

***I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN***  
**2007 (FIRST) Regular Session**

**Bill No. 57 (EC)**

As amended.

Introduced by:

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**AN ACT TO AMEND §80104(c) AND TO REPEAL AND REENACT §80107.1 OF CHAPTER 80 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROCUREMENT AT THE GUAM MEMORIAL HOSPITAL AUTHORITY.**

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

**2 Section 1. Legislative Findings and Intent.** Presently, Guam Memorial  
**3 Hospital Authority (GMHA) is required to have *sole* source procurement**  
**4 documents signed by the GMHA Board Chair, which creates delays in procuring**  
**5 critically needed items and requires the Chair to participate in routine operations.**  
**6 “Sole Source” procurements permit GMHA to benefit from federally negotiated**  
**7 prices *or* direct purchases from the manufacturer *or* authorized distributors.**  
**8 There are clearly defined and documented guidelines to determine eligibility for**

1 “sole source” designation.

2 GMHA has been attempting to recruit a Chief Financial Officer since the  
3 departure of the previous incumbent, and has received five (5) applications.  
4 Unfortunately, none of the applicants were eligible because of the position’s legal  
5 requirement for lengthy work experience.

6 **Section 2.** §80104(c) of Chapter 80 of Title 10 Guam Code Annotated is  
7 hereby *amended* to read as follows:

8 “(c) Acquire, subject to the laws of Guam, by grant, purchase, gift,  
9 devise *or* lease, and hold and use any real property necessary *or* convenient  
10 *or* useful for the carrying on of any of its powers pursuant to the provisions  
11 of this Article; upon written certification of the Administrator, that specified  
12 and specialized medical equipment and related supplies are needed  
13 immediately for the health and welfare of the patients of the Hospital in  
14 particular, and the people of Guam in general, the Guam Memorial Hospital  
15 Authority *shall* be exempt from the provisions of §§5210 and 5211 of Title  
16 5, Guam Code Annotated, in the acquisition of the medical equipment and  
17 related supplies specified in such written certification of the Administrator;  
18 provided, that the Hospital *shall* use its best judgment and efforts to secure  
19 the best equipment and supplies at the lowest cost, utilizing businesses  
20 licensed to do business on Guam whenever possible.”

21 **Section 3.** §80107.1. of Chapter 80 of Title 10 Guam Code Annotated is  
22 *amended* to read:

23 “**§80107.1. Chief Financial Officer.** (a) The position of Chief  
24 Financial Officer is established within the Guam Memorial Hospital  
25 Authority. The Chief Financial Officer *shall* meet the following minimum  
26 qualifications:

1 (i) Possession of a Certified Public Accountant (CPA)  
2 certificate in the United States and a Bachelor's degree in Health  
3 Services Management (HSM) *or* health related work experience, plus  
4 one (1) year supervisory experience; *or*

5 (ii) Graduation from a recognized college *or* university with  
6 a Master's degree in accounting, finance, economics, business  
7 administration *or* a related field, plus four (4) years experience as an  
8 administrator for general accounting and fiscal services of which one  
9 (1) year must be management-level fiscal experience in a hospital *or*  
10 health care facility; *or*

11 (iii) Graduation from a recognized college *or* university with  
12 a Bachelor's degree in accounting finance, economics, business  
13 administration *or* a related field, plus five (5) years as an administrator  
14 responsible for general accounting and fiscal services of which two  
15 (2) years must be management-level fiscal experience in a hospital *or*  
16 health care facility; *and*

17 (iv) *shall* have experience in negotiating contracts with  
18 external parties, including third party payers, vendors, insurance  
19 carriers and other contracting parties.”