta Kappa; Certified A-Reader for Asbestosis by the National Institute of Occupational Health and Safety Awarded 3 Humanitarian Service Medals by Department of Defense The National Committee for Employer Support of the Guard and Reserve Recognized Patriotic Employer

PROFESSIONAL INVOLVEMENT

<i>List involvement on a local/national/international level. List organizations, activities participated in, and offices held:</i>
Fellow, Federation of State Medical Boards Elected Member of Nominating Committee, Federation of State Medical Boards Member, Spine Intervention Society Member, American Medical Association Member, American College of Radiology Member, Radiological Society of North America Member, Guam Medical Association

COMMUNITY / CIVIC INVOLVEMENT

List organizations, activities participated in, and offices held:

As the owner of Guam Radiology Consultants, sponsored and contributed to numerous civic events and organizations including 5K runs, medical educational meetings, little league and Babe Ruth teams and The UOG Endowment Fund;
Helped organize and moderated numerous candidate forums; Hosted medical radio talk show; worked with DISID as employer; Volunteer Instructor in Pain Medicine in Iceland;
Accept/host high school, college and medical students for summer internships;
Founding sponsor and mentor, HOME Program

PUBLICATIONS AND PRESENTATIONS

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

The Radiologist's Role In Disaster - Presented at The Asia-Pacific Military Medical Conference, Auckland, New Zealand, May 1998;
Tragedy in Guam: One Doctor's Chronicle -- Hawaii Medical Journal November, 1997 [56(11) 307];
Testicular Masses Associated with Congenital Adrenal Hyperplasia MRI Findings - Urology: February, 1996 [47(2), 1996];
Numerous AMA Approved Continuing Medical Education Lectures through Guam Medical Association and Guam Medical Society

MILITARY SERVICE (Please attach Form DD-214)

BRANCH	DATES OF SERVICE	RANK AT DISCHARGE	TYPE OF DISCHARGE
United States Army	6/1990 - 6/1999	MAJOR	HONORABLE

OTHER INFORMATION

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

Yes No If so, please specify in detail: _____

Address of the Court: _____

Date(s) of Conviction: _____

Specific Infraction Committed: _____

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

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

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

Yes No

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

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

LOURDES A. LEON GUERRERO
Governor

JOSHUA F. TENORIO
Lieutenant Governor



OFFICE OF THE GOVERNOR OF GUAM

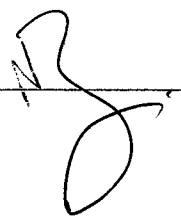
Statement of Financial Interests
(Required by 4 G.C.A. §13104.1)

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

FROM: Nathaniel Berg

- 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 Radiology Consultants	50%
Guam Medical Imaging Center	50%
Pacific Cardiology Consultants	50%
GRC MCLS	50%

Signature 

11/20/2019
Date

AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY

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

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

Nathaniel Berg

Print Name and Signature



11/20/2019

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: **NATHANIEL B BERG**

SS#:

ID#



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.

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.

Criminal Record: Page 1 of 1

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: 12/18/2019

DANIELLE T. ROSETE
Clerk of Court

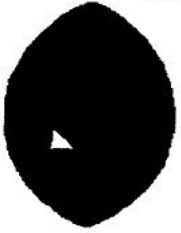
BY:

Edna M Nego
Deputy Clerk

Prepared By: emn



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**



December 18, 2019

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	Nathaniel B. BERG		
DATE OF BIRTH:		FINGERPRINT#:	N/A
	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: roque

**STEPHEN C. IGNACIO
Chief of Police**

The absence of an original GUAM POLICE seal invalidates this police clearance.
REVISED 04/28/19



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

FIRST NOTICE of Public Hearing – Monday, June 29, 2020 beginning at 9:00 a.m.

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com> Mon, Jun 22, 2020 at 8:03 AM

To: Speaker's Office <speaker@guamlegislature.org>, Vice Speaker Telen 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@senatorpterlaje.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>, Audio / Video <av@guamlegislature.org>

Bcc: Bruce Hill <pacificjournalist@gmail.com>, Desk Editor <deskeditor@postguam.com>, Guam PDN <news@guampdn.com>, Guam Progress <guamprogress@yahoo.com>, Jason Salas <jason@kuam.com>, Jerick Sablan <jpsablan@guampdn.com>, John Oconor <john@postguam.com>, K57 <news@k57.com>, KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Kelly Park <kcn.kelly@gmail.com>, Manny Cruz <cruzma812@gmail.com>, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Maria Louella Losinio <louella.losinio@gmail.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Patti Rodriguez <parroyo@spbgum.com>, Sabrina Salas <sabrina@kuam.com>, Sorensen Pacific Broadcasting <news@spbgum.com>, Steve Limtiaco <slimtiaco@guampdn.com>, The Post Editor in Chief <editor@postguam.com>, Troy Torres <troy@kanditnews.com>, "akaur@gannett.com" <akaur@gannett.com>, "bryan@mvariety.com" <bryan@mvariety.com>, "businesseditor@glimpsesofofguam.com" <businesseditor@glimpsesofofguam.com>, "carlsonc@pstripes.osd.mil" <carlsonc@pstripes.osd.mil>, "cherrie@mvariety.com" <cherrie@mvariety.com>, "dcrisost@guam.gannett.com" <dcrisost@guam.gannett.com>, "dmgeorge@guampdn.com" <dmgeorge@guampdn.com>, "editor@saipantribune.com" <editor@saipantribune.com>, "emmanuel@mvariety.com" <emmanuel@mvariety.com>, "guam@pstripes.osd.mil" <guam@pstripes.osd.mil>, "heugenio@guampdn.com" <heugenio@guampdn.com>, "junhan@mvariety.com" <junhan@mvariety.com>, "life@guampdn.com" <life@guampdn.com>, "lifestyleeditor@glimpsesofofguam.com" <lifestyleeditor@glimpsesofofguam.com>, "mabuhaynews@yahoo.com" <mabuhaynews@yahoo.com>, michael ko <gktv23@hotmail.com>, "parroyo@k57.com" <parroyo@k57.com>, "pattiontheradio@yahoo.com" <pattiontheradio@yahoo.com>, "publisher@glimpsesofofguam.com" <publisher@glimpsesofofguam.com>, "raygibsonshow@gmail.com" <raygibsonshow@gmail.com>, "rlimtiaco@guampdn.com" <rlimtiaco@guampdn.com>, Kevin Kerrigan <kevin@spbgum.com>, "Kaur, Anumita" <AKaur@guam.gannett.com>, Pram Sullivan <guammedicalassn@gmail.com>, Guam Medical Society <guammedicalsociety@gmail.com>, Elizabeth Guerrero <Elizabeth.Guerrero@dphss.guam.gov>, "Edward Blounts Jr." <[REDACTED]@gmail.com>, "Thomas Shieh, MD, FACOG" <doctorshieh@yahoo.com>, cancer_guamnurses@yahoo.com, Glynis Almonte <[REDACTED]@yahoo.com>, "Patrick S. Luces" <Patrick.Luces@dphss.guam.gov>, Frank Campillo <fcampillo@calvos.com>, Jerry Crisostomo <jcrisostomo@netcarelifeandhealth.com>, Vincent Duenas <[REDACTED]@yahoo.com>, Ricardo Terlaje <[REDACTED]@guam.net>, Erika Masuda Alford <[REDACTED]@gmail.com>, Edward Birn <edward.birn@doa.guam.gov>, Lester Carlson <lester.carlson@bbmr.guam.gov>, Arlie Bonto <Arlie.Bonto@dphss.guam.gov>, Grace Bordallo <Grace.Bordallo@dphss.guam.gov>, "Lawrence Omar SJ. Alam" <lawrence.alam@dphss.guam.gov>, "Vivian P. Pareja" <vivian.pareja@dphss.guam.gov>, Rachel Ramirez <Rachel.Ramirez@dphss.guam.gov>, "Linda U. DeNorcey" <linda.denorcey@dphss.guam.gov>, Zennia Pecina <Zennia.Pecina@dphss.guam.gov>, <[REDACTED]@yahoo.com>, Nathaniel Berg <nberg@guamradiology.com>

MEMORANDUM

To: All Senators, Stakeholders and Media

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

Date: June 22, 2020

Subject: NOTICE of Public Hearing – Monday, June 29, 2020 beginning at 9:00 a.m.

Håfa Adai! The Committee on Health, Tourism, Historic Preservation, Land and Justice will convene virtual public hearings on **Monday, June 29, 2020, beginning at 9:00 a.m.** on the following agenda items:

9:00 a.m.:

- **Bill No. 165-35**- Louise B. Muña- AN ACT TO ADD A NEW § 181005 TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO RETAINING THE UNITED STATES PREVENTIVE SERVICES TASKFORCE SCREENING RECOMMENDATIONS FOR DIABETES OF THE AFFORDABLE CARE ACT IN GUAM'S HEALTH INSURANCE LAW.

Bill Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20165-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20165-35%20(COR).pdf)

- **Bill No. 164-35** - Louise B. Muña -AN ACT TO ADD A NEW § 181004 TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED RELATIVE TO LUNG CANCER SCREENING COVERAGE IN HEALTH INSURANCE/BENEFIT PLANS SOLD ON GUAM AND BY MEDICAID AND THE MEDICALLY INDIGENT PROGRAM (MIP). **Bill Link:** [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20164-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20164-35%20(COR).pdf)

- **Bill No. 213-35**- Louise B. Muña, TMB, TCN, ALS, KMT, RBL, SFP- AN ACT TO AMEND § 181003(b) OF ARTICLE 10, CHAPTER 18, OF TITLE 22 GUAM CODE ANNOTATED AND § 2208.1 OF ARTICLE 2, CHAPTER 2, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO BREAST CANCER SCREENING USING DIGITAL BREAST TOMOSYNTHESIS.

Bill Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20213-35%20\(LS\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20213-35%20(LS).pdf)

- **Bill No. 205-35** - Louise B. Muña - AN ACT TO ADD A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, AND TO AMEND THE TITLE OF ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING PARITY IN CANCER DRUG INSURANCE COVERAGE. **Bill Link:** [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20205-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20205-35%20(COR).pdf)

2:00 p.m.:

- **Bill 344-35- L. B. Muña**- AN ACT TO ADD A NEW §19501.1 TO CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING THE SEIZURE BY GOVERNMENT OFFICIALS OF PATIENT'S MAIL-ORDER PRESCRIPTION MEDICATIONS, EQUIPMENT, SUPPLIES, AND APPLIANCES. **Link:**

[http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20344-35%20\(LS\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20344-35%20(LS).pdf)

- **Bill 338-35- J.C. Moylan**- AN ACT TO ADD § 19403(d), § 19508, AND § 19608 (d) AND TO AMEND § 19404, ALL OF CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ENHANCING TRANSPARENCY DURING A STATE OF A PUBLIC HEALTH EMERGENCY.

Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20338-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20338-35%20(COR).pdf)

4:30 p.m.:

- **Oversight Hearing:** the DPHSS Health Professional Licensing Board with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners.
- **Appointment of Dr. Nathaniel B. Berg, M.D.** as Member, Guam Board of Medical Examiners.
- **Appointment of Nadine Cepeda** as Member, Guam Board of Allied Health Examiners.

We look forward to your participation. Due to Public Health Emergency restrictions, the hearing will be conducted virtually by remote broadcast only.

1. Individuals who wish to provide live or pre-recorded oral/virtual testimony (maximum of 5 minutes) must register with the committee no later than **5:00 p.m. on June 25, 2020**, via email at senatorterlajeguam@gmail.com with their full name, contact number and email address and must comply with legislative rules for this format.
2. Written testimony may be submitted via email to senatorterlajeguam@gmail.com or via hand delivery or mail to the Office of Senator Therese M. Terlaje, Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910. The Committee will continue to accept written testimony ten (10) working days following the hearing.
3. In compliance with the ADA, individuals requiring special accommodations or services should contact us at (671) 472-3586 or by email to senatorterlajeguam@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 A recording of the hearing will be available on YouTube at [Guam Legislature Media](#) after the hearing. *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

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

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 **First Notice of Public Hearings_June 29, 2020_TMT.pdf**
373K



SENATOR THERESE M. TERLAJE

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

MEMORANDUM

To: All Senators, Stakeholders and Media

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

Date: June 22, 2020

Subject: **NOTICE of Public Hearing** – Monday, June 29, 2020 beginning at 9:00 a.m.

Håfa Adai! The Committee on Health, Tourism, Historic Preservation, Land and Justice will convene virtual public hearings on **Monday, June 29, 2020 beginning at 9:00 a.m.** on the following agenda items:

9:00 a.m.:

- **Bill No. 165-35**- Louise B. Muña- AN ACT TO ADD A NEW § 181005 TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO RETAINING THE UNITED STATES PREVENTIVE SERVICES TASKFORCE SCREENING RECOMMENDATIONS FOR DIABETES OF THE AFFORDABLE CARE ACT IN GUAM'S HEALTH INSURANCE LAW.
Bill Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20165-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20165-35%20(COR).pdf)
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- **Bill No. 213-35**- Louise B. Muña, TMB, TCN, ALS, KMT, RBL, SFP- AN ACT TO AMEND § 181003(b) OF ARTICLE 10, CHAPTER 18, OF TITLE 22 GUAM CODE ANNOTATED AND § 2208.1 OF ARTICLE 2, CHAPTER 2, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO BREAST CANCER SCREENING USING DIGITAL BREAST TOMOSYNTHESIS.
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- Bill No. 205-35 - Louise B. Muña - AN ACT TO ADD A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, AND TO AMEND THE TITLE OF ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING PARITY IN CANCER DRUG INSURANCE COVERAGE. **Bill**
Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20205-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20205-35%20(COR).pdf)

2:00 p.m.:

- Bill 344-35- L. B. Muña- AN ACT TO ADD A NEW §19501.1 TO CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING THE SEIZURE BY GOVERNMENT OFFICIALS OF PATIENT’S MAIL-ORDER PRESCRIPTION MEDICATIONS, EQUIPMENT, SUPPLIES AND APPLIANCES. **Link:**
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- Bill 338-35- J.C. Moylan- AN ACT TO ADD § 19403(d), § 19508, AND § 19608 (d) AND TO AMEND § 19404, ALL OF CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ENHANCING TRANSPARENCY DURING A STATE OF A PUBLIC HEALTH EMERGENCY.
Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20338-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20338-35%20(COR).pdf)

4:30 p.m.:

- Oversight Hearing: the DPHSS Health Professional Licensing Board with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners.
- Appointment of Dr. Nathaniel B. Berg, M.D. as Member, Guam Board of Medical Examiners.
- Appointment of Nadine Cepeda as Member, Guam Board of Allied Health Examiners.

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2. Written testimony may be submitted via email to senatorterlajeguam@gmail.com or via hand delivery or mail to the Office of Senator Therese M. Terlaje, Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910. The Committee will continue to accept written testimony ten (10) working days following the hearing.
3. In compliance with the ADA, individuals requiring special accommodations or services should contact us at (671) 472-3586 or by email to senatorterlajeguam@gmail.com.

