



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

October 4, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

31-11-930
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 10/4/11
Time 4:00 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 107-31 (COR) "AN ACT TO ADD NEW §§12212.1, 12212.2 AND 12212.3 TO ARTICLE 2, PART 1 OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE PUBLIC DISCLOSURE OF A PHYSICIAN'S PROFESSIONAL PROFILE; AND WHICH MAY BE CITED AS "THE PATIENT PROTECTION THROUGH INFORMATION ACT"", which was signed into law on September 30, 2011 as Public Law 31-84.

Senseramente,


EDDIE BAZA CALVO

2011 OCT -5 AM 8:07
[Handwritten mark]

Attachment: copy of Bill

930

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

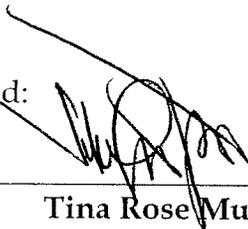
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 107-31 (COR), "AN ACT TO ADD NEW §§12212.1, 12212.2 AND 12212.3 TO ARTICLE 2, PART 1 OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE PUBLIC DISCLOSURE OF A PHYSICIAN'S PROFESSIONAL PROFILE; AND WHICH MAY BE CITED AS "THE PATIENT PROTECTION THROUGH INFORMATION ACT"," was on the 19th day of September, 2011, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested:



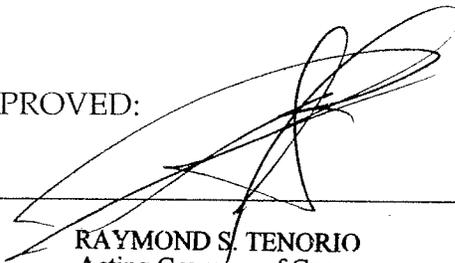
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 20th day of Sept., 2011, at 4:10 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

SEP 30 2011

Date: _____

Public Law No. 31-84

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

Bill No. 107-31 (COR)

As substituted by the Committee on Health & Human Services,
Economic Development, Senior Citizens, and Election Reform,
and amended on the Floor.

Introduced by:

T. R. Muña Barnes
B. J.F. Cruz
V. Anthony Ada
T. C. Ada
F. F. Blas, Jr.
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* NEW §§12212.1, 12212.2 AND 12212.3
TO ARTICLE 2, PART 1 OF CHAPTER 12, TITLE 10,
GUAM CODE ANNOTATED, RELATIVE TO THE
PUBLIC DISCLOSURE OF A PHYSICIAN'S
PROFESSIONAL PROFILE; AND WHICH MAY BE
CITED AS "THE PATIENT PROTECTION THROUGH
INFORMATION ACT".**

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

2 **Section 1.** New §§12212.1, 12212.2 and 12212.3 are hereby *added* to

3 Article 2, Part 1 of Chapter 12, Title 10, Guam Code Annotated, to read:

1 **“§12212.1. Public Disclosure of A Physician Profile.**

2 Notwithstanding any other provision of law, the Board *shall* disclose to an
3 inquiring member of the public, within four (4) working days which *shall*
4 include via the internet, information regarding any enforcement actions
5 taken against a licensee, including a former licensee, by the Board or by
6 another state board or licensing jurisdiction, including all of the following:

- 7 (a) restraining orders issued;
- 8 (b) interim suspension orders issued;
- 9 (c) revocations, suspensions, probations, or limitations on
10 practice ordered by the Board, including those made part of a
11 probationary order or stipulated agreement;
- 12 (d) public letters of reprimand issued;
- 13 (e) infractions, citations, or fines imposed;
- 14 (f) civil judgments in any amount, whether or *not* vacated by
15 a settlement after entry of the judgment, that were *not* reversed on
16 appeal and arbitration awards in any amount of a claim or action for
17 damages for death or personal injury caused by the physician and
18 surgeon's negligence, error, or omission in practice, or by his or her
19 rendering of unauthorized professional services; and
- 20 (g) all settlements in the possession, custody, or control of
21 the Board *shall* be disclosed for a licensee if there are two (2) or more
22 settlements for that licensee within the last ten (10) years, *except*
23 limitations on that disclosure.

24 **§12212.2. Method of Disclosure.** The Board *shall not* disclose the
25 actual dollar amount of a settlement, but *shall* put the number and amount of
26 the settlement in context by doing the following:

1 (a) comparing the settlement amount to the experience of
2 other licensees within the same specialty or subspecialty, indicating if
3 it is below average, average, or above average for the most recent ten
4 (10)-year period;

5 (b) reporting the number of years the licensee has been in
6 practice;

7 (c) reporting the total number of licensees in that specialty or
8 subspecialty, the number of those who have entered into a settlement
9 agreement and the percentage that number represents of the total
10 number of licensees in the specialty or subspecialty;

11 (d) current American Board of Medical Specialty
12 certification or board equivalent as certified by the Board;

13 (e) approved postgraduate training; and

14 (f) any summaries of hospital disciplinary actions that result
15 in the termination or revocation of a licensee's staff privileges for
16 medical disciplinary cause or reason, *unless* a court finds, in a final
17 judgment, that the peer review resulting in the disciplinary action was
18 conducted in bad faith and the licensee notifies the Board of that
19 finding. In addition, any exculpatory or explanatory statements *shall*
20 be submitted by the licentiate electronically, *or* otherwise be
21 disclosed.

22 **§12212.3. Disclaimers and Explanatory Statements.** (a) The
23 Board *shall* formulate appropriate disclaimers or explanatory statements to
24 be included with any information released and *shall* ensure that all
25 information provided to the public under these provisions are in compliance
26 with the Health Insurance Portability and Accountability Act.

1 (b) The Board *shall*, within one hundred twenty (120) days,
2 develop regulations establishing the standard terminology that accurately
3 describes the different types of disciplinary filings and actions taken against
4 a licensee, as provided pursuant to applicable provisions of Article 2 of
5 Chapter 12, Title 10, Guam Code Annotated. The standard terminology
6 regulations *shall* be promulgated pursuant to Article 3 – Rule Making
7 Procedures, of Chapter 9, Title 5, Guam Code Annotated.”

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I MINA' TRENTAI UNU NA LIHESLATURAN GUAHAN

2011 (FIRST) Regular Session

Date: Sept. 19, 2011

VOTING SHEET

SBill No. 107-31(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15

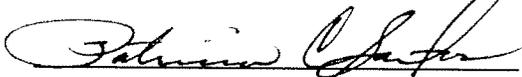
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CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

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

June 27, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

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

RE: **Committee Report – Bill No. 107-31(COR), as Substituted.**

Dear Speaker Won Pat:

Transmitted herewith, for your consideration, is the **Committee Report on Bill No. 107-31(COR)- An Act Add A New § 12212.1, § 12212.2, And § 12212.3 To Chapter 12, Of Title 10, Guam Code Annotated; Relative to the Public Disclosure Of A Physician's Professional Profile Which may be Cited as "The Patient Protection Through Information Act; as Substituted** by the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform. Bill No. 107-31(COR) was publicly heard on April 7, 2011.

