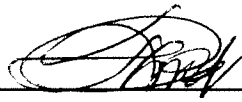


I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

FILE COPY

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 245(LS), "AN ACT TO ADD A NEW SUBITEM 8 TO § 12202(b) OF CHAPTER 12 PART 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, AND TO CITE THE ACT AS 'THE TELEMEDICINE ACT OF 2008'"**, was on the 3rd day of July, 2008, duly and regularly passed.



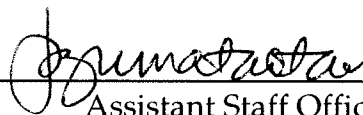
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 7 day of July, 2008, at 3:25 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

I MINA'BENTI NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Bill No. 245 (LS)

As substituted by the Committee on
Health, Human Services and Homeland
Security and amended on the Floor.

Introduced by:

R. J. Respicio
B. J.F. Cruz
Judith P. Guthertz, DPA
Tina Rose Muña Barnes
F. F. Blas, Jr.
Edward J.B. Calvo
James V. Espaldon
Mark Forbes
Frank T. Ishizaki
J. A. Lujan
A. B. Palacios, Sr.
v. c. pangelinan
Dr. David L.G. Shimizu
Ray Tenorio
J. T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW SUBITEM 8 TO § 12202(b)
OF CHAPTER 12 PART 1 OF TITLE 10 OF THE
GUAM CODE ANNOTATED, AND TO CITE THE
ACT AS "*THE TELEMEDICINE ACT OF 2008*".**

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

2 **Section 1.** Title.

3 **Section 2.** Legislative Findings and Purpose.

4 **Section 3.** Subitem (8) is *added* to Section 12202(b)

5 of Chapter 12, Part 1 of Title 10 of the

6 Guam Code Annotated.

1 **Section 1. Title.** This Act may be cited or referred to as “*The Telemedicine*
2 *Act of 2008*”.

3 **Section 2. Legislative Findings and Purpose.** *I Liheslaturan Guåhan*
4 hereby finds and declares that, due to technological advances and changing practice
5 patterns, the practice of medicine is occurring with increasing frequency requiring
6 consultation across state lines and that certain technological advances in the practice
7 of medicine are in the public interest. *I Liheslaturan Guåhan* further finds and
8 declares that the practice of medicine is a privilege and consultation with practitioners
9 outside Guam engaging in such medical practice is necessary for the protection of the
10 citizens of Guam and for the public interest, health, welfare and safety.

11 **Section 3.** A new subitem (8) is hereby *added* to § 12202(b) of Chapter 12,
12 Part 1 of Title 10 of the Guam Code Annotated to read as follows:

13 “(8) A licensed physician who resides outside of Guam within a State,
14 Federal jurisdiction or country is *not* subject to Guam medical licensure
15 requirements where said licensed physician is providing consultation to a Guam
16 licensed physician through the use of telemedicine technology if:

17 (i) the non-resident licensed consulting physician operates *no*
18 clinical practice or office on Guam;

19 (ii) the non-resident licensed consulting physician *does not*
20 render any final written or otherwise documented final medical opinion
21 concerning the diagnosis or treatment of a patient on Guam directly to the
22 patient; and

23 (iii) the non-resident licensed consulting physician *does not*
24 render any treatment to any patient on Guam.

25 (iv) The non-resident licensed consulting physician may render
26 care and provide final diagnostic and treatment decisions without an

1 active Guam license *if* the consultant is to act as a receiving physician for
2 the patient in the consultant's jurisdiction.

3 (v) The non-resident licensed consulting physician may render
4 care and provide diagnostic and treatment recommendations without an
5 active Guam license *if* the consulting physician acts jointly and directly
6 with the local attending physician of the patient who is the subject of the
7 consultation.

8 (vi) The non-resident licensed consulting physician rendering
9 consultation shall abide by all local and federal laws with regard to
10 patient confidentiality."