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CURRENCY EXCHANGE RATES
On Jun. 21, \$1 was worth:

50.071 PHPP	106.87 JPY¥	1,209.91 KR₩₩	29.591 TWD NT\$	7.0710 CNY¥	1.4629 AUD A\$	0.8947 EUR €
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Tsubaki Tower project nears completion

A sneak peek at the nearly finished Tsubaki Tower project on Friday revealed a luxury hotel that will offer new things for tourists and island residents to experience as soon as next month.

The hotel announced on its social media accounts it plans to open July 1, which is also the expected reopening date for Guam's tourism industry.

Finishing touches are under way at the luxury hotel, positioned and designed for its guests to spend vacations in rooms and amenities that offer one of the best views of Tumon Bay.

Some of its features include an outdoor cinema by the bay, a nighttime infinity pool that stays open close to midnight, a wedding chapel on the 27th floor, a pool bar by the sea, a gym, a 236-seat buffet featuring global cuisines, a fine-dining Italian restaurant and a 26th-floor club lounge for VIPs, among other amenities, according to the hotel's website.

The officers and board members



OPENING SOON: The Tsubaki Tower is expected to open in July.



TOUR: Guam Chamber of Commerce officers are seen Friday in a tour of the Tsubaki Tower luxury hotel project, which has announced a July 1 opening date. Photos by Kevin Milan/The Guam Daily Post

of the Guam Chamber of Commerce were given a tour of the hotel on Friday.

The project was initially scheduled to open in April, but with COVID-19 and the continued lull in Guam's tourist arrivals, the hotel's website announced a target opening date of July 1.

The hotel will offer 340 rooms, including 62 suites. Its July rates range from about \$400 a night to \$586 for a junior suite.

The project is another development of PHR Ken Micronesia Inc., an operational company for the hotel holdings in Japan-based Ken Corp. Group.

Ken Corp. owns five hotels and one golf course in Guam, which are the Sheraton Laguna Guam Resort, Hilton Guam Resort & Spa, Pacific Islands Club, Hyatt Regency Guam and Hotel Nikko Guam, along with the Country Club of the Pacific golf course.

(Daily Post Staff)

From Spam to corned beef, sales of canned meat are booming



SPAM: Cans of CJ CheilJedang Spam ham sit on the production line at the company's factory in Jincheon, South Korea. SeongJoon Cho/Bloomberg

(Bloomberg) - Canned meat is having a moment.

Demand is booming across the globe. In the U.S., sales surged more than 70% in the 15 weeks ended June 13. In the U.K., consumption of canned corned beef has taken off. Even in South Korea, where Spam is an old favorite, sales are expanding at the fastest pace in years.

At first, people were loading up on pantry staples with a long shelf life during lockdown conditions. Then, shortages of some fresh meat supplies, especially in the U.S., also helped to drive sales. Now, the economic downturn is underpinning demand.

There's the obvious factor of income here. With millions thrown out of work in the last few months, consumers are looking for a way to cut back on grocery bills, and they're trading in fresh meat for canned varieties. But there's also something deeper going on - a return to comfort food and nostalgia in troubled times.

Ray Herras, a graduate student at Columbia University, is a Filipino American. Spam gained popularity in the cuisines of Southeast Asia after occupying U.S. forces brought the canned ham with them. For Herras, Spam is a taste of childhood.

"I grew up eating Spam. It is deeply ingrained in Filipino culture, but I wasn't really eating Spam until quarantine," said Herras, who started adding it to his grocery purchases at least every other week. He's not sure how much longer he'll keep the buying up, but it's always a staple whenever he's "feeling homesick," he said.

Cult following

Canned meat has been available for more than 80 years. It's sometimes frowned upon by filet mignon-loving elites, but it's also got a cult following. Spam musubi - think of it like a porky twist on sushi - is a popular snack in Hawaii. In Korea, it's eaten with kimchi and steamed rice. In the U.S., a slice of fried Spam with eggs can be a breakfast treat. And in the U.K., tinned corned beef is served up as hash with potatoes and fried onions.

But while the die-hard fans are always there, the recent boom in sales is something even the canned meat

makers didn't see coming.

"Even I thought it could be difficult to increase our sales of canned meat to more than what we expected," said Kasper Lenbroch, chief executive officer of the unit that houses the Tulip brand at Danish Crown Group, Europe's top meat processor. "It's not very often when you're in food that you can see traditional products like these grow as much as they have done right now."

Sales of Tulip Pork Luncheon Meat, sold in 120 markets around the world, are expected to go up 25% this year, Lenbroch said. Sales are "growing all over," including in the U.K., Germany, Greece, Japan and Singapore, among many others.

Marfrig Global Foods SA, the Brazilian beef giant, is seeing a similar jump at its Uruguay business, which supplies corned beef to the U.S. Sales of the product are expected to reach as high as 3,500 metric tons this year, said Marcelo Secco, CEO of the unit. That would be up almost double compared with 2019, when about 1,800 tons were sold, he said.

Secco points to the recent jump in U.S. meat prices as turning consumers on to canned alternatives. Some of America's biggest livestock slaughter plants were forced to close earlier this year after coronavirus outbreaks saw thousands of workers falling ill. That caused wholesale beef prices to double in about a month. While the market has come back down, corned beef was there to help fill supply gaps - and now that consumers have returned to the old staple, they may be more inclined to stick with it.

SENATOR THERESE M. TERLAJE
1 Mina'trental Singlo na Liheslaturan Guahan
 35th Guam Legislature

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

VIRTUAL PUBLIC HEARINGS • Monday, June 29, 2020 • Beginning at 9:00AM

~9:00 a.m. AGENDA~

- ❖ Bill 165-35 (CDD) - L.B. Muña - AN ACT TO ADD A NEW § 18100S TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO RETAINING THE UNITED STATES PREVENTIVE SERVICES TASKFORCE SCREENING RECOMMENDATIONS FOR DIABETES OF THE AFFORDABLE CARE ACT IN GUAM'S HEALTH INSURANCE LAW.
- ❖ Bill No. 166-35 - L.B. Muña - AN ACT TO ADD A NEW § 181004 TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO LUNG CANCER SCREENING COVERAGE IN HEALTH INSURANCE/BENEFIT PLANS SOLD ON GUAM AND BY MEDICAID AND THE MEDICALLY INDIGENT PROGRAM (MIP).
- ❖ Bill No. 213-35 - L.B. Muña - AN ACT TO AMEND § 181003(b) OF ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED AND § 2208.1 OF ARTICLE 2, CHAPTER 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO BREAST CANCER SCREENING USING DIGITAL BREAST TOMOSYNTHESIS.
- ❖ Bill No. 205-35 - L.B. Muña - AN ACT TO ADD A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, AND TO AMEND THE TITLE OF ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING PARTIAL IN-CANCER DRUG INSURANCE COVERAGE.

~2:00 p.m. AGENDA~

- ❖ Bill 344-35 - L.B. Muña - AN ACT TO ADD A NEW § 19501.1 TO CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING THE SEIZURE BY GOVERNMENT OFFICIALS OF PATIENTS MAIL - ORDER PRESCRIPTION MEDICATIONS, EQUIPMENT, SUPPLIES AND APPLIANCES.
- ❖ Bill 338-35 - J.C. Moylan - AN ACT TO ADD § 19403(d), § 19508, AND § 19508 (d) AND TO AMEND § 19404, ALL OF CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ENHANCING TRANSPARENCY DURING A STATE OF A PUBLIC HEALTH EMERGENCY.

~4:30 p.m. AGENDA~

- ❖ Oversight Hearing - the DPHSS Health Professional Licensing Board with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners.
- ❖ Appointment of Dr. Nathaniel Berg as Member, Guam Board of Medical Examiners.
- ❖ Appointment of Nadine Cepeda as Member, Guam Board of Allied Health Examiners.

❑ If you would like to provide testimony during virtual hearings, and if you require special accommodations, please register with the Office of Senator Therese M. Terlaje via email at senatorterlaje@guam.gov or call 472-3584 no later than June 25, 2020. Further guidance will be provided.

❑ The hearing will broadcast on STA Ch. 21, Docomo Channel 117/60.4 and streamed live at <http://www.guamlegislature.com/livestream.htm> and on the Guam Legislatures YouTube Channel <https://www.youtube.com/channel/UCW6C3ELFeriK7HtSur70tvg>. This ad is paid for with government funds.



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

SECOND NOTICE of Public Hearing – Monday, June 29, 2020 beginning at 9:00 a.m.

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com> Fri, Jun 26, 2020 at 8:40 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 Pedo 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>, Audio / Video <av@guamlegislature.org>

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MEMORANDUM

To: All Senators, Stakeholders and Media

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

Date: June 26, 2020

Subject: NOTICE of Public Hearing – Monday, June 29, 2020 beginning at 9:00 a.m.

Håfa Adai! The Committee on Health, Tourism, Historic Preservation, Land and Justice will convene virtual public hearings on **Monday, June 29, 2020, beginning at 9:00 a.m.** on the following agenda items:

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Bill Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20213-35%20\(LS\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20213-35%20(LS).pdf)

- **Bill No. 205-35** - Louise B. Muña - AN ACT TO ADD A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, AND TO AMEND THE TITLE OF ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING PARITY IN CANCER DRUG INSURANCE COVERAGE. **Bill Link:** [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20205-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20205-35%20(COR).pdf)

2:00 p.m.:

- **Bill 344-35- L. B. Muña**- AN ACT TO ADD A NEW §19501.1 TO CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING THE SEIZURE BY GOVERNMENT OFFICIALS OF PATIENT'S MAIL-ORDER PRESCRIPTION MEDICATIONS, EQUIPMENT, SUPPLIES AND APPLIANCES. **Link:**

[http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20344-35%20\(LS\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20344-35%20(LS).pdf)

- **Bill 338-35- J.C. Moylan**- AN ACT TO ADD § 19403(d), § 19508, AND § 19608 (d) AND TO AMEND § 19404, ALL OF CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ENHANCING TRANSPARENCY DURING A STATE OF A PUBLIC HEALTH EMERGENCY.

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4:30 p.m.:

- *Oversight Hearing*: the DPHSS Health Professional Licensing Board with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners.
- *Appointment of Dr. Nathaniel B. Berg, M.D.* as Member, Guam Board of Medical Examiners.
- *Appointment of Nadine Cepeda* as Member, Guam Board of Allied Health Examiners.

We look forward to your participation. Due to Public Health Emergency restrictions, the hearing will be conducted virtually by remote broadcast only.

1. Written testimony may be submitted via email to senatorterlajeguam@gmail.com or via hand delivery or mail to the Office of Senator Therese M. Terlaje, Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910. The Committee will continue to accept written testimony ten (10) working days following the hearing.
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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

website: www.senatorterlaje.com

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Second Notice of Public Hearings_June 29, 2020_TMT.pdf

182K



SENATOR THERESE M. TERLAJE

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

MEMORANDUM

To: All Senators, Stakeholders and Media

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

Date: June 26, 2020

Subject: **NOTICE of Public Hearing** – Monday, June 29, 2020 beginning at 9:00 a.m.

Håfa Adai! The Committee on Health, Tourism, Historic Preservation, Land and Justice will convene virtual public hearings on **Monday, June 29, 2020 beginning at 9:00 a.m.** on the following agenda items:

9:00 a.m.:

- **Bill No. 165-35-** Louise B. Muña- AN ACT TO ADD A NEW § 181005 TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO RETAINING THE UNITED STATES PREVENTIVE SERVICES TASKFORCE SCREENING RECOMMENDATIONS FOR DIABETES OF THE AFFORDABLE CARE ACT IN GUAM'S HEALTH INSURANCE LAW.
Bill Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20165-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20165-35%20(COR).pdf)
- **Bill No. 164-35 -** Louise B. Muña -AN ACT TO ADD A NEW § 181004 TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED RELATIVE TO LUNG CANCER SCREENING COVERAGE IN HEALTH INSURANCE/BENEFIT PLANS SOLD ON GUAM AND BY MEDICAID AND THE MEDICALLY INDIGENT PROGRAM (MIP). **Bill Link:** [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20164-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20164-35%20(COR).pdf)
- **Bill No. 213-35-** Louise B. Muña, TMB, TCN, ALS, KMT, RBL, SFP- AN ACT TO AMEND § 181003(b) OF ARTICLE 10, CHAPTER 18, OF TITLE 22 GUAM CODE ANNOTATED AND § 2208.1 OF ARTICLE 2, CHAPTER 2, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO BREAST CANCER SCREENING USING DIGITAL BREAST TOMOSYNTHESIS.
Bill Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20213-35%20\(LS\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20213-35%20(LS).pdf)

- Bill No. 205-35 - Louise B. Muña - AN ACT TO ADD A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, AND TO AMEND THE TITLE OF ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING PARITY IN CANCER DRUG INSURANCE COVERAGE. **Bill Link:** [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20205-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20205-35%20(COR).pdf)

2:00 p.m.:

- Bill 344-35- L. B. Muña- AN ACT TO ADD A NEW §19501.1 TO CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING THE SEIZURE BY GOVERNMENT OFFICIALS OF PATIENT’S MAIL-ORDER PRESCRIPTION MEDICATIONS, EQUIPMENT, SUPPLIES AND APPLIANCES. **Link:** [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20344-35%20\(LS\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20344-35%20(LS).pdf)
- Bill 338-35- J.C. Moylan- AN ACT TO ADD § 19403(d), § 19508, AND § 19608 (d) AND TO AMEND § 19404, ALL OF CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ENHANCING TRANSPARENCY DURING A STATE OF A PUBLIC HEALTH EMERGENCY. **Link:** [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20338-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20338-35%20(COR).pdf)

4:30 p.m.:

- *Oversight Hearing:* the DPHSS Health Professional Licensing Board with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners.
- *Appointment of Dr. Nathaniel B. Berg, M.D.* as Member, Guam Board of Medical Examiners.
- *Appointment of Nadine Cepeda* as Member, Guam Board of Allied Health Examiners.

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CURRENCY EXCHANGE RATES
On Jun. 25, \$1 was worth:

Keep posted and get more data and details online. Log on to see real time market data with our stock market tool at postguam.com/stock_market.

50.015	PHPP	07.180	JPY¥	1,204.65	KRW₩	29.525	TWD NT\$	7.0782	CNY¥	1.4543	AUD A\$	0.8896	EUR €
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COAST360: Officials of Coast360 Federal Credit Union, from left: Rowena Santa Maria, senior marketing officer; Gener Deliquina, CEO; Peter Roy Martinez, board chairman; Tia Borja, marketing manager; and Monica Pido, chief operations officer, are shown on Wednesday holding their recent awards from the Credit Union National Association Marketing and Business Development Council. Photo courtesy of Coast360

Coast360 receives Diamond Awards for marketing and business development

Coast360 Federal Credit Union was recently honored with six Diamond Awards, which recognize outstanding marketing and business development achievements in the credit union industry.