Committee votes are as follows:

4 TO PASS
___ NOT TO PASS
___ ABSTAIN
5 TO REPORT OUT ONLY
___ TO PLACE IN INACTIVE FILE

Senseramente,

Senator Dennis G. Rodriguez, Jr.
Chairman

Attachments

2011 JUN 27 PM 4:24



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

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

COMMITTEE REPORT

ON

SUBSTITUTE BILL NO. 107-31 (COR)

**“An Act Add A New§ 12212.1, § 12212.2, And§ 12212.3
To Chapter 12, Of Title 10, Guam Code Annotated;
Relative to the Public Disclosure Of A Physician's
Professional Profile Which may be Cited as "The Patient
Protection Through Information Act.”**

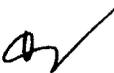


Ufisinan Todu Guam
SENATOR DENNIS G. RODRIGUEZ, Jr.
I Mina'trentai Unu Na Liheslaturan Guåhan
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

April 21, 2011

MEMORANDUM

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

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

Subject: **Committee Report on Bill no. 107-31(COR), as Substituted.**

Transmitted herewith, for your consideration, is the **Committee Report on BILL NO. 107-31(COR)- An Act Add A New§ 12212.1, § 12212.2, And§ 12212.3 To Chapter 12, Of Title 10, Guam Code Annotated; Relative to the Public Disclosure Of A Physician's Professional Profile Which may be Cited as "The Patient Protection Through Information Act; as Substituted** by the Committee Health & Human Services, Economic Development, Senior Citizens, and Election Reform.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 107-31(COR)
- Copy of Substitute Bill No. 107-31 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 107-31(COR)
- Notices of Public Hearing (1st and 2nd)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

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

Si Yu'os Ma'åse'!

Attachments



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

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

COMMITTEE VOTING SHEET

Substitute BILL NO. 107-31(COR)-

An Act Add A New § 12212.1, § 12212.2, And § 12212.3 To Chapter 12, Of Title 10, Guam Code Annotated; Relative to the Public Disclosure Of A Physician's Professional Profile Which may be Cited as "The Patient Protection Through Information Act"

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman					✓ 6/20/11	
ADOLPHO B. PALACIOS, Sr. Vice Chairman		6/27 ✓				
JUDITH T. WON PAT, Ed.D. Speaker						
BENJAMIN J. F. CRUZ Vice-Speaker		6/27				
TINA ROSE MUÑA BARNES Legislative Secretary		6/27				
THOMAS C. ADA						
VICENTE C. PANGELINAN						
RORY J. RESPICIO						
JUDITH P. GUTHERTZ, DPA						
FRANK F. BLAS, Jr.					✓ 6/27/11	
V. ANTHONY ADA						
ALINE A. YAMASHITA, Ph.D.					✓ 6/27/11	
SAM MABINI, Ph.D.					✓ 6/27/11	
MANA SILVA TAIJERON		✓ 6/27/11				
CHRISTOPHER M. DUENAS					✓ 6/27/11	



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

COMMITTEE REPORT DIGEST

Substitute Bill No. 107-31(COR)

OVERVIEW: The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform conducted a public hearing on April 7, 2011. The hearing convened at 3:00 pm in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of **BILL NO. 107-31(COR)- An Act Add A New§ 12212.1, § 12212.2, And§ 12212.3 To Chapter 12, Of Title 10, Guam Code Annotated; Relative to the Public Disclosure Of A Physician's Professional Profile Which may be Cited as "The Patient Protection Through Information Act";** Introduced by Senator Tina Rose Muña-Barnes.

I. Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on April 2, 2011 (5-day notice), and again on April 5, 2011 (48-hour notice). Notice was published, online and in print on March 31, 2011 and April 6, 2011, respectively.

Senators Present

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator Adolpho B. Palacios, Sr.	Vice-Chairman
Senator Vicente Pangelinan	Committee Member
Senator Mana Silva Tajjeron	Committee Member
Senator Tina Rose Muna-Barnes	Committee Member
Senator Rory Respicio	Committee Member
Senator Christopher M. Duenas	Committee Member
Senator Aline Yamashita, Ph.D.	Committee Member
Senator Sam Mabini	Committee Member

The public hearing on agenda item Bill No. 107-31(COR) was called to order at 3:04 pm.

II. SUMMARY OF TESTIMONY & DISCUSSION.

Chairman Dennis G. Rodriguez, Jr., convened the Public Hearing on Bill 97-31(COR). **Invited Senator Tina Rose Muña-Barnes, author of Bill No. 107-31(COR), to explain the intent of her Bill.**

Senator Tina Muna Barnes: Si Yu'os Ma'ase' Talo'ane Si Yu'os Mr. Chair, thank you for giving me the opportunity to speak briefly on bill number 107-31 (COR). The patient protection through information act will require the Guam Board of Medical Examiners to publically disclose to individual citizens via the internet what is commonly referred to as they position professional profile. A physicians professional profile laws has been authorized in States California, Washington State, New York, Rhode Island, and

briefly to give a synopsis on this bill the measure will require the public disclosure of temporary restraining orders issued interim suspension orders issued revocations suspensions probations or limitations on practice ordered by the board including those made part of a probationary order or stipulated agreement public letters are reprehend issued and in fractions, citations, or signs imposed civil judgments in any amount for damages for death or personal injury caused by the physicians and surgeons negligence, error, or mission in practice or by his or her rendering un authorized professional services and all sediments within the last 10 years if there are 3 or more and any summaries of hospital disciplinary actions that result in the termination or revocation of a licensee staff privileges medical disciplinary cause or reason unless a court finds in final judgment that the peer review resulting in the disciplinary action was conducted in bad fate. Mr. Chair and to the listening audience, no patient should avoid necessary medical care because they are too afraid to receive it our measure operates on the premise that truly knowing your physician places patient in charge of patient care and while national databases exist to collect reportable events this information is limited in scope and not readily available to the general public. I want to note for the record Mr. Chair that based on some concerns and issues that come up with the community myself, Vice-Speaker Cruz, and Senator Tony Ada decided to introduce this measure to give our community a sense of protection, where they see that If there is any concerns with their attending physician in any doubt that they can always look at the profile before anything gets started. But before we start I just want to thank my colleagues, the ones who jumped on the band wagon with me and I really hope that this committee and the rest of my colleagues will support this same. And also Mr. Chair for the record I want to note that I did receive a couple of calls yesterday in regards to having a markup hearing on this and excepting more testimonies and I of course informed the physicians that called me that there is that additional 10 days to receive testimony and to share with you that if we wanted to have something within a couple of weeks so that time permits for the other physicians that couldn't come that I was acceptable to working closely with you on that matter because it's only fair that this public hearing process that we provide the community the latitude and the freedom to present their testimony when their available and because they've shared those concerns with me I want to share that publically to the listening audience. So thank you for the opportunity to let me give a briefing on this bill and the intent.

Chairman: Thank you Senator Barnes, before we begin before we start and proceed I'd like to acknowledge the presence of Senator Chris Duenas and Senator Mana Silva-Taijeron, thank you for joining us.

Mr. James Gillan: Thank you Mr. Chair. I do not have anything written but I do want to say that on the favor of informed consent and informed decision making, this is my 3rd and a half day on the job, we didn't have a lot of time to look at this and I'm an operations person this is going to be in our department to actually put into work and it actually involves setting up some websites and the maintenance on those and the cost involved in all of that. We have some question about jurisdictions and how you do those things and I'm sure physicians have some

specific issues and we do need a little more time to work on this, and I think I'm in favor of it but you know again from a budget standpoint at our department and from an operations standpoint we really need to get some questions answered about that so thank you for your time.

Chairman: Thank you so is there any questions Senators for Mr. Gillan? If not then we have 2 other doctors, Dr. Landstrom and Dr. Shieh, if you could please join us. You want to provide testimony for 107 is correct that correct? Dr. Landstrom if you can please start first.

Dr. Jerone Landstrom: I haven't read the nuts and bolts of this legislation but I am in agreement with it so. Why it is being done, it is common in the United States other licensing boards has it is California. You can go to the public website in Florida and you can see things where they record the issues with physicians. I believe this is a very important thing to do and it is essential that the people of Guam know that the care their getting from their physicians are comfortable with that and short of the details of implementing this and the cost issues and the where are you going to get this data from. I just would like to guide you that we have something in the medical field called the National Practitioners Databank. The Board of Medical Examiners, myself being the previous chairman, and a member of it as well as the past Medical President Staff like doctor Dr. Shieh at GMH has access to these sites as well as the Guam Surgery Center. We do not privilege anybody at the Guam Surgery Center or GMH and we do not give licenses out until the National Practitioners Databank has been look at and this is where the information is posted. Unfortunately on Guam so far this has not been readily available to the public and therefore I'm in support of this bill and that I think it is very important that patients on Guam are comfortable with the physician that they are seeking care from. And that is all I have to say and thank you very much.

