


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

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Bill No. 91-31 (cor)

Introduced by:

M. Silva Taijeron 

**AN ACT TO AMEND §84102, §84107 AND §84108, ALL OF
CHAPTER 84, TITLE 10 OF THE GUAM CODE
ANNOTATED RELATIVE TO EXPANDING THE SCOPE OF
EMERGENCY MEDICAL SERVICES TO INCLUDE NON-
MEDICAL TRANSPORT SERVICES, BASIC LIFE SUPPORT
GROUND AMBULANCE SERVICES AND BASIC LIFE
SUPPORT EMERGENCY AMBULANCE SERVICES; AND
TO REVISE THE MEMBERSHIP COMPOSITION OF THE
GUAM EMERGENCY MEDICAL SERVICES
COMMISSION.**

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

2 **Section 1.** Section 84102, Title 10 of the Guam Code Annotated is hereby
3 *amended* to read:

4 **“§ 84102. Definitions.**

5 As used in this Chapter:

6 (a) *Emergency Medical Service* means a service designated by the
7 Commission as providing emergency medical assistance on the
8 scene, enroute and at designated emergency medical services
9 facilities.

1 (b) *Administrator* means the Administrator or his designee of the
2 Guam Emergency Medical Services Administrative Office created
3 under this Chapter.

4 (c) *Commission* means the Guam Emergency Medical Services
5 Commission created under this Chapter.

6 (d) *Emergency Patient* means an individual who is acutely ill,
7 injured, incapacitated or helpless and who requires emergency
8 care.

9 (e) *Ambulance* means any conveyance on land, sea or air that is
10 used or is intended to be used for the purpose of responding to
11 emergency life-threatening situations and providing emergency
12 transportation service.

13 (f) *Emergency Ambulance Services* means the transportation of
14 emergency patients by ambulance and the administration of
15 emergency medical services to emergency patients before or
16 during such transportation.

17 (g) *Emergency Medical Technician* means an individual who
18 meets the minimum requirements established under this Chapter
19 and who has the duty to administer or supervise emergency
20 medical services.

21 (h) *Emergency Medical Service Facility* means a facility that is
22 certified and operated under the Government Code of Guam and is
23 equipped, prepared and staffed to provide medical care for
24 emergency patients appropriate to its classification.

1 (i) *Person* means any natural person or persons, firm, partnership,
2 corporation, company, association or joint stock association and
3 the legal successors thereof including any governmental agency or
4 instrumentality other than an agency or instrumentality of the
5 United States.

6 (j) *Paramedic* means an emergency medical technician who meets
7 specialized advance training requirements as established by the
8 Administrator.

9 (k) *Certificate or Certification* shall mean authorization in written
10 form issued by the Administrator to a person to furnish, operate,
11 conduct, maintain, advertise or otherwise engage in providing
12 emergency medical services as a part of a regular course of doing
13 business, either paid or voluntary.

14 (l) *Emergency Medical Services Personnel* means personnel
15 approved by the Administrator to provide emergency medical
16 assistance on the scene, enroute and at designated emergency
17 medical services facilities.

18 (m) *Emergency* means any actual or self-perceived event which
19 threatens life, limb, or well-being of an individual in such a
20 manner that immediate medical or public safety care is needed.

21 (n) *Emergency Medical Services (EMS) System* means a collective
22 system which provides the coordination and arrangement of
23 personnel, facilities, regulations, and equipment for the expedient
24 delivery of efficient and effective quality emergency medical care.

1 (o) *EMS Medical Director* means a Guam licensed physician who
2 provides overall medical direction for the island wide Emergency
3 Medical Services System.

4 (p) *Commercial Ambulance Service* means a non-governmental
5 ambulance service.

6 (q) *Treatment Protocol* means written guidelines approved by the
7 Medical Director providing pre-hospital personnel with a
8 standardized approach to commonly encountered patient problems,
9 thus ensuring consistent care.