The awards were presented by the Credit Union National Association Marketing and Business Development Council, a national network comprising more than 1,200 credit union marketing and business development professionals. Awards are given in each of 35 categories ranging from advertising to community events and beyond.

Coast360 won in four categories for its new youth banking program, another for its annual report, and ultimately garnered top honor of Diamond Best of Show. For its youth banking program, the credit union won Category's Best in the following categories: Complete Campaign, Membership Marketing, Plastic Card Design, and Point-of-Sale and Merchandising.

"We are honored to represent Guam

and be recognized among amazing credit unions throughout the nation. Guided by the people-helping-people philosophy, our work as individual credit unions help make a positive impact within our industry and the communities we serve," said Tia Borja, marketing manager for Coast360.

Amy McGraw, Diamond Awards chair and vice president marketing/chief experience officer at Tropical Financial Credit Union, said in the same press release: "It's an honor to bring recognition to some of the best-of-the-best in credit union marketing and business development."

CUNA Marketing and Business Development Council celebrated Diamond Awards Week by announcing winners in 35 categories through a series of daily virtual awards ceremonies.

This year's award competition had 1,295 entries submitted. Six credit unions won Best of Show Awards, 93 won Category's Best Awards and 255 won Diamond Awards. **(Daily Post Staff)**

GNC Guam stores will stay open amid holding company headquarters bankruptcy filing

The Guam stores for wellness retailer GNC at the Micronesian Mall and at Pacific Place in Tumon will stay open despite the Chapter 11 bankruptcy reorganization announced this week by GNC Holdings.

The bankruptcy filing came with the announcement from GNC headquarters that it will close up to 1,200 stores.

The GNC stores at the Micronesia Mall and Pacific Place are not affected by the bankruptcy, Globest LLC, which does business as GNC Guam, said Thursday in a statement.

"In response to GNC headquarters' plan of reorganization under Chapter 11 of the U.S. Bankruptcy Code, we, Globest LLC dba GNC (Guam), would like to clarify that we are an independent company unrelated to GNC Holdings and not part of GNC's financial restructuring," GNC Guam said in the statement released by Jenny Yang, managing director of GNC Guam.

As a GNC franchisee on Guam and Saipan for more than 10 years, the Guam company stated, it "is confident to announce that the GNC headquarters decision has no impact on the GNC franchise businesses on Guam and Saipan."

"All of our retail outlets will remain normal operations. The relationships with our authorized retailers will also remain the same," the Guam company added.

"We are also working closely with our authorized retailer part-

ners, including T Galleria by DFS, MallofGuam.com online shopping platform and ABC Stores on Guam, and T Galleria by DFS and Joeten Shopping Center on Saipan to bring more customers GNC's world-class vitamins and supplements," the company stated.

During the challenging time of COVID-19 crisis, GNC Guam launched its website www.gncguam.net, which provides curbside pickup and delivery services at its Tumon location to help customers who prefer to avoid the crowds.

"We remain firmly committed to our customers, employees, community, supply chains, and customer's royalty program benefits," GNC Guam said in its statement.

The Washington Post reported Monday that GNC Holdings has filed for Chapter 11 bankruptcy, with plans to close as many as 1,200 of its 5,200 U.S. stores as it searches for a buyer.

GNC Holdings has struggled for years to shore up sales as it tried to pay down more than \$900 million in debt, The Washington Post reported. Then came the coronavirus pandemic, which forced it to shutter about 40% of its stores.

The company reported a \$200 million loss during the first quarter of this year, and last month it warned that some of its temporary store closures could become permanent, The Washington Post reported. **(Daily Post Staff)**

SENATOR THERESE M. TERLAJE
I Mina'trental Singlo na Liheslaturan Guahan
35th Guam Legislature

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

VIRTUAL PUBLIC HEARINGS • Monday, June 29, 2020 • Beginning at 9:00AM

~9:00 a.m. AGENDA~

- ❖ Bill 165-35 (CDB) - L.B. Muña - AN ACT TO ADD A NEW § 181005 TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO RETAINING THE UNITED STATES PREVENTIVE SERVICES TASKFORCE SCREENING RECOMMENDATIONS FOR DIABETES OF THE AFFORDABLE CARE ACT IN GUAM'S HEALTH INSURANCE LAW.
- ❖ Bill No. 166-35 - L.B. Muña - AN ACT TO ADD A NEW § 181004 TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED RELATIVE TO LUNG CANCER SCREENING COVERAGE IN HEALTH INSURANCE/BENEFIT PLANS SOLD ON GUAM AND BY MEDICAID AND THE MEDICALLY INDIGENT PROGRAM (MIP).
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- ❖ Bill No. 205-35 - L.B. Muña - AN ACT TO ADD A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, AND TO AMEND THE TITLE OF ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING PARITY IN CANCER DRUG INSURANCE COVERAGE.

~2:00 p.m. AGENDA~

- ❖ Bill 344-35 - L. B. Muña - AN ACT TO ADD A NEW §19501.1 TO CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING THE SEIZURE BY GOVERNMENT OFFICIALS OF PATIENT'S MAIL - ORDER PRESCRIPTION MEDICATIONS, EQUIPMENT, SUPPLIES AND APPLIANCES.
- ❖ Bill 338-35 - J.C. Moylan - AN ACT TO ADD § 19403(d), § 19508, AND § 19508 (d) AND TO AMEND § 19404, ALL OF CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ENHANCING TRANSPARENCY DURING A STATE OF A PUBLIC HEALTH EMERGENCY.

~4:30 p.m. AGENDA~

Oversight Hearing - the DPHSS Health Professional Licensing Board with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners.

- ❖ Appointment of Dr. Nathaniel Berg as Member, Guam Board of Medical Examiners.
- ❖ Appointment of Nadine Cepeda as Member, Guam Board of Allied Health Examiners.

❑ If you would like to provide testimony during virtual hearings, and if you require special accommodations, please register with the Office of Senator Therese M. Terlaje via email at senaterterlaje@guam.com or call 472-3584 no later than June 25, 2020. Further guidance will be provided.

❑ The hearing will broadcast on STA Ch. 21, Docomo Channel 117/60.4 and streamed live at <http://www.guamlegislature.com/livestream> and on the Guam Legislatures YouTube Channel <https://www.youtube.com/channel/UCW6C3ELFeriK7HtSurf0tyg>. This ad is paid for with government funds.

VFW VETERANS OF FOREIGN WARS. No One Does More For Veterans.

GA'AN POINT MEMORIAL POST 2917

DVI Guam Saipan

2019 Income and Expense
as of December 31, 2019

Income	Expense
\$0.00	\$0.00

2019 Balance Sheet
as of December 31, 2019

Assets	Liabilities
Checking Account \$15,773.40	Accounts Payable \$0.00
Savings Account \$0.00	Total \$0.00
Total Assets \$15,773.40	
Total Liabilities and Net Assets: \$15,773.40	

Certified by
Shawn Watson Quartermaster



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Confirmation Hearing on Executive Appointment to serve as a Member, Guam Board of Medical Examiners

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com>
To: Nathaniel Berg <nberg@guamradiology.com>

Thu, Jun 25, 2020 at 3:57 PM

June 25, 2020

Transmitted via electronic mail:

Nathaniel Berg, M.D.
Executive Appointee, Guam Board of Medical Examiners
nberg@guamradiology.com

SUBJECT: Confirmation Hearing on Executive Appointment to serve as a Member, Guam Board of Medical Examiners for a Term Length: Four (4) Years; October 23, 2019, to October 22, 2023.

Håfa Adai Dr. Berg,

The Virtual Confirmation Hearing for your reappointment to the Guam Board of Medical Examiners has been scheduled for **Monday, June 29, 2020, at 4:30 p.m. via a Virtual Public Hearing.** The Zoom hearing link and Legislature guidance on virtual hearings is included with this notice.

The Committee looks forward to your testimony. Please also be prepared to answer various questions by the Committee and members of the panel.

You are encouraged to invite family, friends and/or colleagues to provide oral or written testimony in support of your appointment. Individuals who would like to testify on your appointment are required to register with our office via email at senatorterlajeguam@gmail.com with their full name, contact number and email address and must comply with legislative rules for this format.

Written testimony can also be submitted to the Committee via email; or by hand delivery to the Office of Senator Therese M. Terlaje at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910; or to the mailroom of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam. Should you have any questions, please contact my office at 472-3586.

Si Yu'os Ma'åse',
Therese M. Terlaje

We ask that you do not share this link with anyone who has not contacted our office to register as a participant. Please direct them to register via email at senatorterlajeguam@gmail.com or call our office at 472-3586.

ZOOM MEETING LINK:

-

Guam Legislature is inviting you to a scheduled Zoom meeting.

Topic: Virtual Public Hearing - Senator Therese M. Terlaje
Time: Jun 29, 2020 09:00 AM Guam, Port Moresby

Join Zoom Meeting





If you do not have a Zoom account, please download the app and sign up for a free account at <https://zoom.us/join> and become familiar with the settings and features. If you are in need of assistance with this process, or you would like to conduct a quick test run, please do not hesitate to contact our office staff at 472-3586 or [REDACTED] (Charissa Manibusan, Committee Director).

To ensure a smooth and productive hearing, we ask for your cooperation and assistance by following these virtual hearing guidelines:

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2. Please keep oral testimony to no more than five (5) minutes, to ensure the timely progression of the hearing.
3. A written copy of the testimony you will read can be sent to our office prior to the hearing, to make available for Senators and other participants to view and follow along. This is not required, but would be helpful and appreciated.
4. Please ensure that your VIDEO remains ON and you are visible throughout the hearing.
5. Participants must be visible at all times and not engaged in other activities during the hearing.
6. As much as possible, log in from an area with good lighting, little to no background noise and good internet connectivity.
7. Please MUTE your AUDIO unless called upon to present, respond or to ask questions;
8. If you are having technical difficulties, kindly log off and return using the same link, we will work toward reconnecting you.
9. You may contact [REDACTED] (Charissa Manibusan), if there are any changes to hearing attendance OR to quickly relay immediate technical issues during the hearing to our MIS Division.
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-
Si Yu'os Ma'åse'! We look forward to your participation

--
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

website: www.senatorterlaje.com

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NOTICE OF CONFIRMATION HEARING_N. BERG, MD_06.29.2020.pdf



SENATOR THERESE M. TERLAJE

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

June 25, 2020

Transmitted via electronic mail:

Nathaniel Berg, M.D.
Executive Appointee, Guam Board of Medical Examiners
nberg@guamradiology.com

SUBJECT: Confirmation Hearing on Executive Appointment to serve as a Member, Guam Board of Medical Examiners for a Term Length: Four (4) Years; October 23, 2019 to October 22, 2023.

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Si Yu'os Ma'åse',

Therese M. Terlaje

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 | www.senatorterlaje.com

Letter addressed to Nathaniel B. Berg M.D.

RE: Confirmation Hearing on Executive Appointment to serve as a Member, Guam Board of Medical Examiners for a Term Length: Four (4) Years; October 23, 2019 to October 22, 2023.

JUNE 25, 2020

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Topic: Virtual Public Hearing - Senator Therese M. Terlaje

Time: Jun 29, 2020 09:00 AM Guam, Port Moresby

Join Zoom Meeting

[REDACTED]

[REDACTED]

[REDACTED]

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Letter addressed to Nathaniel B. Berg M.D.

RE: Confirmation Hearing on Executive Appointment to serve as a Member, Guam Board of Medical Examiners for a Term Length: Four (4) Years; October 23, 2019 to October 22, 2023.

JUNE 25, 2020

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



SENATOR THERESE M. TERLAJE

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

PUBLIC HEARING AGENDA

Monday, June 29, 2020

via Virtual Conference Platform

9:00 a.m.:

(Please log into hearing link at 8:30 a.m.)

- **Bill No. 165-35-** Louise B. Muña- AN ACT TO ADD A NEW § 181005 TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO RETAINING THE UNITED STATES PREVENTIVE SERVICES TASKFORCE SCREENING RECOMMENDATIONS FOR DIABETES OF THE AFFORDABLE CARE ACT IN GUAM'S HEALTH INSURANCE LAW.
Bill Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20165-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20165-35%20(COR).pdf)
- **Bill No. 164-35 -** Louise B. Muña -AN ACT TO ADD A NEW § 181004 TO ARTICLE 10, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED RELATIVE TO LUNG CANCER SCREENING COVERAGE IN HEALTH INSURANCE/BENEFIT PLANS SOLD ON GUAM AND BY MEDICAID AND THE MEDICALLY INDIGENT PROGRAM (MIP). **Bill Link:** [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20164-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20164-35%20(COR).pdf)
- **Bill No. 213-35-** Louise B. Muña, TMB, TCN, ALS, KMT, RBL, SFP- AN ACT TO AMEND § 181003(b) OF ARTICLE 10, CHAPTER 18, OF TITLE 22 GUAM CODE ANNOTATED AND § 2208.1 OF ARTICLE 2, CHAPTER 2, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO BREAST CANCER SCREENING USING DIGITAL BREAST TOMOSYNTHESIS.
Bill Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20213-35%20\(LS\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20213-35%20(LS).pdf)
- **Bill No. 205-35 -** Louise B. Muña - AN ACT TO ADD A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, AND TO AMEND THE TITLE OF ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING PARITY IN CANCER DRUG INSURANCE COVERAGE. **Bill Link:** [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20205-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20205-35%20(COR).pdf)

2:00 p.m.:

(Please log into hearing link at 1:30 p.m.)

- **Bill 344-35- L. B. Muña-** AN ACT TO ADD A NEW §19501.1 TO CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING THE SEIZURE BY GOVERNMENT OFFICIALS OF PATIENT'S MAIL-ORDER PRESCRIPTION MEDICATIONS, EQUIPMENT, SUPPLIES AND APPLIANCES. **Link:** [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20344-35%20\(LS\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20344-35%20(LS).pdf)
- **Bill 338-35- J.C. Moylan-** AN ACT TO ADD § 19403(d), § 19508, AND § 19608 (d) AND TO AMEND § 19404, ALL OF CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ENHANCING TRANSPARENCY DURING A STATE OF A PUBLIC HEALTH EMERGENCY.
Link: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20338-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20338-35%20(COR).pdf)

4:30 p.m.:

(Please log into hearing link at 4:00 p.m.)

- *Oversight Hearing:* the DPHSS Health Professional Licensing Board with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners.
- *Appointment of Dr. Nathaniel B. Berg, M.D.* as Member, Guam Board of Medical Examiners.
- *Appointment of Nadine Cepeda* as Member, Guam Board of Allied Health Examiners.

We look forward to your participation. Due to Public Health Emergency restrictions, the hearing will be conducted virtually by remote broadcast only.

