

I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) REGULAR SESSION

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Bill No. 264 (EC)

Introduced by:

v.c. pangelinan  
J.T. Won Pat, Ed.D.  
T.R. Muna-Barnes

AN ACT TO AMEND TITLE 4 GUAM CODE ANNOTATED, CHAPTER 4, ARTICLE 3, §4302(c), RELATIVE TO INCLUDING A GOVERNMENT OF GUAM RETIREE IN THE NEGOTIATING TEAM TO ADVOCATE FOR HEALTH CARE BENEFITS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. For the past twenty (20)  
3 years, the government of Guam has negotiated with numerous health  
4 insurance companies to determine health care benefits for active government  
5 of Guam employees and retirees. Existing law establishes the Negotiating  
6 Team which consists of representatives of various government of Guam  
7 agencies, including the Government of Guam Retirement Fund ("Fund").  
8 However, the Fund representative is present in the negotiations to protect the  
9 integrity of the Fund and *does not* represent the retirees. The retirees and their  
10 health care needs are an important component when benefits are negotiated  
11 with health insurance companies and the government of Guam and currently  
12 there is no representation from this group on the Negotiating Team.

13 Therefore, it is the intent of *I Liheslaturan Guahan* that a government of

1 Guam retiree be part of the Negotiating Team to advocate for their health care  
2 needs.

3 **Section 2.** Title 4 Guam Code Annotated, Chapter 4, Article 3, §4302 (c)  
4 is hereby amended to read as follows:

5 “§4302. **Same. Health Insurance or Provision of Health care.**

6 (c) A Negotiating Team consisting of the Director of Administration,  
7 who shall be Chairperson, the Administrator of the Department of Integrated  
8 Services for Individuals with Disabilities (‘DISID’), or his or her designee; the  
9 Director of the Bureau of Budget and Management Research, or his or her  
10 designee; an employee representative from the Judicial Branch to be  
11 appointed by the ~~Presiding Judge of the Superior Court of Guam~~ Chief Justice  
12 of the Supreme Court of Guam; an employee representative from the  
13 Legislative Branch to be appointed by the Speaker of the Guam Legislature;  
14 the ~~Director-Superintendent~~ of the Guam Public School System, or his or her  
15 designee; ~~and~~ the Director of the Government of Guam Retirement Fund, or  
16 his or her designee; and a retiree who is a member of the Government of  
17 Guam Retirement Fund to be appointed by the Board of Trustees of the  
18 Government of Guam Retirement Fund, shall examine the financial  
19 information of the prepaid health insurance companies, health care providers  
20 or other legal entities for the purpose of developing the most economical and  
21 beneficial health plan for government of Guam employees and retirees. The  
22 Negotiating Team may obtain technical support from other financial and  
23 health-related agencies. The Negotiating Team shall develop its rules of  
24 procedure in accordance with the Administrative Adjudication Law.

1           The Negotiating Team with the approval of the Governor is authorized  
2 to contract an actuary competent to develop health insurance rates or other  
3 recognized expert to train and/or advise the Negotiating Team.

4           **Section 3. Severability.** If any of the provisions of this Act or the  
5 application thereof to any person or circumstance is held invalid, such  
6 invalidity shall not affect any other provision or application of this Act which  
7 can be given effect without the invalid provision or application, and to this  
8 end the provisions of this Act are severable.