Chairman: Thanks you Doc. Dr. Shieh

Dr. Tom Shieh: Good afternoon Senator.

Chairman: Thank you very much, Vice-Chairman? Senator Barnes? Before we begin, Speaker Ben Pangelinan, thank you for joining us. Is there any questions for?

Senator Tina Rose Muna Barnes: Thank you very much Mr. Chair, maybe just a comment for Dr. Shieh and Dr. Landstrom, thank you very much for being here this afternoon and sharing your thoughts on this matter. I'm just suggesting for some recommendations on the foreign credentials and accountability. Usually, one from at least our island we look at even the oncology at first licensing and the other licensing's coming from the United States and its in the arrested property first on some areas versus the foreign country with the Board of Medical Examiners is one that would do a case by case and a recommendation for something to that extent may find fruitful and to leave it in the hands of some kind of commission or board that overseas this law and I really think that the recommendations are good and like I said earlier and I don't know if you were here when I noted based on some of the time and some of our doctors called and requested for additional time to look over the bill and share their input and I shared with the

oversight chair I had no problems looking in the next couple of weeks to get more input and seeing what they can do and strengthen this bill and make it feasible so that its good for everybody.

Dr. Shieh: I think that is good and I do think that we need more time to review it and make it a viable piece of legislation that's going to you know not just for the immediate purpose but for future purpose and I think it is also important that we recognize and depend on the Guam Board to look at it. But the Guam Board only actually has so much information and there is certain information that we can actually inform the country that just won't allow you for example I can't practice in the Philippines I am board certified in the United States and I do not know how they go about license in the Philippines at the same time if I would want to recruit someone from the Philippines how do I search this data in the Philippines and I'm not just choosing that country per say because it is one of the closest and I don't know about Germany and I don't know about any other country but its important that we need to look at data and that is important that data needs to come up with some kind of data that you want to post and that you want and you want to make sure that the public well even the media will put it out and not slander their particular position but making an objective observation and objective choices data you want to put.

Dr. Landstrom: Just a couple of quick comments, you can't get licensed in the Philippines Dr. Shieh unless you are a citizen of that country. Number 1 but you can get licensed there to do free work as a mission doctor and there is stipulation for that but of course you will get charged for that. In addition, you have to realize that tort system of the United States of America is different than any other country. Because of that certain things that physicians are sued about in one country they aren't in another.

Chairman: Thank you very much Dr. Landstrom

Senator Rory Respicio: Thank you to everyone that is here. The bill lists 7 instances to which a doctor has to disclose ranging from temporary restraining orders issued interim suspension orders issued revocations suspensions probations or limitations on practice ordered by the board of public letters of reprehend on the issue infractions citations of the fines imposed in any civil judgments and etc. has to be disclosed over the 10year period. Do you know if these kinds of instances have to be reported by a physician wanting to get a license from the Guam Board of Medical Examiners?

Dr. Landstrom: Again as the past member and chairman those sound without having the law in front of me, you know the rules and regulations, but sitting in my bag over there though it sound like there in sync with the Guam Board Medical Examiners were supposed to physician applicants. Yet new licenses or renewal needs to inform the board if there have been any convictions of felonies, if there's been any issues of limitations of their privileges, has there been any malpractice suits that is settled, or are you under investigation for things. I would be more than happy to provide you with the information or you can look it up on the web.

Senator Respicio: And of course that information is not granted to the public?

Dr. Landstrom: That information that I just told you is available to the public

Senator Respicio: But it is not posted somewhere like Senator Barnes wants to do.

Dr. Landstrom: Yes, but the positions that have had issues is not posted on the public and every jurisdiction in the states.

Chairman: So Dr. Landstrom, so you said that the if the physicians have a issue that's not a public, the public can't view that now? Based on the information that the GBME would have

Dr. Landstrom: For example, if you access the website and I am not sure if the GBME has a website yet, but I know that they have been working on it. I mean they have been working on it since I was there, there was an issue of funding. We want to do that because the Federated States of Micronesia Medical Boards we were following their initiative as well as the AMA guidelines.

Senator Respicio: So you are saying that the physicians that would clear are only the physicians that do not have anything pending on their records. So it is available?

Dr. Landstrom: Yes it is now available

Dr. Shieh: This basic information should be on the NPD and the board when they get the application. My point is that there is NO National Practitioners Data Bank in other jurisdictions. I thought this bill was just for professional competency. Haha I was reading this and was saying I didn't know there was something about child support.

Dr. Landstrom: No, well that has to do with ethics and because there is a big issue with ethics and if someone is a dead beat mom or a dead beat dad that's in the position, that's something the board needs to know about because that is a character trait.

Chairman: Okay thank you and so we'll make sure that we schedule a mark up, but before we do begin again I'd like to allow Speaker to talk.

Senator Barnes: I just want to note for the record that existing law already requires reporting of data by foreign doctors. They need to provide that kind of information and if it is discovered they will automatically lose their license.

Dr. Shieh: I am pretty sure that applying for any board or job will require that information but the question is how do we verify it? Right? But I think in the United States you can verify it, but if someone comes from a foreign country it is going to be difficult. I think the overall intent of the bill is very good and I think it is in the public's interest and I think we should have a bill like this for every profession. This is basically a Consumer Protection Bill. And I think that we as physicians need to be stricter in reporting these issues and that I support.

Senator Ben Pangelinan: Just for the record though, anything positive here doesn't disqualify a physician from being licensed? So if a physician is charged 3 times in Florida for something, they can still get a license here on Guam

Dr. Landstrom: Yes that is true, just so long as the person discloses it and Senator Barnes mentioned that you would lose your license if you didn't but right now in Guam that is the case but it isn't in other jurisdictions and that is where the board needs to get tight on.

Senator Pangelinan: But the issue is that this doesn't disqualify a physician being licensed on Guam if he's been sued 5 times. If his license has been revoked it may and will and should I guess but, some of the elements here in public letter of reprimand and that may not disqualify him who could may should

Dr. Landstrom: Well there is a neurosurgeon on Guam who had 56 malpractice cases over his duration unabated ridiculous perilous lawsuits brought against him and the situation and if you read about these lawsuits you have to read and check where is the harm done because you can't see it? They settle on behalf of it because it is cheaper to settle than fight it. Was he highly qualified? Was he working in California? Absolutely

Senator Pangelinan: Okay well how many years does it take for a foreign medical school graduate...how many years can he come directly from foreign medical school having completed a residency in a foreign country. Can that physician come directly to Guam and apply for a license and be licensed?

Dr. Landstrom: Unless the law has changed since I was on the board, I believe it has not.

Senator Pangelinan: So they are not able to.

Dr. Landstrom: No they aren't, I believe the law has not been changed but there is a stipulation in there that was put in there by the late Senator Eduardo Cruz and it states approximately the following by virtue of being licensed in your jurisdiction, foreign or domestic, you may be licensed on Guam. And I can show you that in the Guam Code Annotated number 10 in Section 122024 I believe.

Senator Pangelinan: So why all this, but I thought the idea was that the Guam Medical Board Examiners has never licensed anybody who has not had U.S. residency training or internship training.

Dr. Landstrom: That is not true exactly; there are two different things here. You're talking about privileging at GMH

Senator Pangelinan: No I am talking about licensing the practice on Guam

Dr. Landstrom: There's many doctors that has been licensed on Guam that went to medical school in the Philippines and they get licensed here and some had

Senator Pangelinan: So they never having done a residency or an internship

Dr. Landstrom: Yes, some have never done a residency but may have done what's called a year's fellowship or something like this.

Senator Pangelinan: and these licenses have been issued within the last 5 years, 10 years, 20 years ago was the last one.