1. Written testimony may be submitted via email to senatorterlajeguam@gmail.com or via hand delivery or mail to the Office of Senator Therese M. Terlaje, Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910. The Committee will continue to accept written testimony ten (10) working days following the hearing.
2. In compliance with the ADA, individuals requiring special accommodations or services should contact us at (671) 472-3586 or by email to senatorterlajeguam@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. A recording of the hearing will be available on YouTube at [Guam Legislature Media](#) after the hearing.

Si Yu'os Ma'åse'!



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

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

Date: Monday, June 29, 2020

Time: 4:30 PM

**CONFIRMATION HEARING- Nathaniel B. Berg, M.D. to serve as a Member of the Guam Board of Medical Examiners
Term Length of Four (4) years; October 23, 2019 to October 22, 2023**

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Nathaniel Berg, MD- Nominee			nberg@guamradiology.com		X		
2	David Lubofsky				X			X
3	Dr. Hoa Nguyen, Guam Medical Association					X	X	
4	Joseph Artero Cameron					X	X	
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Senator Therese Terlaje

Oversight Hearing Testimony, JULY 29, 2020

DPHSS Health Professional Licensing Board with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners

SUBMITTED BY

DAVID LUBOFSKY

WHO SPEAKS FOR ASHER DEAN LUBOFSKY

This oversight hearing is long overdue and I just wish we can be all at the legislature face to face.

Let me be blunt to start off and say that both the GBME and the GBAHE have serious problems.

The Guam Board of Medical Examiners, currently under the leadership of Nathaniel Berg, has been in violation of the law for at least 8 years. They have not implemented the **PATIENT PROTECTION THROUGH INFORMATION ACT**, and another law, which they were mandated years ago to do. They have recently started to make some futile attempts after their lack of compliance was brought out at the Arbitration Info. hearings recently conducted. This law is a consumer law that protects patients on Guam against negligent doctors, but it's my opinion, Nathaniel Berg and The Board did not want to protect us thru an existing law so they ignored it. They want to protect negligent doctors, the same way as they came out against the Arbitration Act reform.

The Guam Board of Medical Examiners, in a meeting that I attended last year, stated they will license anyone who meets minimal qualifications. I almost went thru the roof when I heard

this as Asher had just recently past away due to alleged medical incompetence by someone they licensed.

The Board has KNOWINGLY licensed people with past histories of malpractice and sexual abuse allegations against them. They did license these doctors with negative histories and these doctors came to Guam and injured and sexually abused patients on Guam also. The Board knew of the histories of many of these doctors but chose to ignore them again. To make matters worse, the GBME had 6 complaints in front of them before they decided to do anything with the sexual abuse allegations against a doctor. WHY NOT ACT AFTER THE FIRST COMPLAINT?

Dr. Gill in the past spoke about PEER REVIEWS when the Board receives complaints about doctors. A Peer Review is a form of self-regulation by qualified members of a profession within the relevant field. It's not a radiologist reviewing a Pediatrician's work, even though our Licensing Board may think that. PEER REVIEWS RARELY IF EVER HAPPEN at the GBME and my Asher was never afforded what Dr. Gill said SHOULD HAPPEN, A PEER REVIEW. Again, this Board under Nathaniel Berg is about protection of doctors and apathy is the undercurrent of this, which pretty much again defines The Arbitration Act also along with arrogance. It's obvious to us, not only as parents, but the community, that the Guam Licensing Board of Medical examiner is about the protection of themselves at the peril of the community. You would think that with the Arbitration Act protecting doctors that the GBME would be more objective in their job to protect us

When they do investigations of the complaints against doctors they, by our experience, refuse to meet with the victims' family or victim. Imagine, the death of a 5 year old and they refuse to

meet with me, the father who witnessed what happened, who watched my son dying at the clinic and had to argue to get a doctor to exam him. I went to a Medical Examiners Board meeting, emailed them several times asking what was going on with the investigation and no info. given to us. It went on for months and months with no response until the exact same day that the PDN released the story of our lawsuit against the Seventh Day Adventist Clinic. That date with no notice to us, Nathaniel Berg released the results of his investigation to the PDN and not informing us the results first and never once interviewing us. The PDN knew the contents of a letter that was sent to us after they published the story. We read about Asher in the paper. This story alone would and should get Nathaniel Berg thrown off the Board and an investigation into how they do their job and protect us. It made our nightmare worse. Its my opinion Berg and the Board released the letter to protect the doctor and SDA the same day showing that his biased corrupt investigation found no problems. Super unprofessional and negligent and all about protecting the doctors that hurt Asher.

The current GBME has serious conflicts of interest. Do you think Asher got a fair investigation of what happened to him at SDA by Nathaniel Berg who makes large sums of money from the clinic. Do you think Berg wants to find fault and lose that income. For him and the Board it was simpler to dismiss us thinking we would just walk away. Why didn't Berg recluse himself from the investigation. Many of the Board members have conflicts of interest.

The GBME needs to be replaced and for sure Nathaniel Berg with his conflicts of interest and incompetence by his actions on the Board and allowing doctors to come to Guam to hurt us or sexually abuse us should be gone.

AS LONG AS NATHANIEL BERG IS ON THE BOARD, ESPECIALLY AS CHAIR, AND THIS BOARD FUNCTIONS TO PROTECT DOCTORS ONLY AS IT DOES NOW, AT THE EXPENSE OF CONSUMERS, ITS MY OPINION THAT LIVES WILL BE LOST ON GUAM OR INJURIES OR SEXUAL ABUSE BY DOCTORS WILL CONTINUE TO HAPPEN WITH NO ACCOUNTABILITY AND HIRING ANYONE FROM THE STATES. MEETING MINIMAL STANDARD SHOULD NOT BE THE BENCHMARK FOR BRINGING DOCTORS TO GUAM WITH HISTORIES OF NEGLIGENCE.

REGARDING THE GUAM BOARD OF ALLED HEALTH EXAMINERS.

Accountability has been a common theme lately on Guam, in the news, with discussions about the Medical Malpractice Forced Arbitration Act. This is particularly concerning with some of the questionable practices at The Guam Board of Medical Examiners and The Guam Board of Allied Health Examiners.

In the last Public Hearing, November 7th, 2019, regarding the Forced Arbitration Act, Senator Terlaje told Dr. Yasuhiro that his testimony was a breath of fresh air. I have to agree. Rather than focusing on the Arbitration Act pros and cons, he discussed the governing Boards This would include the Guam Board of Medical Examiners and the Guam Board of Allied Health Examiners, among others, in how they handle complaints by consumers, the public, against professionals, whether it be doctors, physician assistants or others.

The need for impartial reviews of complaints was stressed by Dr. Yasuhiro and Senator Terlaje which would offset many of the

problems that we see with Arbitration related medical negligence issues or professional complaints. Consumers have a right to have their complaints heard by the Allied Board or the Guam Board of Medical Examiners, as an example, without the current bias or prejudice.

Sadly, I guess the Board of Allied Health Examiners did not get the "Impartiality" message following the status quo. It's hard to believe that the Guam Board of Allied Health Examiner's Chair Ms. Mamie Balajadia has been on the Allied Board for over 20 years, as has possibly up to 5 other Board members. This is possibly the longest Chair or Board Members of any Board on Guam or anywhere, outside of an autocratic country.

They are supposed to be reappointed as mandated by law every 3 years, but that hasn't happened. No Guam Board should have the same members that long, it negates new ideas, new members, motivation etc. It destines a Board to the humdrum, apathetic and inheritably biases to maintain the status quo and their fiefdom, not to mention easily leads to corruption.

What also worries me is that just recently, the Board of Allied Health Examiners went to the legislature to establish Ethics Guidelines for the Guam Board's Licensed professionals to get them approved in law. Ethics for professionals who are already practicing is better late than never, but they should have been established years ago. This should have been a top priority for the Board, not to mention the Board members who have been there for 20 plus years. What have they been doing? Ethical standards are the top priority for any Governing Licensing Board. How can you protect the community and hold people to professional standards, when you never established such standards for 20 years until now? Who is holding the Guam Board

of Allied Health Examiners accountable? I am sure that if you contact similar Boards across the country, all will tell you that they have had established Ethical standards in place for years.

This is one reason that Board members need to be reappointed every 3 years, to keep people motivated and current in law and actions which are aimed to protect the community and to hold members accountable. New members, new blood, new ideas, new graduates, fresh energy, honesty etc are all needed on any Board. With this, is the need to establish a real impartial review system for complaints of professionals that the Board licenses. Yet, still as everything else at the Allied Board, the impartial review system has not been set up. It's at the same place as it was 20 years ago when these Board members joined the Allied Board. Reviews of citizens complaints with the Allied Board, if they ever get around to do them, are not impartial, quite the opposite, they are biased from our experience. Many complaints have been sitting there for years, but that's expected as these members of the Allied Board must see themselves as protected.

This is exactly what Dr. Yasuhiro emphasized in his testimony and Senator Terlaje discussed, the need for fair impartial Boards that we do not have. Hey, Guam Board of Allied Health Examiners members, this isn't 20 years ago and how things were done back then. It's time for you to move on or act to protect the community, not your personal interests or friends. It's time for the Guam Board of Allied Health Examiners to be under that same law as other Boards with members having to be reappointed every 3 years. ITS TIME FOR MAMIE AND THE OTHERS WHO HAVE BEEN ON THAT BOARD FOR 20 YEARS TO LEAVE.

REGARDING DR. NATHANIEL BERG. I am against him being reappointed to the Guam Medical Board for the reasons that I

outlined above when discussing the GBME. He has shown incompetence in my opinion, bias and has not followed the laws on the book and seemingly put his income before a proper investigation into complaints against doctors. He has seemingly put his own interests first over that of the consumers and has severe conflicts of interests and an inability to recuse himself when faced with such conflicts, making him not appropriate for the Board and not able to protect consumers on Guam. He is responsible as Chair for bringing doctors here who have injured or sexually abused patients. He knew of the problems and did nothing then ignored complaints when they came in it seems. He has not in any way addressed how to mitigate consumer concerns or provide for an impartial Board and peer review, both are called for. He refused to recognize that people die of medical negligence on Guam and will not set up a system to offset it or mitigate it or even follow the laws on the books such as the **PATIENT PROTECTION THROUGH INFORMATION ACT**

DAVID LUBOFSKY
FATHER OF ASHER DEAN LUBOFSKY



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

(F) The non-resident licensed consulting physician rendering consultation shall abide by all local and federal laws with regard to patient confidentiality.

SOURCE: Added as part of Article 2 by P.L. 24-208:3(May 13, 1998). Subsection (b)(8) added by P.L. 29-092:3. (July 18, 2008).

2012 NOTE: In maintaining the general codification scheme of the GCA the Compiler changed the hierarchy of subsections beginning with “lowercase roman numerals” to “uppercase letters” in subsection (b)(8).

§ 12203. Guam Board of Medical Examiners.

(a) There is established, in and for the government of Guam, a Guam Board of Medical Examiners (BOARD) composed of seven (7) members who shall be nominated and appointed by *I Maga’lahen Guåhan*, with the advice and consent of *I Liheslaturan Guåhan*.

(1) At least six (6) of the seven (7) members shall be physicians licensed in Guam, shall be persons of recognized professional ability and integrity, and shall have practiced in Guam for at least five (5) consecutive years immediately preceding the appointment.

(2) All members shall be citizens or permanent residents of the United States who have resided in Guam for at least five (5) consecutive years immediately preceding the appointment.

(3) One (1) of the physician board members shall be the Medical Director of the Guam Memorial Hospital Authority (GMHA) who meets the above criteria; otherwise, *I Maga’lahen Guåhan* shall nominate and appoint a qualified physician from the GMHA staff.

(4) Provided that of the initial members appointed under this Article, appointments shall be made so that three (3) members of the Board, sitting or newly appointed, shall serve for two (2) years, and four (4) members, sitting or newly appointed shall serve for a term of four (4) years, until a successor is appointed and qualified.

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

(5) No member shall serve more than three (3) consecutive terms.

(6) The members of the Board sitting as of the date of enactment of this Article who meet the requirements and limitations placed upon membership by this Article shall remain in office until the expiration of their respective terms.

(7) When a vacancy occurs, *I Maga'lahaen Guåhan* shall nominate and appoint a new member within sixty (60) days of the commencement of the vacancy, which shall be subject to the advice and consent of *I Liheslaturan Guåhan*.

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

(b) The Guam Board of Medical Examiners, within the context of this Article and the requirements of due process, shall have the following powers and responsibilities:

- (1) promulgate rules and regulations;
- (2) select and administer licensing examination(s);
- (3) evaluate medical education and training of applicants;
- (4) evaluate previous professional performance of applicants;
- (5) issue or deny initial or endorsement licenses;
- (6) approve or deny applications for license re-registration and renewal;
- (7) receive, review and investigate complaints;
- (8) receive, review and investigate reports received from law enforcement agencies, health care organizations, governmental agencies, insurers and other entities having information pertinent to the professional performance of licensees;

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

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

(10) discipline licensees found in violation of the Medical Practice Act;

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

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

(13) re-instate revoked license at its discretion, but to use such discretionary authority in a consistent manner and with great assurances that the re-instatement of a license will not jeopardize the public; and

(14) develop and adopt its budget.

(15) receive, review and investigate a peer review finding and action received from a health care organization pertinent to the professional performance of a licensee. Upon the receipt of an appeal of a peer review finding and action, the Board shall have:

(A) the responsibility to review the peer review findings and action by a health care organization, and shall have the authority to either,

(i) uphold the peer review action and finding;

(ii) refer the peer review action back to the initiating health care organization for further consideration or reconsideration; or

(iii) reverse, vacate, or otherwise “void” the peer review action and findings.

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

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

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

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

(e) A member of the Board should be subject to removal when he or she:

(1) ceases to be qualified;

(2) is found guilty of a felony or an unlawful act involving moral turpitude by a court of competent jurisdiction;

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

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

(5) fails to attend three (3) successive Board meetings without just cause as determined by the Board; or

(6) is found in violation of the Physicians Practice Act.

(f) All physician members of the Board should hold full and unrestricted medical licenses in Guam, should be persons of recognized professional ability and integrity, and should have

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

resided in Guam at least five (5) years and practiced in the jurisdiction long enough to have become familiar with policies and practice in the jurisdiction.

(g) The Board's public member who:

(1) is not a licensed physician or provider of health care;

(2) have no substantial personal or financial interests in the practice of medicine, or with any organization regulated by the Board; and

(3) is a resident of Guam.

(h) (1) The Board should be authorized to appoint committees from its membership and employ an executive secretary or director and other staff, including an adequate staff of investigators, to effectively perform its duties under the Act.

(2) It should also be assigned adequate legal counsel by the Office of the Attorney General and/or be authorized to employ private counsel or its own full-time attorney.

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

(j) (1) Telephone or other telecommunication conference should be an acceptable form of Board meeting for the purpose of taking emergency action to enforce the Physicians Practice Act, if the president alone or another officer and two (2) Board members believe the situation precludes another form of meeting.

(2) The Board should be authorized to establish procedures by which its committees may meet by telephone or other telecommunication conference system to take emergency action.