10 (r) *Non-medical Transport Services* means transportation that is
11 provided in non-medical and non-emergent situations to
12 individuals who do not require medical attention.

13 (s) *Basic Life Support Ground Ambulance Services* means
14 transportation that is provided in a non-emergent situation to
15 people who require special medical monitoring and support.

16 (t) *Basic Life Support Emergency Ambulance Services* means
17 transportation that is provided where medical necessity is
18 established when the condition of the patient is such that use of
19 any other method of transportation is contraindicated.”

20 **Section 2.** Section 84107, Title 10 of the Guam Code Annotated is hereby
21 amended to read:

22 **“§ 84107. Purpose.**

23 The Commission:

24 (a) Shall adopt and promulgate Rules and Regulations for the
25 operation and implementation of the EMS System, the

1 administration of the Commission, and the standards for
2 certification and recertification of emergency medical services
3 facilities, personnel, equipment, supplies and communications
4 facilities and locations engaged in providing emergency medical
5 services under this Chapter, in accordance with the Administrative
6 Adjudication Law.

7 (b) Shall make and from time to time may alter such rules as it
8 deems necessary for the conduct of its business and for the
9 execution and enforcement of the provisions of this Chapter.

10 (c) May participate in the selection of the EMS Administrator and
11 EMS office staff.

12 (d) Shall adopt and promulgate Rules and Regulations for the
13 operations of commercial ambulance services which provide non-
14 medical transport services, basic life support ground ambulance
15 services and basic life support emergency ambulance services, in
16 accordance with the provisions of this chapter.”

17 **Section 3.** Section 84108, Title 10 of the Guam Code Annotated is hereby
18 *amended* to read:

19 **“§ 84108. Composition.**

20 The Commission shall be composed of ~~fourteen (14)~~ sixteen (16)
21 members appointed by the Governor who shall serve at his
22 pleasure. One (1) member shall be selected by the Governor from
23 each of the following organizations or groups:

- 24 (1) Guam Fire Department;
25 (2) Guam Memorial Hospital;

- 1 (3) Guam Community College;
- 2 (4) Department of Public Works;
- 3 (5) Department of Public Health and Social Services;
- 4 (6) Department of Homeland Security/ Office of Civil Defense;
- 5 (7) ~~Guam Telephone Authority~~ Local Telecommunications
- 6 Exchange Carriers;
- 7 (8) Guam Police Department;
- 8 (9) Physicians, possessing unlimited license to practice medicine
- 9 within the territory of Guam, who shall be:

10 (a) a pediatrician from the Emergency Medical Services for

11 Children subcommittee; and

12 (b) a representative from the field of emergency medicine;

13 (10) Certified Emergency Nurses licensed to practice within the

14 territory of Guam; ~~and~~

15 (11) Emergency Medical Technician (EMT), EMT-Intermediate,

16 or Paramedic certified/licensed to practice within the territory of

17 Guam; and

18 (12) Organizations who provide commercial ambulance services

19 which offer non-medical transport services, basic life support

20 ground ambulance services and basic life support emergency

21 ambulance services, in accordance with the provisions of this

22 chapter.

23 Two (2) additional Commission members shall be selected from

24 the public-at-large who are not directly related to providing

25 emergency medical services. The final commission member shall

1 be the Administrator of the Administrative Office. ~~Appropriate~~
2 ~~U.S. Navy and Air Force authorities~~ Joint Region Marianas shall
3 be requested to designate one (1) representative ~~each~~ to serve on
4 the Commission in a non-voting capacity.”

5 **Section 4. Enactment.** The provisions of this Act shall become effective
6 immediately upon enactment.

7 **Section 5. Severability.** *If* any provision of this Law or its application to any
8 person or circumstance is found to be invalid or contrary to law, such invalidity shall
9 *not* affect other provisions or applications of this Law which can be given effect
10 without the invalid provisions or application, and to this end the provisions of this
11 Law are severable.