Dr. Landstrom: No, they've been, there have been some recent ones but that goes back to when I was on the board. But there have been some recent ones.

Dr. Shieh: I can't answer your questions because I don't have the facts and if I just tell you what I know I wouldn't be telling you what the facts are. But I think and as far as I know I think there are some requirements for U.S. training.

Senator Pangelinan: I thought so.

Dr. Shieh: But then again you have to set your standards, what do you want, I mean do you want us to practice medicine based on the United States of America standards or do you want us to practice medicine in a different type of environment standard? Those are the issues that the Guam Board has to decide and deal with and look at the community, to look at the environment we practice in. We can't have double standards.

Senator Pangelinan: Yeah, and I was asking the question because if the answer was that any foreign trained or any foreign medical school graduate must do a residency or internship and will have to practice 5 years into the U.S. then that double standard is not as wide a gap.

Dr. Landstrom: I'm sorry Senator and Tom but the law currently states, if it is still the same, it doesn't say that.

Senator Pangelinan: Okay.

Dr. Landstrom: And I have it in my bag as soon as you excuse me I'll go over there and pull it up and give you the statute.

Senator Pangelinan: Thank you very much and Si Yu'os Ma'ase Mr. Chair.



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

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

III. FINDINGS AND RECOMMENDATIONS

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform, finds that there is a serious need for the people of Guam to be provided information as to the conduct and practice of physicians who address their health issues. It also finds that patients should be granted access to the historic conduct of their physicians and that access must not be limited to records just of conduct on Guam, but additionally from an international database.

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform, hereby **reports out Substitute Bill No. 107-31(COR)**, with the recommendation to

Report Out Only.

1 (3) Revocations, suspensions, probations, or limitations on practice
2 ordered by the board, including those made part of a probationary order or
3 stipulated agreement,

4 (4) Public letters of reprimand issued, and

5 (5) Infractions, citations, or fines imposed.

6 (6) Civil judgments in any amount, whether or not vacated by a settlement
7 after entry of the judgment, that were not reversed on appeal and arbitration
8 awards in any amount of a claim or action for damages for death or personal
9 injury caused by the physician and surgeon's negligence, error, or omission
10 in practice, or by his or her rendering of unauthorized professional services.

11 (7) All settlements in the possession, custody, or control of the board shall
12 be disclosed for a licensee if there are three or more settlements for that
13 licensee within the last 10 years, except limitations on that disclosure.

14 **“§ 12212.2 Method of Disclosure”**

15 The board shall not disclose the actual dollar amount of a settlement but
16 shall put the number and amount of the settlement in context by doing the
17 following:

18 (1) Comparing the settlement amount to the experience of other licensees
19 within the same specialty or subspecialty, indicating if it is below average,
20 average, or above average for the most recent 10-year period.

21 (2) Reporting the number of years the licensee has been in practice.

22 (3) Reporting the total number of licensees in that specialty or
23 subspecialty, the number of those who have entered into a settlement
24 agreement and the percentage that number represents of the total number of
25 licensees in the specialty or subspecialty.

26 (4) Current American Board of Medical Specialty certification or board
27 equivalent as certified by the Board.

1 (5) Approved postgraduate training.

2 (6) Any summaries of hospital disciplinary actions that result in the
3 termination or revocation of a licensee's staff privileges for medical
4 disciplinary cause or reason, unless a court finds, in a final judgment, that
5 the peer review resulting in the disciplinary action was conducted in bad
6 faith and the licensee notifies the board of that finding. In addition, any
7 exculpatory or explanatory statements submitted by the licensee
8 electronically or otherwise be disclosed.

9 **“§ 12212.3 Disclaimers and Explanatory Statements”**

10 The Board shall formulate appropriate disclaimers or explanatory
11 statements to be included with any information released and shall ensure that
12 all information provided to the public under these provisions are in
13 compliance with the Health Insurance Portability and Accountability Act.

14 (e) The Board shall, promulgate by regulations to develop standard
15 terminology that accurately describe the different types of disciplinary
16 filings and actions taken against a licensee as described above”

17

2011 MAR -9 PM 12:47

MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 107-31 (COV)

Introduced by:

T. R Muna Barnes
B.J.F Cruz
V. ANTHONY ADA (Q)

AN ACT ADD A NEW § 12212.1, § 12212.2, and § 12212.3 TO CHAPTER 12, OF TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO THE PUBLIC DISCLOSURE OF A PHYSICIAN'S PROFESSIONAL PROFILE WHICH MAY BE CITED AS "THE PATIENT PROTECTION THROUGH INFORMATION ACT"

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

2 **Section 1.** A new § 12212.1, § 12212.2, and § 12212. of Chapter 12,
3 Title 10 Guam of the Guam Code Annotated is hereby added to read:

4 **"§ 12212.1 Public Disclosure of A Physician Profile.**

5 Notwithstanding any other provision of law, the Board shall disclose to an
6 inquiring member of the public, and via the internet with the assistance of
7 the Bureau of Information Technology, information regarding any
8 enforcement actions taken against a licensee, including a former licensee, by
9 the board or by another state or jurisdiction, including all of the following:

- 10 (1) Temporary restraining orders issued,
11 (2) Interim suspension orders issued,

MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 107-31 (COR), as Substituted
by the Committee on Health & Human Services,
Economic Development, Senior Citizens, and
Election Reform

Introduced by:

T.R. Muna-Barnes
B.J.F. Cruz
V. Anthony Ada

**AN ACT ADD A NEW §12212.1, §12212.2, AND
§12212.3 TO CHAPTER 12 OF TITLE 10, GUAM
CODE ANNOTATED, RELATIVE TO THE
PUBLIC DISCLOSURE OF A PHYSICIAN'S
PROFESSIONAL PROFILE WHICH MAY BE
CITED AS "THE PATIENT PROTECTION
THROUGH INFORMATION ACT."**

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

2 **Section 1.** A new § 12212.1, § 12212.2, and § 12212.3 is hereby added to
3 Article 2- Physicians Practices Act, Part 1 of Chapter 12– Medical Practices, Title
4 10, Guam of the Guam Code Annotated is hereby added to read:

5 "**§ 12212.1. Public Disclosure of A Physician Profile.** Notwithstanding
6 any other provision of law, the Board *shall* disclose to an inquiring member of the
7 public, and via the internet with the assistance of the Bureau of Information
8 Technology, information regarding any enforcement actions taken against a
9 licensee, including a former licensee, by the board or by another state or
10 jurisdiction, including all of the following:

11 (1) Temporary restraining orders issued;

12 (2) Interim suspension orders issued;

1 (3) Revocations, suspensions, probations, or limitations on practice
2 ordered by the board, including those made part of a probationary order or
3 stipulated agreement;

4 (4) Public letters of reprimand issued;

5 (5) Infractions, citations, or fines imposed;

6 (6) Civil judgments in any amount, whether or not vacated by a
7 settlement after entry of the judgment, that were not reversed on appeal and
8 arbitration awards in any amount of a claim or action for damages for death
9 or personal injury caused by the physician and surgeon's negligence, error,
10 or omission in practice, or by his or her rendering of unauthorized
11 professional services; and

12 (7) All settlements in the possession, custody, or control of the board
13 shall be disclosed for a licensee if there are two or more settlements for that
14 licensee within the last 10 years, except limitations on that disclosure.

15 **§ 12212.2. Method of Disclosure.** The board *shall not* disclose the actual
16 dollar amount of a settlement, but *shall* put the number and amount of the
17 settlement in context by doing the following:

18 (1) Comparing the settlement amount to the experience of other
19 licensees within the same specialty or subspecialty, indicating if it is below
20 average, average, or above average for the most recent 10-year period.

21 (2) Reporting the number of years the licensee has been in practice.