SOURCE: Subsections (a) and (b) amended by P.L. 30-195:2(Aug. 28 2010), effective, Jan. 2, 2011, pursuant to P.L. 30-195:5. Subsection (c)(15) added by P.L. 32-158:3 (May 21, 2014).



GOVERNMENT OF GUAM

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



LOURDES A. LEON GUERRERO
GOVERNOR, MAGA'HAGA'

JOSHUA F. TENORIO
LT. GOVERNOR, SIGUNDO MAGA'LÁHI

LAURENT SF DUENAS, MPH, BSN
ACTING DIRECTOR

JOSEPHINE T. O'MALLAN
DEPUTY DIRECTOR

06/29/2020

To: Senator Therese Terlaje, Chair, Committee on Health

Fr: Zennia C. Pecina, Health Professional Licensing Office (HPLO), Administrator,
Emergency Medical Services (EMS), Administrator,
Executive Officer, Guam Board of Nurse Examiner,
Associate Administrator for the Bureau of Family Health and Nursing Services (BFHNS)

Subject: Oversight Hearing

Good Day Madam Chair,

Please accept the responses to your questions as requested. I look forward to the oversight hearing as a means of providing updated information regarding the Health Professional Licensure Office and an opportunity to seek guidance and assistance appropriately from our local leaders.

1. Status of the Revolving Fund allocations:
 - a. Our office has been working closely with our CFO to access money from the revolving funds when needed. The funds are being used to pay for publications, subscriptions, legal fees, testing and testing materials, annual memberships, training board stipends, business cards and so forth. We are working on providing a breakdown of expenses to the boards to aide in budget preparation for their specific boards and assist in determining their fee schedules.
2. How many licenses were issued or waived since the Declaration of Health Emergency on March 16, 2020 to present? Was a review or approval done on these applicants? Where are these health professionals employed or assigned?
 - a. Guam Board of Medical Examiners – Three (3), all reviewed and approved by the board chair. (see attached)
 - b. Guam Board of Examiners for Dentistry – 15, all reviewed and approved by the board chair. (see attached)
 - c. Guam Board of Nurse Examiners – 126 Emergency Temporary Licenses and 83 Temporary Licenses, all reviewed by the Executive Officer and followed specific guidelines set by the board. (see attached criteria and list of employment)
 - d. Guam Board of Allied Health Examiners – Three (3), all reviewed and approved by the board chair. (see attached)

3. How many Temporary licenses were granted by the health boards per year in the past five (5) years? How long does it take to get a temporary license for non-resident and resident?
 - a. Only two (2) boards grant temporary licenses without a board meeting:
 - i. Guam Board of Examiners for Dentistry/Dental Assistants
 - ii. Temporary License takes about 2 – 3 days.
 - iii. Requirements are the same for non-residents and residents
 1. 2015 – 30
 2. 2016 – 20
 3. 2017 – 52
 4. 2018 – 44
 5. 2019 – 22
 6. 2020 – 12
 - iv. Guam Board of Nurse Examiners
 - v. Temporary License takes about 3-5 days.
 - vi. Requirements are the same for residents and non-residents
 1. 2015 – 27
 2. 2016 – 55
 3. 2017 – 80
 4. 2018 – 159
 5. 2019 – 106
 6. 2020 – 119 Emergency Temporary +83 Temporary = 219
4. How many Emergency Licenses were granted per year in the past 5 years? How long does it take for residents and non-residents?
 - a. No board has issued an emergency license until 2020.
 - i. Guam Board of Nurse Examiners
 1. 2020 – 119
 - ii. Guam Board of Medical Examiners
 1. 2020 – Three (3)
5. Status of hiring investigators, hearing officers, attorneys for all boards and allocation of costs
 - a. Investigators – currently the boards conduct their investigations of a case as warranted and is within their rules and regulations to do so. The position of investigator needs to be created with specific criteria to meet the boards requirements. We are currently working on those specifications.
 - b. Attorneys – An RFQ (less than \$25,000 each) was submitted. Just recently both contracts for a Prosecuting Attorney and Hearing Officer was awarded. We have Attorney’s Minakshi and Concepcion.
 - c. We will be submitting an RFP for full legal services for the boards for long term.
6. Complaints submitted to GBME and GBAHE during 2018, 2019, 2020. How many were sent to an investigator, investigated by the board, investigated by legal counsel investigated by others, or not investigated.
 - a. Guam Board of Medical Examiners
 - i. 2018 – Eight (8)

- ii. 2019 – 16
 - iii. 2020 – Three (3)
 - iv. All investigated or will be investigated by the board and legal counsel
 - b. Guam Board of Allied Health Examiners
 - i. 2018 – Three (3)
 - ii. 2019 – Four (4)
 - iii. 2020 – Seven (7)
 - iv. All investigated or will be investigated by the board and legal counsel

- 7. How many of the complaints above resulted in a hearing?
 - a. Guam Board of Medical Examiners – None
 - b. Guam Board of Allied Health Examiners – None

- 8. How many complaints resulted in findings, dismissal, sanction or other? Action by the Board?
 - a. Guam Board of Medical Examiners
 - i. 2018 – Eight (8) (all resulted in no violations)
 - ii. 2019 – 16 (14 no violations, 1 pending, 1 under investigation but withdrew prior to renewal, reported to the NPDB)
 - iii. Withdrawal of an application while under investigation is automatically reported to the NPDB (National Practitioners Data Bank)
 - b. Guam Board of Allied Health Examiners
 - i. 2018 – Three (3) (One (1) reported to NPDB, two (2) closed with no violations.
 - ii. 2019 – Four (4) (Pending review from attorney)
 - iii. 2020 – Seven (7) new cases (being reviewed at the board level)

- 9. Update on 10 GCA 12212 (c) Malpractice Insurance Companies
 - a. The HPLO has not received any report from insurance companies regarding malpractice.

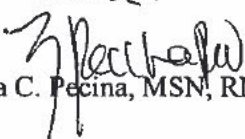
- 10. Status of GBME compliance with PL 31-84 “The Patient Protection Through Information Act.”
 - a. Signed into law in 2011, and states; the board shall disclose to an inquiring member of the public, within four (4) working days which shall include via the internet, information regarding any enforcement actions taken against a licensee, including a former licensee, by the Board or by another state board or licensing jurisdiction, including all of the following: there are seven (7) items listed.
 - b. Currently under the Department of Public Health and Social Services, there exist a website for the HPLO that was procured through a local vendor prior to my time. The site lacks many important features to include information about the board, the ability to apply online, information about current status of a healthcare provider and many more. The intention was there, but the expectation for the departments to manage their website was over calculated. I am not an IT person and neither are my staff and to expect us to manage a website and perform our daily duties is way beyond the call of duty.

- c. The lack of a suitable website was identified early on and became the 3rd goal for the HPLO. My office has since submitted an RFQ for website services. And it didn't take much to put together specifications for what a healthcare website should look like. There are many examples from State to State. Two examples that we are looking at is the California website and/or the Washington State website. Applicants would be able to go online and obtain information about our many boards. The public would be able to go gain information about a particular healthcare provider. All the information required by PL 31-84 will be available to the public. As an update, a vendor was awarded the contract. Our team met with the vendor Monday last week and the Medical Board will be the first website to be created.
- d. We do however have a spreadsheet of all active physicians with a Guam license that dates back to 1967 and is published and up to date and can be found in the DPHSS website. Article 3 of the 5 GCA Government Operations Ch. 10 Sunshine Reform Act of 1999, 10315, "Special Requirements for Medical Licensure" requires the board to publish, and update on a quarterly basis on its website, a listing of licenses issued to include the license holder's name, primary work address, work phone number, specialty, initial date of licensure, license status, and board certifications. Again, this is availability on the DPHSS website.

11. Status of GBME compliance with Interstate Licensure Compact, PL 34-073

- a. The Guam Medical Compact became law in 2018. It takes a year to get processes in place before actual implementation. The medical board secretary and I took over the implementation of the program in November of 2019. We reached out to the national IMLC (Interstate Medical License Compact) and received and completed virtual training.
- b. To date, our office has processed 18 compact licenses at a cost of \$400 per applicant and a total of \$7,200.00.
- c. Specialties include; Family Medicine, Neurology, Emergency Medicine, Radiology and Internal Medicine.

Thank you,


Zennia C. Pecina, MSN, RN

**GUAM BOARD OF MEDICAL EXAMINERS
EMERGENCY TEMPORARY LICENSE ISSUED**

COVID-19

Executive Order No. 2020-05

	NAME	SPECIALTY	HOSPITAL	Effective
1		Emergency Medicine	GRMC	5/1-20-8/1/20
2		Emergency Medicine	GMH	5/18/20-8/18/20
3		Emergency Medicine	GMH	6/26/20-9/26/20

GUAM BOARD OF EXAMINERS FOR DENTISTRY

Licenses issued since Declaration of Health Emergency COVID-19

<u>POSITION</u>	<u>COUNT</u>	<u>CLINIC</u>	<u>APPROVED DATE</u>
Dental Assistants	12	Gentle Care, Yang's Dental, Future Smiles Clinic, Pacific Smile Orthodontics, Family Dental Clinic, Harmon Loop Dental, Yang's Dental, Premier Dental, Ben Malabanan's Dental, Pacific Smiles, Dr. Yashihiro's Dental	June 17, 2020
Dental Hygienist	1	Reflection Dental Clinic	June 17, 2020
Dental Auxiliary	1	Guam Dental Arts	June 17, 2020
New Dentist to take (Aug. Exam)	1	Mangilao Dental Clinic	June 17, 2020
Total:	15		

TEMPORARY LICENSE GRANTED FOR THE PAST FIVE (5) YEARS

Dental Assistants	<u>Year</u>	<u>Total</u>
	2015	30
	2016	20
	2017	52
	2018	44
	2019	22
	2020	12

Note: Only Dental Assistants are granted Temporary License to begin work. After the Board meets and approves applications, their permanent license will be granted within a week

Dental Board meets every 3rd Wed. of each month.

PROCESSING OF EMERGENCY NURSE INQUIRIES

1. RN with license from US jurisdiction

- Send nurse the GBNE Application
- Ask for Driver's license
- Copy of RN license in their state
- GBNE will need to verify in NURSYS there are no discipline
- **Provide above to Rosemary for review of application and Processing

2. Currently licensed on Guam

Going to work for Public Health

- Email them Gov Guam application
- Ask for copy of Driver's license
- Reach out to the leads in the centers to give information

Going to work GMH

- Provide nurse with GMH Application
- Have them send completed application, copy of license, BLS (ACLS if available), RN License and Driver's license to Tess.mandapat@gmha.org

Going to work for GRMC

Awaiting GRMC instructions.

LICENSURE GUIDELINES

Emergency Temporary Licensing/Certification:

1. CNA:

- Nursing Assistants with expired certifications and no disciplines or pending investigations in Nursys
- Graduated students of US nursing assistant program
- Graduates who did not pass their written or clinical exam.

2. LPN:

- LPN's who graduated from a US school and did not pass the PN exam.
- LPN's with a license from a foreign country.
- Completed United States LPN Program, failed NCLEX LPN in the past 10 yrs.

3. RN:

- Individuals with expired Registered Nurse Licenses from foreign Countries within past 10 years
- BSN graduates from foreign countries within the past 10 years
- Completed United States ADN or BSN Nursing Program, failed NCLEX RN in the past 10 yrs.

4. APRNs (to have collaborative agreement with a physician or exp APRN, no RX authority)

- NP Graduates awaiting NCLEX testing
- NP Students (In their last semester) or (who have completed 240 clinical hours)
- NP Graduates who have failed their NP Board Exam within the past 5 yrs.

FOCUS- Prepare non nursing individuals to put them into the workforce

1. Fit Testing - John Taitano
2. BLS Training – GCC Faculty – Kat Uchima
3. Coronavirus Training – Margarita Gay?
4. Basic Nursing Skills/Competencies – UOG Nurses

Process:

1. Send emails to gbnestaff@gmail.com (Merle)
Filter emails by Nursing Position
Send these with Subject labeling: COVID 19 _____ (enter type of nurse or non nurse and their LAST name)
2. Dee will acknowledge receipt and send email with instructions according to the above guidelines for Licensure if needed and for Application Process.
 - Upon receipt of documents from applicant, Dee to review applications for completion
3. Fernando or John - Update Master Spreadsheet with volunteer information
4. Once applicants' documents are ready to go, Dee to assign nurses to areas, send information to Agency POCs.

TOTAL TEMPORARY WORK PERMITS ISSUED IN LAST 5 YEARS
As of 6/26/20

	RN	GN	Total RNs	LPN	Total LPNs	CNA	Total CNAs	APRN	Total APRNs	Total 2015- Present
2015	25	0	25	0	0	0	0	2	2	27
2016	48	0	48	1	1	5	5	1	1	55
2017	70	1	71	1	1	1	1	7	7	80
2018	148	3	151	2	2	1	1	5	5	159
2019	99	1	100	1	1	0	0	5	5	106
2020	68	23	91	4	4	26	26	2	2	123
			486		9		33		22	550

ISSUED EMERGENCY TEMPORARY WORK PERMITS

	NAME	LIC #	LIC TYPE	EXPIRATION	LOCATION
1		TWP 20R57	RN	6/3/20-9/3/20	(Hold) Surveillance
2		TWP 20NA22	CNA	6/1/20-9/1/20	(Hold)
3		TWP 20RG01	GN	5/5/20-11/5/20	GRMC
4		TWP 20R25	RN	3/25/20-6/25/20	GRMC
5		TWP 20R30	RN	3/31/20-7/1/20	Day's Inn
6		TWP 20RG02	GN	5/5/20-11/5/20	GRMC
7		TWP 20R36	RN	4/8/20-10/9/20	GRMC
8		TWP 20RG03	GN	5/5/20-11/5/20	GRMC
9		TWP 20RG09	GN	5/5/20-11/5/20	GRMC
10		TWP 20R29	RN	3/27/20-9/28/20	GMHA
11		TWP 20NA17	CNA	4/2/20-7/2/20	GMHA
12		TWP 20R62	RN	6/10/20-9/10/20	Surveillance
13		TWP 20RG04	GN	5/5/20-11/5/20	GRMC
14		TWP 20L02	LPN	3/30/20-6/30/20	GRMC
15		TWP 20R12	RN	3/19/20-9/20/20	Triage Call Center
16		TWP 20R27	RN	3/27/20-9/28/20	GRMC
17		TWP 20NA21	CNA	5/22/20-8/22/20	Airport
18		TWP 20R43	RN	4/20/20-7/20/20	GRMC
19		TWP 20R21	RN	3/22/20-9/23/20	GRMC
20		TWP 20RG05	GN	5/5/20-11/5/20	GRMC
21		TWP 20RG08	GN	5/5/20-11/5/20	GRMC
22		TWP 20R47	RN	4/29/20-7/29/20	GRMC
23		TWP 20NA20	CNA	5/29/20-8/29/20	Airport
24		TWP 20R66	RN	6/29/20-9/29/20	GRMC
25		TWP 20R16	RN	3/20/20-6/20/20	GRMC
26		TWP 20L01	LPN	3/28/20-6/28/20	GRMC
27		TWP 20R38	RN	4/15/20-7/15/20	(Hold)
28		TWP 20NA02	CNA	3/20/20-6/20/20	Port
29		TWP 20RG06	GN	5/5/20-11/5/20	GRMC
30		TWP 20R61	RN	6/10/20-9/10/20	Day's Inn
31		TWP 20R49	RN	5/8/20-8/8/20	GRMC
32		TWP 20RG10	GN	5/5/20-11/5/20	GRMC
33		TWP 20R56	RN	5/27/20-8/27/20	Isolation
34		TWP 20L03	LPN	3/24/20-9/25/20	Port
35		TWP 20NA09	CNA	3/24/20-6/24/20	Port
36		TWP 20RG12	GN	5/5/20-11/5/20	GRMC
37		TWP 20R46	RN	4/24/20-7/24/20	GRMC
38		TWP 20NA18	CNA	4/9/20-7/9/20	GRMC
39		TWP 20R34	RN	4/3/20-7/3/20	GRMC GMHA?
40		TWP 20R35	RN	4/3/20-7/3/20	GRMC GMHA?
41		TWP 20R11	RN	3/16/20-6/16/20	Call Ctr Airport
42		TWP 20R17	RN	3/22/20-6/22/20	GRMC
43		TWP 20RG11	GN	5/5/20-11/5/20	GRMC
44		TWP 20R41	RN	4/20/20-7/20/20	Isolation
45		TWP 20RG13	GN	5/5/20-11/5/20	GRMC

