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

Bill No. **335** (EC)

Introduced by:

**R.J. RESPICIO**  
**B.J.F. CRUZ**  
**J.P. GUTHERZ**

**AN ACT TO DEFINE "AIR AMBULANCE SERVICES"  
AND "AIR AMBULANCE SERVICES MEMBERSHIP  
PLANS" AND TO EXEMPT "AIR AMBULANCE  
SERVICES MEMBERSHIP PLANS" FROM THE GUAM  
INSURANCE CODE BY ADDING NEW §§ 12104(ii),  
12104(jj) AND 12113 TO TITLE 22 GUAM CODE  
ANNOTATED CHAPTER 12.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that there is a critical need for air ambulance services to assist the people of  
4 Guam in the event of life-threatening illness or injury, particularly when those  
5 injuries or illnesses require a higher level of care than that which is available  
6 at the Guam Memorial Hospital or any other health care facility in Guam.

7 Further, *I Liheslatura* finds that many Guam residents cannot afford the  
8 cost of air ambulance services due to the high cost of maintenance of aircraft,  
9 fuel, and adequate personnel to provide these services to Guam residents and  
10 that Guam has a definite need for air ambulance service due to our island's  
11 remote location and lack of specialized medical care at an affordable price.

12 Guam suffers a definite shortage of highly specialized medical facilities,  
13 technology and physicians such as neurosurgeons, orthopedic surgeons,  
14 cardiologists and cardiothoracic surgeons. Guam's great distance from  
15 metropolitan trauma centers and its short supply of specialized medicine,  
16 coupled with significant projected population growth and high rates of  
17 chronic and serious diseases – such as heart disease, stroke, cancer, diabetes,

1 obesity, and urological disorders -- underscores a critical need for air  
2 ambulance service.

3 Further, I Liheslaturan Guahan finds that there are currently only four  
4 ways by which Guam patients might meet the unavoidably high cost of air  
5 ambulance service: (1) "self-pay;" (2) special provision via health insurance  
6 coverage; (3) financial support of non-profit foundations benefiting the  
7 island's needy; and (4) reimbursement through the Medically Indigent  
8 Program. Since most of Guam's present and future population fall outside of  
9 the aforementioned categories for air ambulance coverage, then it is important  
10 to support and enable innovations that make air ambulance services  
11 universally affordable and accessible.

12 *I Liheslatura* additionally finds that air ambulance membership plans are  
13 a particular innovation that would allow the broadest possible access to the  
14 service, whereby individuals can contract for air ambulance services by  
15 paying an annual fee. In exchange for the annual fee, the member will be  
16 entitled to obtain air ambulance services upon written certification of the  
17 member's physician that: (1) the member is a candidate for off-island medical  
18 services and treatment; and (2) the physician has located a receiving hospital  
19 that is willing to accept the member as a patient.

20 The air ambulance services include round-trip air flight between Guam  
21 and the receiving destination, the services of a licensed physician and nurse,  
22 state of the art medical equipment on board the aircraft, and U.S.-Federal  
23 Aviation Administration-certified air ambulance pilots and aircraft.

24 Although the Guam insurance code does not appear to apply to such air  
25 ambulance membership plans, *I Liheslatura* finds it to be best for the health  
26 and safety of the people of Guam to explicitly exempt air ambulance  
27 membership plans from the Guam Insurance Code in order to provide the  
28 People of Guam with this critical and much-needed service.

1 It is therefore the intent of *I Liheslaturan Guåhan* to amend the Guam  
2 insurance code in order to define “air ambulance membership plans,” and to  
3 provide an exemption from for such contracts between air ambulance service  
4 providers and members or enrollees in which such providers provide air  
5 ambulance services for members or enrollees in exchange for an annual fee.

6 **Section 2. A new Title 22 Guam Code Annotated Chapter 12 § 12104(ii)**  
7 **is hereby *added* to read:**

8 “**Section 12104(ii).** “Air ambulance services” means the  
9 emergency and non-emergency transportation of a doctor-qualified  
10 patient-candidate for higher level care from Guam to another location  
11 by a legally authorized air ambulance in which health care services,  
12 including advanced life support services, are provided to the patient for  
13 the duration of such transportation.”

14 **Section 3. A new Title 22, Guam Code Annotated Chapter 12 §**  
15 **12104(jj) is hereby *added* to read:**

16 “**§ 12104(jj).** “Air ambulance services membership plan” means a  
17 plan contract between air ambulance services providers and members or  
18 enrollees in which such providers provide air ambulance services for its  
19 members or enrollees in exchange for an annual fee.”

20 **Section 4. A new Title 22 Guam Code Annotated Chapter 12 § 12113 of**  
21 **is hereby *added* to read:**

22 “**§ 12113. Air ambulance services membership plan exempted.**  
23 The provisions of this Chapter shall not prohibit or apply to air  
24 ambulance services membership plans. “

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