22 (3) Reporting the total number of licensees in that specialty or
23 subspecialty, the number of those who have entered into a settlement
24 agreement and the percentage that number represents of the total number of
25 licensees in the specialty or subspecialty.

1 (4) Current American Board of Medical Specialty certification or
2 board equivalent as certified by the Board.

3 (5) Approved postgraduate training.

4 (6) Any summaries of hospital disciplinary actions that result in the
5 termination or revocation of a licensee's staff privileges for medical
6 disciplinary cause or reason, unless a court finds, in a final judgment, that
7 the peer review resulting in the disciplinary action was conducted in bad
8 faith and the licensee notifies the board of that finding. In addition, any
9 exculpatory or explanatory statements submitted by the licensee
10 electronically or otherwise be disclosed.

11 **§ 12212.3. Disclaimers and Explanatory Statements.** (a) The Board *shall*
12 formulate appropriate disclaimers or explanatory statements to be included with
13 any information released and shall ensure that all information provided to the
14 public under these provisions are in compliance with the Health Insurance
15 Portability and Accountability Act.

16 (b) The Board *shall*, within 120 days, develop regulations establishing the
17 standard terminology that accurately describes the different types of disciplinary
18 filings and actions taken against a licensee, as provided pursuant to applicable
19 provisions of Article 2 of Chapter 12, Title 10, Guam Code Annotated. The
20 standard terminology regulations shall be promulgated pursuant to Article 3 – Rule
21 Making Procedures, of Chapter 9, Title 5, Guam Code Annotated.”



COMMITTEE ON RULES

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

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CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

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Vice Speaker
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Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

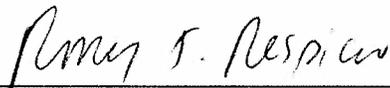
Senator
Christopher M. Duenas

Certification of Waiver of Fiscal Note Requirement

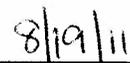
This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 107-31 (COR) – “AN ACT ADD A NEW § 12212.1, § 12212.2, AND § 12212.3 TO CHAPTER 12, OF TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO THE PUBLIC DISCLOSURE OF A PHYSICIAN’S PROFESSIONAL PROFILE WHICH MAY BE CITED AS “THE PATIENT PROTECTION THROUGH INFORMATION ACT”.** – on March 10, 2011. COR hereby certifies that BBMR confirmed receipt of this request on March 10, 2011.

COR further certifies that a response to this request was not received by 5:00 P.M. on March 30, 2011, the fourteenth day after the request was received by BBMR. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 487 to be included in the committee report on said bill, is hereby waived.**

Certified by:



Senator Rory J. Respicio
Chairperson, Committee on Rules



Date



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
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2011 MAR 10 AM 10:23

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

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vicente c. pangelinan

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Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

March 10, 2011

VIA FACSIMILE
(671) 472-2825

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

RE: Request for Fiscal Note -
Bill Nos. 103-31 (COR) through 107-31 (COR)

Hafa Adai Ms. Manglona:

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

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

Very Truly Yours,

Senator Rory Respicio

Attachments

Cc: Clerk of the Legislature

I Mina'Trentai Unu Na Libeslaturan Guåhan
Bill Log Sheet
March 9, 2011
Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
106-31 (COR)	T. R. Muña Barnes, B. J.F. Cruz	AN ACT TO AMEND §3202(j) TO CHAPTER 3, TITLE 19 GCA RELATIVE TO THE PAYMENT FOR SOLEMNIZATION OF MARRIAGE BY A MAYOR OR VICE MAYOR.	3/09/11 12:47 p.m.	3/10/11		Committee on Public Safety, Law Enforcement & Judiciary			
107-31 (COR)	T. R. Muña Barnes, B. J.F. Cruz, V. A. Ada	AN ACT ADD A NEW § 12212.1, § 12212.2, AND § 12212.3 TO CHAPTER 12, OF TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO THE PUBLIC DISCLOSURE OF A PHYSICIAN'S PROFESSIONAL PROFILE WHICH MAY BE CITED AS "THE PATIENT PROTECTION THROUGH INFORMATION ACT".	3/09/11 12:47 p.m.	3/10/11		Committee on Health and Human Services, Senior Citizens, Economic Development & Election Reform			



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Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

March 9, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 106-31 (COR) and 107-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 106-31 (COR) and 107-31 (COR).

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

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

Si Yu'os ma'åse!

(1) Attachments

2011 MAR 10 PM 12: 07

I Mina 'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

March 9, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
106-31 (COR)	T. R. Muña Barnes, B. J.F. Cruz	AN ACT TO AMEND §3202(j) TO CHAPTER 3, TITLE 19 GCA RELATIVE TO THE PAYMENT FOR SOLEMNIZATION OF MARRIAGE BY A MAYOR OR VICE MAYOR.	3/09/11 12:47 p.m.	3/10/11		Committee on Public Safety, Law Enforcement & Judiciary			
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Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

Revised Public Hearing April 7, 2011

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Thu, Mar 31, 2011 at
5:10 PM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Aline Yamashita <aliney74@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjcruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatormabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <info@judiwonpat.com>, Mana Silva Taijeron <manasilva@hotmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatorTonyada@guamlegislature.org>

Cc: action@weareguahan.com, admin@weareguahan.com, chrisu@marianasmedia.com, clynt@spbgum.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumatol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbgum.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbgum.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofofguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, Bill Phillips <phillipsguam@gmail.com>, Cindy Hanson <cmhanson@guam.net>, Elaine Tajalle <etajalle@guamlegislature.org>, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, Joseph Mesngon <jmesngon.senatorrodriguez@gmail.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbgum.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Olivia Palacios <oliviampalacios@gmail.com>, Pacific Daily News <news@guampdn.com>, Stephanie Mendiola <sem@guamlegislature.org>, Telo Taitague <telo.taitague@guam.gov>, Tina Okada <tinaokada@gmail.com>, William Gibson <breakfastshowk57@gmail.com>

--

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

PRESS RELEASE

Revised

FIRST NOTICE OF PUBLIC HEARING

Thursday, April 7, 2011 3:00PM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting Confirmations as well as a Public Hearing on, April 7, 2011, at *I Liheslaturan Guahan's* Public Hearing Room in Hagåtña, on the following:

3:00PM

- **Bill 70-31 (COR)** - An act to establish the administrative rules and regulations of the Department of Public Health & Social Services relative to Child Care Centers and

Group Child Care Homes, under Article 1, of Chapter 1, Division 1, Title 26, Guam Administrative Rules and regulations, and in conformance with Article 4- Child Welfare Services Act, Chapter 4, Title 10, GCA. (*Introduced by D.G Rodriguez, Jr.*)

- **Bill 88-31 (COR)** - An act to direct the Guam Election Commission to review and update procedures and policies contained in Title 6 ("Elections") of the Guam Administrative Rules and Regulations (GAR); and to recommend to the Legislature any necessary changes to Title 3 ("Elections") of the GCA; all in advance of the 2012 Elections. (*Introduced by R.J. Respicio*)
- **Bill 104-31 (COR)** - An act relative to mentally ill and civil commitments, by repealing and reenacting §82101 Et Seq. §82810 of Chapter 82, Title 10, Guam Code Annotated. (*Introduced by D.G. Rodriguez Jr.*)
- **Bill 107-31 (COR)** - An act to add a new § 12212.1, § 12212.2, and § 12212.3 to Chapter 12, of Title 10, Guam Code Annotated; relative to the public disclosure of a physician's professional profile which may be cited as "The Patient Protection through Information Act". (*Introduced by T.R Muña-Barnes*)
- **Bill 128-31 (COR)** - An act to repeal and reenact Guam Code Annotated Title 3: Elections §7103.1, relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB), and to define a "Voter Verified Paper Ballot." (*Introduced by R.J. Respicio*)
- **The Executive Appointment of Dr. Reynald Lim to be a Member on the Board of Medical Examiners**
- **The Executive Appointment of Dr. Kia Rahamani to be a Member on the Board of Medical Examiners**