46		TWP 20RG14	GN	5/5/20-11/5/20	GRMC
47		TWP 20RG15	GN	5/5/20-11/5/20	GRMC
48		TWP 20R26	RN	3/25/20-6/25/20	GRMC
49		TWP 20RG16	GN	5/5/20-11/5/20	GRMC
50		TWP 20NA10	CNA	3/25/20-6/25/20	Surveillance
51		TWP 20NA07	CNA	3/24/20-9/25/20	Airport Days Inn
52		TWP 20R67	RN	6/29/20-9/29/20	GRMC
53		TWP 20R58	RN	6/5/20-9/5/20	GMHA
54		TWP 20L04	LPN	6/11/20-9/11/20	Sagua Managu
55		TWP 20R37	RN	4/14/20-7/14/20	GRMC
56		TWP 20R48	RN	4/29/20-7/29/20	GRMC
57		TWP 20R13	RN	3/19/20-9/20/20	GMHA GRMC
58		TWP 20R14	RN	3/19/20-6/19/20	HSP
59		TWP 20R20	RN	3/22/20-9/23/20	GRMC
60		TWP 20R15	RN	3/23/20-6/23/20	GRMC
61		TWP 20R23	RN	3/22/20-6/22/20	Surveillance
62		TWP 20R44	RN	4/22/20-7/22/20	GRMC
63		TWP 20R52	RN	5/8/20-8/8/20	GRMC
64		TWP 20NA24	CNA	6/10/20-9/10/20	(Hold)
65		TWP 20NA12	CNA	3/28/20-6/28/20	Day's Inn
66		TWP 20NA11	CNA	3/26/20-9/27/20	Surveillance Airport
67		TWP 20RG26	GN	5/5/20-11/5/20	GRMC
68		TWP 20R02	RN	4/28/20-7/28/20	GRMC
69		TWP 20R31	RN	3/31/20-7/1/20	GMHA
70		TWP 20RG17	GN	5/5/20-11/5/20	GRMC
71		TWP 20R51	RN	5/8/20-8/8/20	GRMC
72		TWP 20R19	RN	3/22/20-6/22/20	GRMC
73		TWP 20NP01	APRN	5/7/20-8/7/20	SDA
74		TWP 20R32	RN	4/3/20-7/3/20	SDA
75		TWP 20R39	RN	4/17/20-7/17/20	GRMC
76		TWP 20R68	RN	6/29/20-9/29/20	GRMC
77		TWP 20R50	RN	5/8/20-8/8/20	GRMC
78		TWP 20R28	RN	3/26/20-6/26/21	GMHA
79		TWP 20RG18	GN	5/5/20-11/5/20	GRMC
80		TWP 20NA25	CNA	6/15/20-9/15/20	(Hold)
81		TWP 20R22	RN	3/22/20-9/23/20	GRMC
82		TWP 20RG20	GN	5/5/20-11/5/20	GRMC
83		TWP 20R55	RN	5/22/20-8/22/20	Airport
84		TWP 20R45	RN	4/23/20-7/23/20	GRMC
85		TWP 20R08	RN	5/24/20-8/24/20	GRMC
86		TWP 20R03	RN	4/28/20-7/28/20	GMHA
87		TWP 20R54	RN	5/22/20-8/22/20	GRMC
88		TWP 20R33	RN	4/1/20-7/2/20	GMHA
89		TWP 20RG21	GN	5/5/20-11/5/20	GRMC
90		TWP 20RG19	GN	5/5/20-11/5/20	GRMC
91		TWP 20R09	RN	5/25/20-8/25/20	GRMC
92		TWP 20R63	RN	6/26/20-9/26/20	Sagua Managu

93		TWP 20NA23	CNA	6/9/20-9/9/20	Hold
94		TWP 20R59	RN	6/5/20-9/5/20	GMHA
95		TWP 20NA05	CNA	3/20/20-6/20/20	Port
96		TWP 20NA15	CNA	3/31/20-10/2/20	Day's Inn
97		TWP 20RG22	GN	5/5/20-11/5/20	GRMC
98		TWP 20NA01	CNA	3/20/20-9/21/20	GMHA
99		TWP 20R42	RN	4/20/20-7/20/20	GRMC
100		TWP 20NA14	CNA	3/31/20-7/1/20	GMHA
101		TWP 20RG23	GN	5/5/20-11/5/20	GRMC
102		TWP 20R24	RN	3/24/20-06/24/20	GMHA
103		TWP 20NA06	CNA	3/24/20-6/24/20	Surveillance
104		TWP 20R65	RN	6/29/20-9/29/20	GRMC
105		TWP 20NA08	CNA	3/24/20-9/25/20	Port
106		TWP 20RG24	GN	5/5/20-11/5/20	GRMC
107		TWP 20NP02	APRN	7/13/20-10/13/20	SDA
108		TWP 20R64	RN	7/13/20-10/13/20	SDA
109		TWP 20R60	RN	6/10/20-9/10/20	Day's Inn
110		TWP 20RG07	GN	5/5/20-11/5/20	GRMC
111		TWP 20R18	RN	3/22/20-9/23/20	GRMC
112		TWP 20NA19	CNA	4/20/20-7/20/20	GMHA
113		TWP 20NA16	CNA	4/2/20-7/2/20	GRMC Central
114		TWP 20NA04	CNA	3/20/20-6/20/20	Port
115		TWP 20R40	RN	4/17/20-7/17/20	GRMC
116		TWP 20NA13	CNA	3/30/20-6/30/20	Day's Inn
117		TWP 20NA26	CNA	6/17/20-9/17/20	GMHA
118		TWP 20RG25	GN	5/5/20-11/5/20	GRMC
119		TWP 20NA03	CNA	3/20/20-6/20/20	Northern-PH GMHA

ALREADY LICENSED OR CERTIFIED

	NAME	LIC #	LIC TYPE	EXPIRATION	LOCATION
1		RX0764	RN	9/30/2021	Surveillance
2		RE1337	RN	9/30/2021	Call Center
3		LE0236	LPN	9/30/2021	Days Inn
4		LX0389	LPN	9/30/2021	Call Center
5		RE1333	RN	9/30/2021	Surveillance
6		LX0419	LPN	9/30/2021	Surveillance
7		NX0414	CNA	9/30/2020	Days Inn
8		RX0488	RN	9/30/2021	Surveillance
9		NX0468	CNA	9/30/2020	Airport
10		LX0622	LPN	9/30/2021	Days Inn
11		NX0419	CNA	9/30/2020	Days Inn
12		LX0531	LPN	9/30/2021	Airport
13		RE1309	RN	9/30/2021	Surveillance

14		RX0932	RN	9/30/2021	Surveillance
15		NX0350	CNA	9/30/2020	Airport
16		RX0381	RN	9/30/2021	Port
17		RE0472	RN	9/30/2021	Surveillance
18		NX0368	CNA	9/30/2020	Airport
19		RX0217	RN	9/30/2021	Northern Airport
20		R1375	RN	9/30/2021	Call Center
21		R2285	RN	9/30/2021	Northern
22		R1623	RN	9/30/2021	Call Center
23		RE2624	RN	9/30/2021	Central
24		NX0435	CNA	9/30/2020	Airport Surveillance
25		LX0535	LPN	9/30/2021	Days Inn
26		R2222	RN	9/30/2021	Call Center
27		R2298	RN	9/30/2021	Call Center
28		RE1229	RN	9/30/2021	Surveillance
29		RX0380	RN	9/30/2021	Airport
30		RE1415	RN	9/30/2021	HPLO
31		RX0227	RN	9/30/2021	Surveillance
32		RX0251	RN	9/30/2021	Northern
33		RX0763	RN	9/30/2021	Surveillance
34		RE2838	RN	9/30/2021	Airport
35		NX0407	CNA	9/30/2020	Airport Days Inn
36		RX0826	RN	9/30/2021	Southern
37		NX0502	CNA	9/30/2020	Airport
38		RE0918	RN	9/30/2021	Call Center
39		RE1016	RN	9/30/2021	Call Center
40		RE0351	RN	9/30/2021	Call Center
41		RE2757	RN	9/30/2021	Surveillance
42		RE1319	RN	9/30/2021	Surveillance
43		RX0147	RN	9/30/2021	Surveillance
44		RX0418	RN	9/30/2021	Airport
45		RX0474	RN	9/30/2021	Port
46		RE1134	RN	9/30/2021	Airport
47		NX0454	CNA	9/30/2020	Airport
48		RE2741	RN	9/30/2021	Airport
49		NX0423	CNA	9/30/2020	GMHA
50		RX0092	RN	9/30/2021	Northern
51		RX0263	RN	9/30/2021	Call Center
52		NE0052	CNA	9/30/2020	Airport
53		RX0241	RN	9/30/2021	Call Center
54		NP0033	APRN	9/30/2021	Central
55		RX0526	RN	9/30/2021	Airport-Lead
56		RX0739	RN	9/30/2021	Airport
57		RE1919	RN	9/30/2021	Northern
58		RX0995	RN	9/30/2021	GMHA
59		LX0544	LPN	9/30/2021	Surveillance
60		RX0448	RN	9/30/2021	Northern

GUAM BOARD OF ALLIED HEALTH OF EXAMINERS

Licenses issued since Declaration of Health Emergency COVID-19

<u>POSITION</u>	<u>COUNT</u>	<u>CLINIC</u>	<u>APPROVED DATE</u>
Speech Language Pathology	2	Tiny Eyes	June 12, 2020
Physical Therapy	1	Seventh Day Adventist Clinic	June 12, 2020
Total:	3		



SENATOR THERESE M. TERLAJE

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

COMMITTEE REPORT DIGEST

I. OVERVIEW

The **Committee on Health, Tourism, Historic Preservation, Land and Justice** convened a virtual public hearing on **Monday, June 29, 2020** at **4:30 PM** in *I Liheslatura's* Virtual Conference Platform. Among the items on the agenda was the consideration of the appointment of **Nathaniel B. Berg, MD** to serve as a **Member** of the **Guam Board of Medical Examiners**, and whose appointment history is as follows:

- Appointed by *I Maga'Hågan Guåhan* on December 19, 2019 to serve Four (4) years; October 23, 2019 to October 22, 2023;
- Appointment packet forwarded to *I Liheslatura* on December 26, 2019;
- Appointment packet forwarded to this committee for public consideration on December 27, 2019.

Public Notice Requirements

Notices for this Confirmation Hearing were disseminated via email to all senators and all main media broadcasting outlets on Monday, June 22, 2020 and again on Friday, June 26, 2020. The notice was also published in the Guam Daily Post on Monday, June 22, 2020 and Friday, June 26, 2020.

Senators Present

Senator Therese M. Terlaje, Chairperson
Vice Speaker Telenia C. Nelson
Senator Louise B. Muña, Committee Member

Appearing Before the Committee

Nathaniel B. Berg, MD, Nominee
David Lubofsky
Hoa Nguyen, MD, Guam Medical Association, Board of Directors
Joseph Cameron

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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II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was called to order at **6:33 p.m.** Chairperson Therese M. Terlaje presented the agenda items that would be heard during the hearing. The appointment of Nathaniel Berg, MD to serve as a Member of the Guam Board of Medical Examiners was the second item on the agenda.

Chairperson Therese M. Terlaje: We will begin right now with the appointment of Dr. Nathaniel Berg MD as a member of the Guam Board of Medical Examiners to serve a four (4) year term from October 21, 2019 to October 22, 2023. I know it seems we're past this point already but just FYI the term will end October 22, 2023. I think we've heard a lot about the board's responsibility, so I'm going to move straight into the testimony.

We've heard from Mr. Lubofsky. Mr. Lubofsky, I'm going to add your testimony to this part of the hearing also. I'll copy it over.

(Mr. David Lubofsky read his testimony into the record during the June 29, 2020, 4:30 p.m. Oversight Hearing on the DPHSS Health Professional Licensing Office, with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners, held prior to the confirmation hearing, and is included in this report at his request)

David Lubofsky:

"This oversight hearing is long overdue and I just wish we can be all at the legislature face to face. Let me be blunt to start off and say that both the GBME and the GBAHE have serious problems.

*The Guam Board of Medical Examiners, currently under the leadership of Nathaniel Berg, has been in violation of the law for at least 8 years. They have not implemented the **PATIENT PROTECTION THROUGH INFORMATION ACT**, and another law, which they were mandated years ago to do. They have recently started to make some futile attempts after their lack of compliance was brought out at the Arbitration Info. hearings recently conducted. This law is a consumer law that protects patients on Guam against negligent doctors, but it's my opinion, Nathaniel Berg and The Board did not want to protect us through an existing law so they ignored it. They want to protect negligent doctors, the same way as they came out against the Arbitration Act reform.*

The Guam Board of Medical Examiners, in a meeting that I attended last year, stated they will license anyone who meets minimal qualifications. I almost went through the roof when I heard this as Asher had just recently passed away due to alleged medical incompetence by someone they licensed.

The Board has KNOWINGLY licensed people with past histories of malpractice and sexual abuse allegations against them. They did license these doctors with negative histories and these doctors came to Guam and injured and sexually abused patients on Guam also. The Board knew of the histories of many of these doctors but chose to ignore them again. To make matters worse, the

GBME had 6 complaints in front of them before they decided to do anything with the sexual abuse allegations against a doctor. WHY NOT ACT AFTER THE FIRST COMPLAINT?

