

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

**Bill No.** 170-31(COR)

Introduced by:

**D.G. RODRIGUEZ, JR.**  
**v.c. pangelinan**



**AN ACT TO BRIDGE THE GAPS IN SERVICES FOR GUAM  
CANCER PATIENTS BY CREATING A GUAM CANCER  
ASSISTANCE AND TREATMENT (GCAT) PROGRAM, BY  
AMENDING § 81113 OF CHAPTER 81 OF TITLE 12 GUAM  
CODE ANNOTATED ITEM (b)(1).**

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

**Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan*

finds that Chapter IX, Section 1, Item (b) of Public Law 29-19 and codified as 12 GCA Chapter 81, Section 81113 , item (b)(1), sets aside \$2Million from bond proceeds to Refund the Guam Economic Development Authority (GEDA) Tobacco Settlement Asset Backed Bonds, Series 2001A and Series 2001B, and for other purposes. According to Item (b) of this statute, \$2million dollars is appropriated for radiation therapy for cancer treatment through the Medically Indigent Program. These funds currently sit in account under the purview of GEDA waiting to be utilized pursuant to provisions set forth in Public Law 29-19. In order for these funds to be utilized the Guam Memorial Hospital Authority was to enter into a

1 contract or a public-private partnership agreement for the operation of a  
2 Radiation Therapy Machine. Said contract or public-private partnership  
3 agreement shall provide for the care of indigent patients under the  
4 Medically Indigent Program (MIP) and Medicaid Program and shall  
5 require that invoices for cancer treatment be paid within (60) days after  
6 receipt. Over the past 3 and half years since the enactment of this law,  
7 GMHA has failed to enter into the required contract or public-private  
8 partnership agreement and no cancer patient on Guam has been able to  
9 utilize these funds to cover their much needed care. Currently, MIP and  
10 Medicaid is in fact covering radiation therapy for individuals under their  
11 respective programs. The initial law that appropriated these funds was  
12 done prior to the re-opening of the radiation therapy clinic in April of 2010.  
13 The sole radiation therapy clinic on Guam does provide services to  
14 residents under all insurance programs, both private and public, to include  
15 the MIP and Medicaid program. Although these funds are only earmarked  
16 for radiation therapy for cancer patients under the MIP and Medicaid  
17 programs, through recent events it has been identified that there are gaps  
18 in services under the MIP and Medicaid program as it relates to providing  
19 of cancer care to Guam residents. It was identified that the current rules  
20 and regulations within the Medicaid program excluded the treatment of  
21 some cancer related services, such as an Allogeneic transplant, which may  
22 be required care or treatment for cancer patients suffering from Hodgkin's  
23 disease, also known as Lymphoma cancer. As MIP and Medicaid already  
24 provides for radiation therapy, there is a need to bridge the gaps in services

1 in cancer care and cover cancer services not provided under the MIP and  
2 Medicaid program. It is therefore the intent of *I Liheslaturan Guåhan* to  
3 immediately make available the funds necessary to provide medical  
4 treatment options for people under public assistance programs, but who  
5 are currently limited by the available options for authorized treatments  
6 that may be provided. It is the intent to use these funding to save lives of  
7 our people.

8 **Section 2. Section 81113 of Chapter 81 of Title 12 Guam Code**  
9 **Annotated (b) (1) is hereby amended to read as follows:**

10 “(b)(1) There is hereby created the Guam Cancer Assistance and  
11 Treatment (GCAT) program, within the Guam Department of Public  
12 Health and Social Services. (DPHSS). DPHSS shall use funds under  
13 this program to supplement and/or cover direct cancer care services  
14 not covered in other local public assistance programs under their  
15 purview, such as the Medically Indigent Program (MIP) and  
16 Medicaid program. In addition, DPHSS shall have discretionary  
17 authority to utilize funds under this program to provide direct cancer  
18 related services and treatment for cancer patients under public  
19 assistance programs and who are otherwise unable to meet their  
20 financial obligations for treatment.

21 Two Million Dollars (\$2,000,000) held in an account by the  
22 Guam Economic Development Authority shall be made available for  
23 the sole use of the Guam Cancer Assistance and Treatment Program  
24 as established and authorized by Section 2 of this act. The Director of

1 the Department of Public Health and Social Services shall be the  
2 certifying authority of these funds.”

3 ~~[Two Million Dollars (\$2,000,000) for radiation therapy for cancer~~  
4 ~~treatment provided through the Medically Indigent Program (MIP).~~  
5 ~~The Guam Memorial Hospital Authority shall enter into a contract or~~  
6 ~~a public private partnership agreement for the operation of a~~  
7 ~~Radiation Therapy Machine. Said contract or public private~~  
8 ~~partnership agreement shall provide for the care of indigent patients~~  
9 ~~under the Medically Indigent Program (MIP) and Medicaid Program~~  
10 ~~and shall require that invoices for cancer treatment be paid within~~  
11 ~~sixty (60) days after receipt.]~~

12 **Section 4. Reporting Requirement.** The Director of DPHSS shall  
13 transmit a report outlining the detailed expenditures of this program to *I*  
14 *Maga’lahen Guahan* and to the Speaker of *I Liheslaturan Guahan* on a monthly  
15 basis.

16 **Section 5. Severability.** If any provision of this Act or its application  
17 to any person or circumstances is found to be invalid or contrary to law,  
18 such invalidity shall not affect other provisions or applications of this Act  
19 which can be given effect without the invalid provisions or application,  
20 and to this end the provisions of this Act are severable.

21 **Section 6. Effective Date.** This Act shall become effective upon its  
22 enactment.