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

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

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

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatordrodriguez@gmail.com

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

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

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

 **Public_Hearing_1st_Notice_April_7,2011.pdf**
684K



SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE

Revised

FIRST NOTICE OF PUBLIC HEARING

Thursday, April 7, 2011 3:00PM

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

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

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

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

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

Member,
Committee on the
Guam Military
Buildup &
Homeland Security

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

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

Assistant Majority
Whip

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting Confirmations as well as a Public Hearing on, April 7, 2011, at *Lihseslaturan Guâhan's* Public Hearing Room in Hagåtña, on the following:

3:00PM

- **Bill 70-31 (COR)** - An act to establish the administrative rules and regulations of the Department of Public Health & Social Services relative to Child Care Centers and Group Child Care Homes, under Article 1, of Chapter 1, Division 1, Title 26, Guam Administrative Rules and regulations, and in conformance with Article 4- Child Welfare Services Act, Chapter 4, Title 10, GCA. (*Introduced by D.G Rodriguez, Jr.*)
- **Bill 88-31 (COR)** - An act to direct the Guam Election Commission to review and update procedures and policies contained in Title 6 ("Elections") of the Guam Administrative Rules and Regulations (GAR); and to recommend to *Lihseslatura* any necessary changes to Title 3 ("Elections") of the GCA; all in advance of the 2012 Elections. (*Introduced by R.J. Respicio*)
- **Bill 104-31 (COR)** - An act relative to mentally ill and civil commitments, by repealing and reenacting §82101 Et Seq. §82810 of Chapter 82, Title 10, Guam Code Annotated. (*Introduced by D.G. Rodriguez Jr.*)
- **Bill 107-31 (COR)** - An act to add a new § 12212.1, § 12212.2, and § 12212.3 to Chapter 12, of Title 10, Guam Code Annotated; relative to the public disclosure of a physician's professional profile which may be cited as "The Patient Protection through Information Act". (*Introduced by T.R Muña-Barnes*)
- **Bill 128-31 (COR)** - An act to repeal and reenact Guam Code Annotated Title 3: Elections §7103.1, relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB), and to define a "Voter Verified Paper Ballot." (*Introduced by R.J. Respicio*)
- The **Executive Appointment of Dr. Reynald Lim** to be a **Member** on the **Board of Medical Examiners**
- The **Executive Appointment of Dr. Kia Rahamani** to be a **Member** on the **Board of Medical Examiners**

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

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

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

###

Ufisinan Todu Guam • 31st Guam Legislature

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

E-mail: senatordrodriguez@gmail.com

2nd Notice to all Senators Public Hearing Apr 7,2011

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Tue, Apr 5, 2011 at 1:46 PM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Aline Yamashita <aliney74@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjcruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatormabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <info@judiwonpat.com>, Mana Silva Taijeron <manasilva@hotmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatorTonyada@guamlegislature.org>

Cc: vparriola@teleguam.net, mis@guamlegislature.org, tterlaje@guam.net, clerkoffice4 <clerkoffice4@guamlegislature.com>, "Patti C. Santos" <psantos@guamlegislature.org>, sgtarms@guamlegislature.org

Bcc: jmesngon.senatorrodriguez@gmail.com

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

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatorrodriguez@gmail.com

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

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

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2 attachments

 **All Senators 2nd Notice Apr 7.pdf**
89K

 **Public Hearing Agenda APRIL 7,2011.pdf**
595K



SENATOR DENNIS G. RODRIGUEZ, JR.

TO: ALL SENATORS

FROM: SENATOR DENNIS G. RODRIGUEZ, JR. CHAIRPERSON

SUBJECT: SECOND NOTICE OF PUBLIC HEARING Thursday April 7, 2011

SECOND NOTICE OF PUBLIC HEARING Thursday April 7, 2011 5:00PM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting Confirmations as well as a Public Hearing on Thursday April 7, 2011, at I Liheslaturan Guåhan's Public Hearing Room in Hagåtña, on the following:

3:00PM

- Bill 70-31 (COR) - An act to establish the administrative rules and regulations of the Department of Public Health & Social Services relative to Child Care Centers and Group Child Care Homes, under Article 1, of Chapter 1, Division 1, Title 26, Guam Administrative Rules and regulations, and in conformance with Article 4- Child Welfare Services Act, Chapter 4, Title 10, GCA. (Introduced by D.G Rodriguez, Jr.)
• Bill 88-31 (COR) - An act to direct the Guam Election Commission to review and update procedures and policies contained in Title 6 ("Elections") of the Guam Administrative Rules and Regulations (GAR); and to recommend to I Liheslatura any necessary changes to Title 3 ("Elections") of the GCA; all in advance of the 2012 Elections. (Introduced by R.J. Respicio)
• Bill 104-31 (COR) - An act relative to mentally ill and civil commitments, by repealing and reenacting §82101 Et Seq. §82810 of Chapter 82, Title 10, Guam Code Annotated. (Introduced by D.G. Rodriguez Jr.)
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• The Executive Appointment of Dr. Reynald Lim to be a Member on the Board of Medical Examiners
• The Executive Appointment of Dr. Kia Rahamani to be a Member on the Board of Medical Examiners

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

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

- cc: -Clerk of the Legislature -Legislative Legal Counsel
-Executive Director -MIS
-Sergeant-At-Arms/Protocol

Ufisinan Todu Guam • 31st Guam Legislature

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

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

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

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

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

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

Member, Committee on the Guam Military Buildup & Homeland Security

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

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

Assistant Majority Whip

2nd Notice Public Hearing with Agenda

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Tue, Apr 5, 2011 at 1:33 PM

To: action@weareguahan.com, admin@weareguahan.com, chrisu@marianasmedia.com, clynt@spbguam.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbguam.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofiguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, Bill Phillips <phillipsguam@gmail.com>, Cindy Hanson <cmhanson@guam.net>, Elaine Tajalle <etajalle@guamlegislature.org>, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, Joseph Mesngon <jmesngon.senatorrodriguez@gmail.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbguam.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Olivia Palacios <oliviampalacios@gmail.com>, Pacific Daily News <news@guampdn.com>, Stephanie Mendiola <sem@guamlegislature.org>, Telo Taitague <telo.taitague@guam.gov>, Tina Okada <tinaokada@gmail.com>, William Gibson <breakfastshowk57@gmail.com>

--

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

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING

Thursday, April 7, 2011 3:00PM

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- **Bill 88-31 (COR)** - An act to direct the Guam Election Commission to review and update procedures and policies contained in Title 6 ("Elections") of the Guam Administrative Rules and Regulations (GAR); and to recommend to I Liheslatura any necessary changes to Title 3 ("Elections") of the GCA; all in advance of the 2012 Elections. (*Introduced by R.J. Respicio*)
- **Bill 104-31 (COR)** - An act relative to mentally ill and civil commitments, by repealing and reenacting §82101 Et Seq. §82810 of Chapter 82, Title 10,

Guam Code Annotated. (*Introduced by D.G. Rodriguez Jr.*)

- **Bill 107-31 (COR)** - An act to add a new § 12212.1, § 12212.2, and § 12212.3 to Chapter 12, of Title 10, Guam Code Annotated; relative to the public disclosure of a physician's professional profile which may be cited as "The Patient Protection through Information Act". (*Introduced by T.R Muña-Barnes*)
- **Bill 128-31 (COR)** - An act to repeal and reenact Guam Code Annotated Title 3: Elections §7103.1, relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB), and to define a "Voter Verified Paper Ballot." (*Introduced by R.J. Respicio*)
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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

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UPDATE: Committee on Health and Human Services to hold confirmations and public hearing

3:35 PM, Mar. 31, 2011|

The Committee on Health and Human Services will be conducting confirmations and public hearings 3 p.m. April 7 in the Legislature's public hearing room on the following:

Bill 70-31: An act to establish the administrative rules and regulations of the Department of Public Health and Social Services relative to Child Care Centers and Group Child Care Homes.

