

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
402-32 (COR)	Dennis G. Rodriguez, Jr.	AN ACT TO PROVIDE FOR THE COVERAGE OF BLOOD AND BLOOD DERIVATIVES BY HEALTH INSURANCE COMPANY OR HEALTH CARE PROVIDER CONTRACTED TO PROVIDE PRIVATE SECTOR SMALL OR LARGE GROUP HEALTH PLANS, BY ADDING A NEW § 103123 TO CHAPTER 103, TITLE 11, GUAM CODE ANNOTATED.	9/24/14 9:01 a.m.	09/24/14	Committee on Health & Human Services, Health Insurance Reform, Economic Development, and Senior Citizens			



## COMMITTEE ON RULES

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September 24, 2014

### MEMORANDUM

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

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From:** **Senator Rory J. Respicio**   
*Chairperson of the Committee on Rules*

**Subject: Referral of Bill No. 402-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 402-32(COR)**.

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

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

*Si Yu'os Ma'åse!*

Attachment

**MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN**  
**2014 (SECOND) Regular Session**

**Bill No. 402-32 (COR)**

Introduced by:

**D.G. RODRIGUEZ, JR.** 

**AN ACT TO PROVIDE FOR THE COVERAGE OF BLOOD  
AND BLOOD DERIVATIVES BY HEALTH INSURANCE  
COMPANY OR HEALTH CARE PROVIDER CONTRACTED  
TO PROVIDE PRIVATE SECTOR SMALL OR LARGE  
GROUP HEALTH PLANS, BY ADDING A NEW § 103123 TO  
CHAPTER 103, TITLE 11, GUAM CODE ANNOTATED.**

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

**Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds that the health insurance coverage of blood and blood derivatives is covered by Government of Guam and Federal civil service health plans, but not private sector plans for small and large group plans.

*I Liheslaturan Guåhan* takes due notice the necessity of establishing essential health benefits, guaranteed availability, and a prohibition on rescissions

It is, therefore, the *intent* of *I Liheslaturan Guåhan* to provide a mandate for this coverage, just as it is mandated pursuant to §4302(i) of Article 3 of Chapter 4, Title 4 Guam Code Annotated, as an essential health benefit for Government of Guam employees, retirees and dependents.

**Section 2.** A new § 103123 is hereby added to Chapter 103, Title 11, Guam Code Annotated, to read:

1                   **“Health Insurance Coverage; Blood and Blood Derivatives,**  
2                   **Mandate Established.**

3                   (a) No health insurance company or health care provider contracted  
4                   to provide health care to employees in a small group or large group plan may  
5                   deny coverage to the employee or dependent on the basis of blood or blood  
6                   derivatives. Blood and blood derivatives *shall* be covered and may be  
7                   subject to maximum limitations per annum.

8                   (1) Guaranteed Availability;

9                   (i) Prohibition of Preexisting Condition Exclusions or  
10                  other discrimination based on Health Status. As a condition of  
11                  conducting health insurance coverage on Guam, a group health  
12                  plan and a health insurance issuer offering group or individual  
13                  health insurance coverage *shall* not impose any preexisting  
14                  condition exclusion with respect to such plan or coverage,  
15                  pursuant to section 2 (a) of this Act.

16                  (ii) Definition, for the purposes of this part. The term  
17                  “preexisting condition exclusion” means, with respect to  
18                  coverage, a limitation or exclusion of benefits relating to a  
19                  condition based on the fact the condition was present before the  
20                  date of enrollment for such coverage, whether or not any  
21                  medical advice, diagnosis, care, or treatment was recommended  
22                  or received before such date.

23                  (2) Prohibition on Rescissions. For the purposes of this  
24                  section, and in conformance with SEC. 2712 [42 U.S.C. 300gg–12]  
25                  *Prohibition On Rescissions*, a group health plan and a health  
26                  insurance issuer offering group or individual health insurance

1 coverage shall not rescind such plan or coverage with respect to an  
2 enrollee once the enrollee is covered under such plan or coverage  
3 involved, except that this section shall not apply to a covered  
4 individual who has performed an act or practice that constitutes fraud  
5 or makes an intentional misrepresentation of material fact as  
6 prohibited by the terms of the plan or coverage. Such plan or  
7 coverage may not be cancelled except with prior notice to the  
8 enrollee, and only as permitted under Section 2702(c), 2703(b) or  
9 2742(b) of the Public Health Service Act.

10 **Section 3. Severability.** If any provision of this Act or its application to  
11 any person or circumstance is found to be invalid or contrary to law, such  
12 invalidity shall not affect other provisions or applications of this Act which can be  
13 given effect without the invalid provisions or application, and to this end the  
14 provisions of this Act are severable.

15 **Section 4. Effective Date.** This Act shall become immediately effective  
16 upon enactment.