Dr. Gill in the past spoke about PEER REVIEWS when the Board receives complaints about doctors. A Peer Review is a form of self-regulation by qualified members of a profession within the relevant field. It's not a radiologist reviewing a Pediatrician's work, even though our Licensing Board may think that. PEER REVIEWS RARELY IF EVER HAPPEN at the GBME and my Asher was never afforded what Dr. Gill said SHOULD HAPPEN, A PEER REVIEW. Again, this Board under Nathaniel Berg is about protection of doctors and apathy is the undercurrent of this, which pretty much again defines The Arbitration Act also along with arrogance. It's obvious to us, not only as parents, but the community, that the Guam Licensing Board of Medical examiner is about the protection of themselves at the peril of the community. You would think that with the Arbitration Act protecting doctors that the GBME would be more objective in their job to protect us.

When they do investigations of the complaints against doctors they, by our experience, refuse to meet with the victims' family or victim. Imagine, the death of a 5 year old and they refuse to meet with me, the father who witnessed what happened, who watched my son dying at the clinic and had to argue to get a doctor to examine him. I went to a Medical Examiners Board meeting, emailed them several times asking what was going on with the investigation and no info. given to us. It went on for months and months with no response until the exact same day that the PDN released the story of our lawsuit against the Seventh Day Adventist Clinic. That date with no notice to us, Nathaniel Berg released the results of his investigation to the PDN and not informed us the results first and never once interviewed us. The PDN knew the contents of a letter that was sent to us after they published the story. We read about Asher in the paper. This story alone would and should get Nathaniel Berg thrown off the Board and an investigation into how they do their job and protect us. It made our nightmare worse. Its my opinion Berg and the Board released the letter to protect the doctor and SDA the same day showing that his biased corrupt investigation found no problems. Super unprofessional and negligent and all about protecting the doctors that hurt Asher.

The current GBME has serious conflicts of interest. Do you think Asher got a fair investigation of what happened to him at SDA by Nathaniel Berg who makes large sums of money from the clinic. Do you think Berg wants to find fault and lose that income? For him and the Board it was simpler to dismiss us thinking we would just walk away. Why didn't Berg recuse himself from the investigation. Many of the Board members have conflicts of interest.

The GBME needs to be replaced and for sure Nathaniel Berg with his conflicts of interest and incompetence by his actions on the Board and allowing doctors to come to Guam to hurt us or sexually abuse us should be gone.

AS LONG AS NATHANIEL BERG IS ON THE BOARD, ESPECIALLY AS CHAIR, AND THIS BOARD FUNCTIONS TO PROTECT DOCTORS ONLY AS IT DOES NOW, AT THE EXPENSE OF CONSUMERS, ITS MY OPINION THAT LIVES WILL BE LOST ON GUAM OR INJURIES OR SEXUAL ABUSE BY DOCTORS WILL CONTINUE TO HAPPEN WITH NO ACCOUNTABILITY AND HIRING ANYONE FROM THE STATES. MEETING MINIMAL STANDARD SHOULD NOT BE THE BENCHMARK FOR BRINGING DOCTORS TO GUAM WITH HISTORIES OF NEGLIGENCE.

REGARDING THE GUAM BOARD OF ALLED HEALTH EXAMINERS.

Accountability has been a common theme lately on Guam, in the news, with discussions about the Medical Malpractice Forced Arbitration Act. This is particularly concerning with some of the questionable practices at The Guam Board of Medical Examiners and The Guam Board of Allied Health Examiners.

In the last Public Hearing, November 7th, 2019, regarding the Forced Arbitration Act, Senator Terlaje told Dr. Yasuhiro that his testimony was a breath of fresh air. I have to agree. Rather than focusing on the Arbitration Act pros and cons, he discussed the governing Boards This would include the Guam Board of Medical Examiners and the Guam Board of Allied Health Examiners, among others, in how they handle complaints by consumers, the public, against professionals, whether it be doctors, physician assistants or others.

The need for impartial reviews of complaints was stressed by Dr. Yasuhiro and Senator Terlaje which would offset many of the problems that we see with Arbitration related medical negligence issues or professional complaints. Consumers have a right to have their complaints heard by the Allied Board or the Guam Board of Medical Examiners, as an example, without the current bias or prejudice.

Sadly, I guess the Board of Allied Health Examiners did not get the "Impartiality" message following the status quo. It's hard to believe that the Guam Board of Allied Health Examiner's Chair Ms. Mamie Balajadia has been on the Allied Board for over 20 years, as have possibly up to 5 other Board members. This is possibly the longest Chair or Board Members of any Board on Guam or anywhere, outside of an autocratic country.

They are supposed to be reappointed as mandated by law every 3 years, but that hasn't happened. No Guam Board should have the same members that long, it negates new ideas, new members, motivation etc. It destines a Board to the humdrum, apathetic and inheritably biased to maintain the status quo and their fiefdom, not to mention easily leads to corruption.

What also worries me is that just recently, the Board of Allied Health Examiners went to the legislature to establish Ethics Guidelines for the Guam Board's Licensed professionals to get them approved in law. Ethics for professionals who are already practicing is better late than never, but they should have been established years ago. This should have been a top priority for the Board, not to mention the Board members who have been there for 20 plus years. What have they been doing? Ethical standards are the top priority for any Governing Licensing Board. How can you protect the community and hold people to professional standards, when you never established such standards for 20 years until now? Who is holding the Guam Board of Allied Health Examiners accountable? I am sure that if you contact similar Boards across the country, all will tell you that they have had established Ethical standards in place for years.

This is one reason that Board members need to be reappointed every 3 years, to keep people motivated and current in law and actions which are aimed to protect the community and to hold members accountable. New members, new blood, new ideas, new graduates, fresh energy, honesty etc are all needed on any Board. With this, is the need to establish a real impartial review system for complaints of professionals that the Board licenses. Yet, still as everything else at the Allied Board, the impartial

review system has not been set up. It's at the same place as it was 20 years ago when these Board members joined the Allied Board. Reviews of citizens complaints with the Allied Board, if they ever get around to doing them, are not impartial, quite the opposite, they are biased from our experience. Many complaints have been sitting there for years, but that's expected as these members of the Allied Board must see themselves as protected.

This is exactly what Dr. Yasuhiro emphasized in his testimony and Senator Terlaje discussed the need for fair impartial Boards that we do not have. Hey, Guam Board of Allied Health Examiners members, this isn't 20 years ago and how things were done back then. It's time for you to move on or act to protect the community, not your personal interests or friends. It's time for the Guam Board of Allied Health Examiners to be under that same law as other Boards with members having to be reappointed every 3 years. ITS TIME FOR MAMIE AND THE OTHERS WHO HAVE BEEN ON THAT BOARD FOR 20 YEARS TO LEAVE.

REGARDING DR. NATHANIEL BERG. I am against him being reappointed to the Guam Medical Board for the reasons that I outlined above when discussing the GBME. He has shown incompetence in my opinion, bias and has not followed the laws on the book and seemingly put his income before a proper investigation into complaints against doctors. He has seemingly put his own interests first over that of the consumers and has severe conflicts of interests and an inability to recuse himself when faced with such conflicts, making him not appropriate for the Board and not able to protect consumers on Guam. He is responsible as Chair for bringing doctors here who have injured or sexually abused patients. He knew of the problems and did nothing then ignored complaints when they came in it seems. He has not in any way addressed how to mitigate consumer concerns or provide for an impartial Board and peer review, both are called for. He refused to recognize that people die of medical negligence on Guam and will not set up a system to offset it or mitigate it or even follow the laws on the books such as the **PATIENT PROTECTION THROUGH INFORMATION ACT**."

Chairperson Therese M. Terlaje: I would like to invite Dr. Nguyen. Dr. Nguyen, if you'd like to testify right now on the appointment of Dr. Berg.

Hoa Nguyen, MD: Yes. Thank you Senator Terlaje. Thank you everyone for giving me this opportunity to testify on the behalf of Dr. Berg for the Chair for the Medical Board. He is part of the Governor's Advisory Group and also, it's a big step for Guam to have the Federal State of Medical Boards represent their own United States and territories. It's very rare to have a person of that caliber to represent Guam among the physicians across the United States. There's a lot of things you could make improvements for the medical board regarding licensing and policing our physicians and improving the medical practice of Guam and to protect the people of Guam. I really highly recommend that he be again the Chair of the Medical Board for the next four years.

Again, he's a big step on helping Guam through this pandemic of COVID-19. Again, I truly believe that he will move Guam and help move our profession forward to better provide the service for the people of Guam. Again, I can't say enough about him. There are a lot of things that we need to improve in our healthcare and also to improve on policing our

providers, but I can't think of any person that I can think of right now to take his place. Again, I highly recommend you move to have him as the Chairperson for the Medical Board.

Thank you again for giving me the time to say a few words regarding his nominations for the chair of the Medical Board of Guam.

Chairperson Therese M. Terlaje: Thank you, Dr. Nguyen, and thank you for your patience today and for your service on the Physicians Advisory Board. We hear from you regularly in the media so thank you for keeping us updated as to your perspective on the health emergency. We appreciate that work.

Hoa Nguyen, M.D.: Thank you very much.

Chairperson Therese M. Terlaje: We also have Mr. Roy. Are you ready, Roy Adonay? Okay, I think we'll come back to Roy. We'll go to Mr. Joseph Cameron. You may present testimony.

Mr. Joseph Cameron: Yes, I am providing testimony on behalf of Dr. Nathaniel Berg with complete confidence in his administration and his ability to guide the Medical Board. I come to you not just as Joe Public but as somebody who when I first came to Guam and was appointed by Governor Joseph Ada to head up the Department of Mental Health and Substance Abuse, it was then by law that the Director of Mental Health was a member of the Guam Licensure. So, I'm very familiar with all the disciplines, especially the Medical Board. I've monitored the coming and going of all the individuals who have served over the years.

I'm saying that I think it's vital to the administration of the board and I believe Dr. Berg has shown in many ways' justice in both the judicial and administrative proceedings. I believe that maybe further guidance to individuals who come in and sit on this awesome board, is a very difficult board to sit on. There's the AMA, let me think of, the code of medical ethics where they add on additional guidance for medical experts. I heard you earlier speak about or somebody did about administrative law judges and all the legal factions that would intel when a complaint has come in. It is very important because this guidance actually provides some evidence that it is critical that a variety of legal and administrative proceedings occur as we proceed with any complaints that as citizens or even as professionals who specialize in a specific experience.

Physicians have an obligation to assist in the administration of justice. I believe Dr. Berg has exemplified that. I must tell you it is very painful. Extremely painful to have somebody pass away under any circumstance under the care of a doctor. I have a sister who is a medical doctor. She's an OBGYN surgeon and she tells me, well she's a lawyer now. She went back to school and got a law school degree and she's practicing medical malpractice. She always says, "Jojo, I'm telling you, it is so critically difficult when I'm dealing with women on a day-day basis. Because any procedure that I provide for them is litigious. Whether I did the right thing or the wrong thing; a woman's body is just very different from anything and the mechanics of the physiology of a woman."

I believe it's important and I think Dr. Nathaniel Berg has testified or has spoken with sincere honesty that any testimony that was to be influenced was influenced with some type of a contingent of an outcome of a specific resolve. We protect our confidentiality of our health patients' information unless that of course is compelled to be disclosed by those individuals involved. I thank Dr. Berg. Thank you very much for delivering an honest testimony.

This requires that we all engage in a continuous self-examination to ensure that our testimonies, our representation for that matter as the chair of the board and it's very difficult. Because there are times and I believe this to be true because when I sat at the board, I saw some difficulties where people would say it's a conflict of interest. You know what, when somebody has been pained and lost a loved one, there's so many things to look at. Considering the care of the patient to another physician in these types of potential legal proceedings, it's really important that these people testify in the area their expertise is in. I believe Dr. Berg, you just mentioned that quite possibly there are outreaches that we could look at in reference to assisting us here in Guam in furthering the evaluation and the objectiveness of evaluation to provide an independent opinion.

To share the testimony that it does reflect current scientific thought and there are standards of care that have gained acceptance amongst our peers are relevant to our field. It is appropriate in characterizing that we base all our comments with the acceptance of our professions. Thank you, Dr. Berg. I really believe that you have looked at the standards that have prevailed as we speak on the events under review- that were currently reviewed and the standards of care. Medicine has become more organized in more so than just touching the lives of a human being. We're so much more organized in the administrative and the justice of the care of our patients.

I say this. I've seen your work and I've seen your work for many years. When I was on the board, I don't think Dr. Berg was born yet. He's a young guy compared to me. I'm just saying medicine is quite organized now and if we need to walk outside of ourselves to get help for specialties, societies, or medical licensing boards elsewhere and they see the responsibility to maintain these high standards for medical witnessing and accessing all these claims or any type of testimony. Dr. Berg, I thank you because you will discipline, and you will sanction as appropriate. I know you to be fair that way and I'm terribly sorry that there was a loss of life and that this has somewhat created a quagmire of sorts reflecting on your leadership.

I pray to God that this is not the case because I know you personally and I believe in you. I do believe that Governor Lou Leon Guerrero would have not forwarded your name forward if she didn't believe in you and on behalf of the people of Guam, thank you for your service.

Chairperson Therese M. Terlaje: Thank you, Mr. Cameron. Dr. Berg, would you like to say a few words regarding your nomination. Then I would open it up to my colleagues for any questions.

Nathaniel B. Berg, MD, Appointee: Well I think most importantly I think I'm humbled by the fact that (a), I was selected by my colleagues on the board to be the Chair and to stay on as the chair. I think my role is slightly different each time we meet and within each year. I think part of my role now I see going forward in terms of, I could try to list the things we have done as a Board, but I think more importantly I try to say that some of the stuff going forward is to try and continue to improve upon where we started.

The website being an important component, to finish it. I want to get it done. I would say even as much as everybody else if not more so. But certainly, as much as everybody else. But also integrating us with the Federation of State Medical Boards more so than has been done previously can lead to a much better pool of resources than we have functioning by ourselves.

I had mentioned that we would have access to other providers who could be there for inventions, but they also, the Federation, provides training and provides analysis of boards that want to have that. Not every board wants to be heavily involved. We do. I feel that it's been the support of our board and the Legislature of partly getting us involved with the compact that did allow me to get voted to be on the only board that is voted by each of the individual representatives from the boards nationally. It's not me. I'm representing Guam and I'm doing the best I can to do that.

One of the things you have to do is to balance whether you want new and fresh blood, if you will and nobody disagrees with that. But also, you have to have some institutional memory. For example, Dr. Kia Ramahni and Joan Gill had been on the board for quite some time when I came on. Thank God because they allowed me to have someone to turn to who had been experienced on the board.