Bill 88-31: An act to direct the Guam Election Commission to review and update procedures and policies contained in Title 6 ("Elections") of the Guam Administrative Rules and Regulations; and to recommend to the Legislature any necessary changes to Title 3 ("Elections") of the Guam Code Annotated.

Bill 104-31: An act relative to mentally ill and civil commitments, by repealing and reenacting sections of Chapter 82, Title 10, Guam Code Annotated.

Bill 107-31: An act to add a new sections to Chapter 12, of Title 10, Guam Code

Annotated; relative to the public disclosure of a physician's professional profile which may be cited as "The Patient Protection through Information Act".

There will also be the executive appointment of Drs. Reynald Lim and Kia Rahamani as members of the Guam Board of Medical Examiners.

All testimonies should be addressed to Sen. Dennis Rodriguez Jr., the committee chairman. Testimonies may be sent the office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931. You can also place testimonies in the office's mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910. Testimonies can also be sent via e-mail to senatordrodriguez@gmail.com.

People needed auxiliary aid or service should call Clifton Herbert at 649-8638 as soon as possible, but no later than 48 hours before this scheduled event.

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April 1, 2011

UPDATE: Public hearing on health bills Thursday

Pacific Daily News

The Committee on Health and Human Services, Economic Development, Senior Citizens and Election Reform will hold a public hearing on Thursday, April 7.

The hearing will take place at 3 p.m. in the Legislature's public hearing room.

The following bills and appointments will be discussed:

- Bill 70, introduced by Sens. Dennis Rodriguez, Jr. and Aline Yamashita would establish administrative rules and regulations of the Department of Public Health & Social Services relative to child care centers and group child care homes, and require that Public Health review and amend those rules every five years.
- Bill 88, introduced by Sen. Rory Respicio, would direct the Guam Election Commission to review and update procedures and policies contained in Title 6 ("Elections") of the Guam Administrative Rules and Regulations (GAR); and to recommend to the Legislature any necessary changes to Title 3 ("Elections") of the Guam Code Annotated (GCA); all in advance of the 2012 election
- Bill 104, introduced by Sen. Dennis Rodriguez, relative to mentally ill and civil commitments, by repealing and reenacting §82101 Et Seq. §82810 of Chapter 82, Title 10, Guam Code Annotated. (Introduced by D.G. Rodriguez Jr.)
- Bill 107, introduced by Sen. Tina Muna Barnes, is relative to the public disclosure of a physician's professional profile, and may be cited as "The Patient Protection through Information Act."
- Bill 128, introduced by Sen. Rory Respicio, is relative to "Electronic Voting Machines" and "Voter Verified Paper Ballots (VVPB), and to define a "Voter Verified Paper Ballot."
- The Executive Appointment of Dr. Reynald Lim to be a member on the Board of Medical Examiners
- The Executive Appointment of Dr. Kia Rahamani to be a member on the Board of Medical Examiners

Testimony should be addressed to Senator Dennis Rodriguez, Jr., chairman, and may be submitted via hand delivery at 176 Serenu Avenue, Suite 107, Tamuning, Guam, 96931.

Testimony may also be submitted to the senator's mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

GOVERNMENT MEETINGS

April 6

Guam Community College: Board of trustees monthly meeting 6 p.m., president's conference room, building 2000, Mangilao. For special accommodations, call 735-5597.

Guam Education Board: Special meeting 6 p.m., Department of Education conference room, Hagåtña. DOE fiscal 2012 budget request. For special accommodations, call Joyce Kaneshiro, 300-1627.

Mayors Council of Guam: Regular meeting 10 a.m., J&G Commercial Center, Suite 111F, Hagåtña. Call Elaine Schaaf, 472-6940 or 477-8461.

April 7

Committee on Health and Human Services, Economic Development, Senior Citizens and Election Reform: Public hearing 3 p.m., Legislature's public hearing room, Hagåtña. Bill 70-31 (cor), establishing administrative rules and regulations of Department of Public Health and Social Services relative to child care centers and group child care homes; Bill 88-31 (cor), directing Guam Election Commission to review and update procedures and policies contained in Title 6 (elections) of Guam Administrative Rules and Regulations, and to recommend the legislature any necessary changes to Title 3 of GCA, all in advance of the 2012 elections; Bill 104-31 (cor), relative to mentally ill and civil commitments; Bill 107-31 (cor), relative to public disclosure of physician's professional profile – Patient Protection Through Information Act; Bill 128-31 (cor), relative to electronic voting machines and voter verified paper ballots; executive appointment of Dr. Reynald Lim and Dr. Kia Rahmani as members of Board of Medical Examiners. Submit testimony to Sen. Dennis Rodriguez Jr. via email: senatorrodriguez@gmail.com. For special accommodations, call 649-8638.

Committee on Municipal Affairs, Tourism, Housing and Recreation: Public hearing 10 a.m., Legislature's public hearing room, Hagåtña. Executive appointment of Martin Benavente to serve as president of the Guam Housing Corp., Tomas L.G. Flores Jr., to serve as member of GHC board of directors, John T. Calvo to serve as member of Hagåtña Restoration & Redevelopment Authority board of commissioners, John M. Rupley, Ramon T. Topasna, Joo H. Ko to serve as Parks and Recreation Commission members. Submit written testimony via email: senator@tina-munabarnes.com. For special accommodations, call 472-3455/6.

Guam Advisory Panel for Students with Disabilities: Quarterly meeting 3 to 5 p.m., Parent Information Resource Center (PIRC), Hagåtña.

For special accommodations, call 300-1321.

room, Hagåtña. Executive appointments of: Lee Webber, Albert Ray Gurusamy, Dr. Edna V. Santos, Dr. Ricardo M. Terlaje, and Francis Taitague-Mantanona as members of Guam Memorial Hospital Authority Board of Trustees. Submit testimony via email: senatorrodriguez@gmail.com. For special accommodations, call 649-8638.

Committee on Public Safety, Law Enforcement and Judiciary: public hearing 1:30 p.m., Legislature's public hearing room, Hagåtña. Bill 78-3 (cor), prohibiting cathinone derivatives methylenedioxypropiovalerone and methylmethcathinone; Bill 106-31 (cor), relative to payment for solemnization of marriage by a mayor or vice mayor; Bill 122-31, increasing penalties for drivers who disregard safety of schoolchildren entering or exiting school buses. For special accommodations, call 472-5047/5048.

Guam Economic Development Authority: Board of directors special meeting 10 a.m., Suite 511, ITC building, Tamuning. RFP 11-005: request for proposal for trustee for GovGuam Limited Obligation Bonds. For special accommodations, call George Bamba, 647-4332, ext. 104.

April 11

Committee on Education and Public Libraries: Public hearing 4 p.m., Legislature's public hearing, Hagåtña. Appointment of Gayle Hendricks to serve as Guam Commission for Educator Certificate member; Bill 117-31 (cor), to approve proposed rules and regulations of Guam Commission for Educator Certification. Submit testimony via email: fitorres@judiwonpat.com. For special accommodations, call 472-3586/7/8.

April 12

Consolidated Commission on Utilities: Regular meeting on Guam Power Authority matters 5:30 p.m., GPA board conference room, Harmon. Petition to CCU to amend job standard for general manager position. Agenda copies available. For special accommodations, call Lou Sablan, 648-3002.

April 13

Guam Contractors License Board: Regular meeting 5:30 p.m., board conference room, 542 N. Marine Corps Drive, upper Tumon. For special accommodations, call 649-2211/9676.

April 14

Guam Board of Nurse Examiners: Rescheduled regular meeting 4 p.m., Health Professional Licensing Office, Suite 9, Legacy Square Commercial Complex, Route 10, Mangilao. For special accommodations, call 735-7407.

