

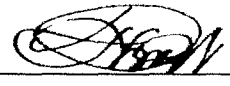
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**I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session**

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

This is to certify that **Bill No. 431-30 (COR), "AN ACT TO AMEND §4302 (b) OF CHAPTER 4, ARTICLE 3, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING UTILIZATION AND COST INFORMATION TO CURRENT AND PROSPECTIVE HEALTH INSURANCE COMPANIES WHO PROVIDE HEALTH CARE COVERAGE TO GOVERNMENT OF GUAM EMPLOYEES AND RETIREES"**, was on the 30th day of November 2010, duly and regularly passed.



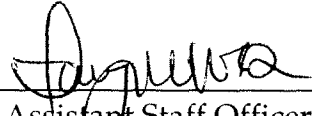
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1st day of Dec, 2010, at 1100 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 431-30 (COR)

As amended on the Floor.

Introduced by:

v. c. pangelinan
Judith T. Won Pat, Ed.D.
T. C. Ada
V. Anthony Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
R. J. Respicio
Telo Taitague
Ray Tenorio

**AN ACT TO *AMEND* §4302 (b) OF CHAPTER 4,
ARTICLE 3, TITLE 4, GUAM CODE ANNOTATED,
RELATIVE TO PROVIDING UTILIZATION AND COST
INFORMATION TO CURRENT AND PROSPECTIVE
HEALTH INSURANCE COMPANIES WHO PROVIDE
HEALTH CARE COVERAGE TO GOVERNMENT OF
GUAM EMPLOYEES AND RETIREES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that insurance carriers who do not have contracts with the government of Guam to
4 provide group health insurance coverage for government employees are interested

1 but unwilling to offer proposals in responses to the annual health insurance
2 invitation to bid because of the lack of detailed risk pool health care experience
3 data. Health insurance carriers continue to request the government of Guam to
4 provide de-identified claim line detail of all enrollees so that proposals can be
5 developed that properly price the risk associated with the government of Guam
6 health insurance pool.

7 There is currently only one (1) carrier providing health insurance to the
8 government of Guam, which severely limits the negotiating team's leverage to
9 procure the best coverage and the lowest price.

10 *I Liheslaturan Guåhan* further finds that because health insurance costs
11 continue to rise and account for larger percentages of the annual budget, it is
12 imperative to attract additional carriers to submit proposals to facilitate
13 competition and let market forces regulate pricing.

14 In accordance with §4302(g), Chapter 4, Article 3, Title 4, Guam Code
15 Annotated, insurance carriers with contracts are now required to provide the
16 utilization and cost information to the negotiating team by March 1 of each year.
17 However, under the current state of laws, the government is prevented from
18 disclosing the information in any solicitation for insurance coverage.

19 **Section 2.** §4302(b) of Chapter 4, Article 3, Title 4, Guam Code
20 Annotated, is hereby *amended* to read as follows:

21 “(b) The Director of Administration *shall, no later than* March 1,
22 1986, promulgate rules and regulations setting forth the other information
23 she/he requires from the companies or legal entities and the method by
24 which such information *shall* be reported. This information *shall* be
25 equitably required of each company and *shall* be submitted *no less than* ten
26 (10) days before any negotiations or active consideration of proposals
27 commences. Materials submitted in fulfillment of this requirement *shall not*

1 be considered public records, except for the detailed claims utilization and
2 cost information required by §4302(g), which *shall* be provided to current
3 and prospective health insurance carriers as part of the invitation to bid for
4 coverage to government of Guam employees and retirees.”

5 **Section 3. Effective Date.** This Act *shall* become effective upon its
6 enactment.

7 **Section 4. Severability.** *If* any of the provisions of this Act or the
8 application thereof to any person or circumstance is held invalid, such invalidity
9 *shall not* affect any other provision or application of this Act which can be given
10 effect without the invalid provision or application, and to this end the provisions of
11 this Act are severable.