In point of fact, the first time that I was nominated to be the chair I declined because I didn't believe that I had enough experience. So, it took a couple of years and with both of them agreeing not to leave the board- to stay on so that I could have some institutional memory. So, what I'm trying to do now is to take the new members that we have, some very strong members of the board which is what we want, strong personalities who have no fear of mentioning or talking about their opinion- people like Annette David who today disagreed with me publicly today in a hearing. So, she clearly has no concern over disagreeing with anyone in the board, including the chair. Those are the other members of the board I think equally have their strong opinion and only look at me as someone who helps to keep us in line with the law. Because I probably know the law better than anybody on the board right now. To keep us in line with being thorough and sticking with that concept of protecting the public.

There's sometimes an advantage of having that balance. Be there every time and I should say sometimes we always have that balance and that is I see increasingly as my role is to help the newer members of the board to gain that experience and knowledge and approach some of them who had never sat on any boards before. So, we have Dr. Nguyen who would be a great member of the Board, but they have other roles that they are doing. For example, leading the PAD right now. Those who do work, and I think you had mentioned before Senator, there are people who don't want to be on the Board. We actually tried to get

a DO to sit on the Board and no one will do it because we sit as targets and to be able to have a stiff upper back and say “I can handle the attacks” and sometimes they’re in the paper, or other places publicly is for me to try and instill that responsibility as physician leaders on Guam to serve on boards. To serve in the PAD.

Dr. Nguyen himself has been attacked multiple times. In fact, it’s too often that he’s attacked publicly for his leadership role and that you have to instill that commitment to protecting the public in the junior members of the board. That is what I see as my role now so that when I do leave in four years’ time or if that comes to pass, that the board is in good hands. There are those that allow for that handoff. The same as Dr. Ramani and Dr. Gill did with me. I take no credit in somehow being automatically qualified. They spent a tremendous amount of time with me. Helping me to understand where the board had come from and how the rules and regulations have been interpreted so there’s not to make mistakes that had been made previously and to look at the processes that had taken place before so that we are consistent in what we do.

I don’t have much else to say except that I’m incredibly happy with those who you have seen to allow to serve with me, not under me, with me and that I assure you, I’ll do my best to make sure that they too are able to serve in this capacity at some point. That’s my role I think at this point and to further bring us within the nation, to bring us there nationally. Part of that I might say for example the Samoa board, American Samoa and the Marshall Islands don’t participate and we’re looking to bring them in. To allow for a stronger voice for those of us who serve in underserved areas and non-contiguous areas. So, we work very closely with the Hawaii board also to do that. In fact, my nomination to the committee that elected me came through the Hawaii board who came through that Guam should have representation. I’m humbled but proud of the board that I serve on and our continuous commitment despite sometimes getting attacked publicly.

Chairperson Therese M. Terlaje: Thank you very much Dr. Berg. It looks like Dr. Cruz had tried to log on to testify, but he is not able to get online right now, so we’ll invite him to submit written testimony. Thank you again for your willingness to serve, to continue to serve on this board for the years that you’ve put in and all the hours. I know many, many hours. I’m going to open it up now for questions or comments from Senator Muña.

Senator Louise B. Muña: Thank you Madam Chair. I feel like I've been hanging out with most of you all day today. I feel like we should all just hang out here for the rest of the evening, we may as well since we’re already here.

I do want to thank Dr. Berg for accepting the nomination. Like he mentioned earlier, I could imagine that there’s a lot of controversy that could come with this seat on the board. To act as a Chair, I would imagine that a lot of the other board members look to you for guidance and like you said, you are only one of many that are on the board. So, all the decision making comes as a group and not just through the Chair. Again, I just want to thank you for stepping up to that and like you said, it’s hard to fill those positions and when someone is nominated and says “Yes, I will accept that position”, it says a lot about you and your credibility. Thank you, Dr. Berg, again for stepping up to the plate. Thank you, Madam Chair.

Chairperson Therese M. Terlaje: Thank you, Senator. Thanks for hanging out with us all day long on these bills and on these confirmation hearings and the oversight. I appreciate that. All right Dr. Berg, we're going to conclude your hearing. Again, thank you for accepting the appointment. Congratulations on being reappointed.

The challenges and demands of this position require a great amount of time and attention to details and ability to make sound determinations that prioritize the health and safety of patients. I'm hoping that today's dialogue during the oversight hearing and during this appointment hearing will contribute to the improved quality and safety of health and healthcare on our island. You are a leader on the board, and you are the gatekeeper of this commitment to the people of Guam to protect their safety. So, I want to thank you and I wish you the best on this service again.

Si yu'us ma'ase. Thank you very much Dr. Berg for your patience. I know we have tried to have this hearing since March. It got delayed because of the emergency but thank you for your patience and the rescheduling and the time that it has taken today. Thank you again.

Nathaniel B. Berg, MD, Appointee: Ma'am, I'll do my best, I guess is how I'll end it.

The public hearing was adjourned at 6:53 PM.

III. FINDINGS & RECOMMENDATIONS

- Oral testimony was provided in support of the appointment of Nathaniel B. Berg, MD, by Hoa Nguyen, MD, who currently serves as an advising member of the Governor's Physicians Advisory Group and by Mr. Joseph Artero Cameron, retired former Director of the Department of Mental Health and Substance Abuse (now the Guam Behavioral Health and Wellness Center).
- Written testimony was submitted in opposition to the appointment of Nathaniel B. Berg, MD, by Mr. David Lubofsky. Mr. Lubofsky presented his testimony during an *Oversight Hearing on the DPHSS Health Professional Licensing Board with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners*, which was held on the same day prior to confirmation hearings and requested that his testimony also be included with the legislative report for the appointment of Dr. Nathaniel B. Berg.

Mr. Lubofsky in his testimony to the Committee, stated that under the leadership and direction of Dr. Nathaniel Berg, particular to a complaint he filed against a doctor of the Seventh Day Adventist Clinic, for the alleged wrongful death of his five year old son, Asher Dean Lubofsky, that a peer review process was not afforded to his son's case during the investigation, as is Board procedure. Further, the Guam Board of Medical Examiners refused to meet with him to conduct an interview

during the investigation process. Mr. Lubofsky stated that he made several attempts to establish communication with the Board by attending a GBME meeting, emailing the Board several times to inquire on the status of the investigation, and was given no information. According to Mr. Lubofsky, this went on for several months with no response until the media released a story about his lawsuit against the Seventh Day Adventist Clinic. Mr. Lubofsky states that on that date, Dr. Berg released the results of his investigation into Mr. Lubofsky's complaint to the media, without first informing him and his family and never once interviewing them. The media outlet knew the contents of a particular letter that was sent to Mr. Lubofsky after publishing the story, which he believes was an effort by Dr. Berg to protect the doctor and the Seventh Day Adventist Clinic.

Mr. Lubofsky and his family had to learn about the results of his son's wrongful death investigation, for which the GBME found no violations on the part of the doctor, through the media.

Mr. Lubofsky maintains that Dr. Nathaniel Berg has shown unprofessionalism, incompetence, and bias and has not followed the laws in his role as Chairperson of the Guam Board of Medical Examiners. Therefore, he adamantly opposes the reappointment of Dr. Nathaniel Berg to the GBME and states that actions taken in the case of his complaint alone should prompt an investigation into the conduct of Dr. Nathaniel Berg and the Guam Board of Medical Examiners, relative to how they are doing their jobs to ensure patient safety.

Mr. Lubofsky further stated that the GBME has recently made attempts at compliance following a series of Informational Hearings on Guam's Medical Malpractice Mandatory Arbitration Act, held by this Committee in September, October and November of 2019, to address concerns raised by Mr. Lubofsky and other individuals, who have filed claims of medical malpractice as the cause of the deaths of their family members. Mr. Lubofsky and other families contend that the local mandatory arbitration law protects doctors by disallowing claimants the option of pursuing legal action through the court system until they go through a long and expensive arbitration process, hence making it impossible for most people to pursue accountability. Mr. Lubofsky referenced the testimony given by Dr. Stanley Yasuhiro at the November 7th, 2019 Public Hearing, who, in discussing the governing Boards, stated a need for a system of impartial reviews of complaints, which would offset many of the problems that we see with arbitration related medical negligence issues or professional complaints.

- The appointee, Nathaniel B. Berg, MD, presented testimony on his appointment. Dr. Berg stated for the record that his role as Chairperson of the Guam Board of Medical Examiners has been to serve as a guide to Board compliance with the law to other members and to instill a commitment to protecting the public in junior members of the board, and to be able to withstand public attacks that are a result of leadership decisions. Dr. Berg further stated the following continued objectives, should he be reappointed:

- Board compliance with Public Law 31-84, "The Patient Protection Through Information Act."
- Increased integration of the Guam Board of Medical Examiners with the Federation of State Medical Board to support the Board in meeting its mandates of protecting public health and to lead to a better pool of resources such as education, training and assessment.
- To ensure new members gain experience and knowledge to be able to serve in the capacity of chairperson in the future and maintain a balance of members with institutional knowledge.

The Committee also considered findings from an *Oversight Hearing with the Department of Public Health & Social Services with emphasis on the Guam Board of Allied Health Examiners and the Guam Board of Medical Examiners*, held prior to the confirmation hearing, including the following :

- The GBME approved 3 emergency licenses since the Declaration of Health Emergency on March 16, 2020, to present. These licenses were reviewed and approved by the board chair. No board has issued an emergency license until 2020.
- Status of the hiring of investigators, hearing officers, and attorneys for all boards and allocation of costs.
 - Investigators - currently the boards conduct their investigations of a case as warranted and is within their rules and regulations to do so. The position of investigator needs to be created with specific criteria to meet the board's requirements. We are currently working on those specifications.
 - Attorneys An RFQ (less than \$25,000 each) was submitted. Just recently both contracts for a Prosecuting Attorney and Hearing Officer were awarded, and case review of complaints is now taking place.
 - The DPHSS HPLO will be submitting an RFP for full legal services for the boards for a long term.
- The Committee finds that the number of complaints filed to GBME during 2018, 2019, was (24) in total. No complaints were filed for 2020 as of the time of this report. All cases were investigated or will be investigated by the Board and legal counsel. Of the 24 complaints, none have resulted in a hearing. According to DPHSS HPLO Administrator, many of these cases could have been processed sooner than later, However, the absence of a prosecuting attorney and a hearing officer in previous years resulted in the delay of the process.
- The Committee finds that of the number of complaints resulting in findings, dismissal, sanction or order, or action by the GBME, is as follows:
 - 2018- Eight (8) complaints, all resulted in no violations.
 - 2019- Sixteen (16)- 14 resulted in "no violation"; one (1) pending, one (1) under investigation but withdrew prior to renewal, as was reported to the National Practitioners Data Bank. Withdrawal of an application while under investigation is automatically reported to the NPDB.

- Update as to compliance with 10 GCA 12212(c). Status of malpractice insurance companies reporting settlements. The number reported per year in the past 5 years?
 - The committee finds that according to GBME, there has been no compliance with this law in the past 5 years.
- Status of GBME compliance with Public Law 31-84, “The Patient Protection Through Information Act.”
 - The committee finds that this law is not yet complied with in full.

The Committee on Health, Tourism, Historic Preservation, Land and Justice hereby reports on the appointment of Nathaniel B. Berg, MD to serve as a Member of the Guam Board of Medical Examiners, with the recommendation To Report Out Only .



SENATOR THERESE M. TERLAJE

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

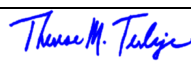
COMMITTEE VOTE SHEET

Nomination of

Nathaniel B. Berg, MD

to serve as a Member, Guam Board of Medical Examiners

For a term length of Four (4) years; October 23, 2019 to October 22, 2023

	SIGNATURE	TO DO CONFIRM	TO NOT CONFIRM	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Therese M. Terlaje Chairperson	 10/6/2020			✓		
Senator Sabina Flores Perez Vice Chairperson	E-Vote 10/7/2020	✓				
Senator Kelly G. Marsh (Taitano), Ph.D. Member						
Senator James C. Moylan Member	E-Vote 10/7/2020			✓		
Senator Louise B. Muña Member	E-Vote 10/7/2020	✓				
Vice Speaker Telen C. Nelson Member						
Senator Joe S. San Agustin Member						
Senator Amanda L. Shelton Member	E-Vote 10/8/2020	✓				
Senator Mary Camacho Torres Member						

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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Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE: Appointment of Nathaniel B. Berg to the Guam Board of Medical Examiners

1 message

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

Tue, Oct 6, 2020 at 7:39 PM

Hafa Adai,

To Do Confirm.

Thank you.

On Tue, Oct 6, 2020, 6:04 PM Senator Therese Terlaje <senatorterlajeguam@gmail.com> wrote:
Hafa Adai Committee Members:

Please see attached Committee Report for Nathaniel B. Berg, MD as a **Member** of the **Guam Board of Medical Examiners**.

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 Nathaniel B. Berg, 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

Office Location: Ada Plaza Center, Suite 207, [173 Aspinall Avenue](#), Hagåtña, Guam 96910Mailing address: Guam Congress Building, [163 Chalan Santo Papa](#), Hagåtña, Guam 96910T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.comwebsite: www.senatorterlaje.com

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Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE: Appointment of Nathaniel B. Berg to the Guam Board of Medical Examiners

1 message

Office of Senator Sabina Perez <office@senatorperez.org>
To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Tue, Oct 6, 2020 at 11:12 PM

To do confirm

On Tue, Oct 6, 2020 at 6:04 PM Senator Therese Terlaje <senatorterlajeguam@gmail.com> wrote:

Hafa Adai Committee Members:

Please see attached Committee Report for Nathaniel B. Berg, MD as a **Member** of the **Guam Board of Medical Examiners**.

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 Nathaniel B. Berg, 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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--

Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, and Procurement

I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, Hagåtña, Guam 96910

M: Guam Congress Building, [163 Chalan Santo Papa](#), Hagåtña, Guam 96910

T: (671) 989-2968

E: office@senatorperez.org



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE: Appointment of Nathaniel B. Berg to the Guam Board of Medical Examiners

1 message

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

Wed, Oct 7, 2020 at 8:46 AM

To report out only.

SYM.

On Tue, Oct 6, 2020, 6:04 PM Senator Therese Terlaje <senatorterlajeguam@gmail.com> wrote:
Hafa Adai Committee Members:

Please see attached Committee Report for Nathaniel B. Berg, MD as a **Member** of the **Guam Board of Medical Examiners**.

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 Nathaniel B. Berg, 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 <senatorterlajeguam@gmail.com>

Re: REQUEST FOR E-VOTE: Appointment of Nathaniel B. Berg to the Guam Board of Medical Examiners

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 Tue, Oct 6, 2020 at 6:04 PM Senator Therese Terlaje <senatorterlajeguam@gmail.com> wrote:

Hafa Adai Committee Members:

Please see attached Committee Report for Nathaniel B. Berg, MD as a **Member** of the **Guam Board of Medical Examiners**.

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 Nathaniel B. Berg, 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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--

Si Yu'os Ma'åse,

Office of the People • Senator Amanda L. Shelton

10/8/2020



Gmail - Re: REQUEST FOR E-VOTE: Appointment of Nathaniel B. Berg to the Guam Board of Medical Examiners

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

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

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