Free obituary announcements will be accepted if received from a funeral home (on- or off-island) and must include date of death and age, a contact name and telephone number. They may be dropped at the PDN front desk, faxed to 477-3079 or sent by email to life@guampdn.com. Obituaries and photographs submitted to the Pacific Daily News may be published, distributed, repurposed and otherwise used.

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SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE
PUBLIC HEARING AGENDA

Thursday, April 7, 2011

3:00 pm

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

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

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

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

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

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

Member,
Committee on the
Guam Military
Buildup &
Homeland Security

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

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

Assistant Majority
Whip

I. Call to Order

II. Announcements

III. Items for Public Consideration

3:00PM

- **Bill 107-31 (COR)** - An act to add a new § 12212.1, § 12212.2, and § 12212.3 to Chapter 12, of Title 10, Guam Code Annotated; relative to the public disclosure of a physician's professional profile which may be cited as "The Patient Protection through Information Act". (*Introduced by T.R Muña-Barnes*)
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- **The Executive Appointment of Dr. Kia Rahamani** to be a Member on the Board of Medical Examiners

IV. Announcements

V. Adjournment

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

Ufisinan Todu Guam • 31st Guam Legislature

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

E-mail: senatordrodriguez@gmail.com



SENATOR DENNIS G. RODRIGUEZ, JR.

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

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

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

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Committee on
Municipal Affairs,
Tourism,
Housing &
Recreation

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Rules,
Federal, Foreign &
Micronesian
Affairs, & Human &
Natural Resources

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Committee on the
Guam Military
Buildup &
Homeland Security

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

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

Assistant Majority
Whip

April 1, 2011

Mr. Arthur San Agustin
Director
Department of Public Health & Social Services
Mangilao, Guam

Dear Mr. San Agustin:

Buenas yan Håfa Adai! The office of Senator Dennis G. Rodriguez, Jr. would like to inform you that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a public hearing on Thursday, April 7, 2011 commencing at 3pm at *I Liheslatura's* Public Hearing Room in Hagåtña.

We would like to invite you and others in your department to give testimony, oral or written, on the following bill(s):

Bill No. 70-31(COR)- An act to establish the administrative rules and regulations of the Department of Public Health & Social Services relative to Child Care Centers and Group Child Care Homes, under Article 1, of Chapter 1, Division 1, Title 26 of Guam Administrative Rules and Regulations, and in conformance with Article 4- Child Welfare Services Act, Chapter 4, Title 10 GCA. Introduced by Senator DG. Rodriguez, Jr., Senator AA Yamashita, Ph.D.

Bill No. 107-31(COR)- An act to add a new section to Chapter 12, Title 10 GCA; relative to the public disclosure of a physician's professional profile which may be cited as "The Patient Protection through Information Act." Introduced by Senator TR Muña-Barnes, Senator BJ Cruz, Senator VA Ada.

The bills, as indicated above, may be found on *I Liheslatura's* website at www.guamlegislature.com.

Written testimonies may be submitted prior to, or up to 10 days after the hearing to the office of Senator Rodriguez at 176 Serenu Ave. Tamuning, Guam, the Legislature's mailroom or email to senatordrodriguez@gmail.com.

We look forward to your participation and attendance. Please contact me at our office for further inquiry. *Si Yu'os Ma'åse'!*

Senseramente,

Clifton Herbert
Office Manager

Ufisinan Todu Guam • 31st Guam Legislature

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

**Office Of Senator
Dennis Rodriguez, Jr.**



Fax

To: MR. ARTHUR SAN AGUSTIN	From: JOSEPH MESNGON
Fax: 734-5910	Pages: 02 including coversheet
Phone: 735-7101	Date: 4/1/11
Re: BILL 70-31 & BILL 107-31	cc:

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

● **Comments:**

Hafa Adail

Attached is a letter for Director San Agustin in regards to Bill No. 70-31 & 107-31. You may contact me for any inquiries.

WE KINDLY REQUEST YOU CONFIRM RECEIPT OF THIS FAX BY CALLING JOE MESNGON AT 649-8638/0511, OFFICE OF SENATOR RODRIGUEZ.

SI YU'OS MA'ASE'!

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Sen. Dennis Rodriguez, Jr
671-649-0520
Apr 01 2011 11:17AM

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Apr 1	11:15AM	Fax Sent	7345910	0:51	2	OK

TO DPHSS.

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MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 107-31 (cov)

Introduced by:

T. R Muna Barnes
B.J.F Cruz
V. ANTHONY ADA @

AN ACT ADD A NEW § 12212.1, § 12212.2, and § 12212.3 TO CHAPTER 12, OF TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO THE PUBLIC DISCLOSURE OF A PHYSICIAN'S PROFESSIONAL PROFILE WHICH MAY BE CITED AS "THE PATIENT PROTECTION THROUGH INFORMATION ACT"

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

2 **Section 1.** A new § 12212.1, § 12212.2, and § 12212. of Chapter 12,
3 Title 10 Guam of the Guam Code Annotated is hereby added to read:

4 **"§ 12212.1 Public Disclosure of A Physician Profile.**

5 Notwithstanding any other provision of law, the Board shall disclose to an
6 inquiring member of the public, and via the internet with the assistance of
7 the Bureau of Information Technology, information regarding any
8 enforcement actions taken against a licensee, including a former licensee, by
9 the board or by another state or jurisdiction, including all of the following:

- 10 (1) Temporary restraining orders issued,
11 (2) Interim suspension orders issued,

1 (3) Revocations, suspensions, probations, or limitations on practice
2 ordered by the board, including those made part of a probationary order or
3 stipulated agreement,

4 (4) Public letters of reprimand issued, and

5 (5) Infractions, citations, or fines imposed.

6 (6) Civil judgments in any amount, whether or not vacated by a settlement
7 after entry of the judgment, that were not reversed on appeal and arbitration
8 awards in any amount of a claim or action for damages for death or personal
9 injury caused by the physician and surgeon's negligence, error, or omission
10 in practice, or by his or her rendering of unauthorized professional services.

11 (7) All settlements in the possession, custody, or control of the board shall
12 be disclosed for a licensee if there are three or more settlements for that
13 licensee within the last 10 years, except limitations on that disclosure.

14 **“§ 12212.2 Method of Disclosure”**

15 The board shall not disclose the actual dollar amount of a settlement but
16 shall put the number and amount of the settlement in context by doing the
17 following:

18 (1) Comparing the settlement amount to the experience of other licensees
19 within the same specialty or subspecialty, indicating if it is below average,
20 average, or above average for the most recent 10-year period.

21 (2) Reporting the number of years the licensee has been in practice.

22 (3) Reporting the total number of licensees in that specialty or
23 subspecialty, the number of those who have entered into a settlement
24 agreement and the percentage that number represents of the total number of
25 licensees in the specialty or subspecialty.

26 (4) Current American Board of Medical Specialty certification or board
27 equivalent as certified by the Board.

1 (5) Approved postgraduate training.

2 (6) Any summaries of hospital disciplinary actions that result in the
3 termination or revocation of a licensee's staff privileges for medical
4 disciplinary cause or reason, unless a court finds, in a final judgment, that
5 the peer review resulting in the disciplinary action was conducted in bad
6 faith and the licensee notifies the board of that finding. In addition, any
7 exculpatory or explanatory statements submitted by the licensee
8 electronically or otherwise be disclosed.

9 **“§ 12212.3 Disclaimers and Explanatory Statements”**

10 The Board shall formulate appropriate disclaimers or explanatory
11 statements to be included with any information released and shall ensure that
12 all information provided to the public under these provisions are in
13 compliance with the Health Insurance Portability and Accountability Act.

14 (e) The Board shall, promulgate by regulations to develop standard
15 terminology that accurately describe the different types of disciplinary
16 filings and actions taken against a licensee as described above”

17