

FILE COPY

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 Substitute Bill No. 280-30 (LS), "AN ACT TO AMEND SUBSECTIONS (c), (d) AND (e), AND ADD NEW SUBSECTIONS (f) AND (g) TO, §3811 OF CHAPTER 3, ARTICLE 8, TITLE 10, GUAM CODE ANNOTATED; AND TO ADD NEW SUBSECTIONS (6) AND (7) TO §3814 OF CHAPTER 3, ARTICLE 8, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT AND USE OF THE COMMUNITY HEALTH CENTER REVOLVING FUND," was on the 26th day of February, 2010, duly and regularly passed.



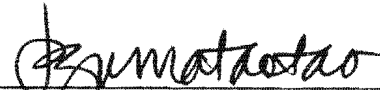
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1 day of March, 2010, at 5:40 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____
Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUAHAN
2009 (FIRST) Regular Session

Bill No. 280-30 (LS)

As substituted by the Committee on Economic Development,
Health & Human Services, and Judiciary,
and amended.

Introduced by:

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

**AN ACT TO *AMEND* SUBSECTIONS (c), (d) AND (e),
AND *ADD* NEW SUBSECTIONS (f) AND (g) TO, §3811
OF CHAPTER 3, ARTICLE 8, TITLE 10, GUAM CODE
ANNOTATED; AND TO *ADD* NEW SUBSECTIONS (6)
AND (7) TO §3814 OF CHAPTER 3, ARTICLE 8, TITLE
10, GUAM CODE ANNOTATED, RELATIVE TO THE
ESTABLISHMENT AND USE OF THE COMMUNITY
HEALTH CENTER REVOLVING FUND.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds
3 that our Community Health Centers have matured into full-service community
4 health centers which provide primary healthcare, acute outpatient healthcare, and

1 preventive health services to the community. Its health professionals provide a full
2 range of essential primary care services. Its target population consists of the low
3 income, uninsured, and medically underserved families and individuals, and now
4 extends services to individuals with insurance. A fee schedule has been approved
5 and adopted. This fee schedule gives discounts based on a formula using the
6 Federal Income Poverty Guidelines. Families who fall below the Federal Income
7 Poverty Guidelines *may* apply for subsidized medical services through the
8 Medically Indigent Program or other medically subsidized program.

9 *I Liheslaturan Guåhan* further finds that the fees implemented by the
10 Department are collected and deposited into the General Fund, and *not* into a
11 special bank account separately maintained and administered by the Department.
12 The growth and complexity of the Regional Community Health Centers require
13 that the bureaucracy for processing expenses should be done at the Regional
14 Community Health Center level. The respective Community Health Center
15 Council and the Administrator, Bureau of Primary Care Services, who is also the
16 Executive Director for both the Northern Regional Community Health Center
17 (NRCHC) and the Southern Regional Community Health Center (SRCHC) should
18 be authorized to open a checking account for the exclusive use by Community
19 Health Centers, and are to be responsible for approving the expenses charged
20 against the account.

21 It is the intent of *I Liheslaturan Guahan* to authorize the Community Health
22 Centers Administrator of the Department of Public Health and Human Services
23 and the respective Community Health Center Council to establish a checking
24 account for the purpose of complying with the enabling legislation.

25 **Section 2.** Subsections (c), (d) and (e) of §3811 of Chapter 3, Article 8,
26 Title 10, Guam Code Annotated, are *amended* to read:

1 “(c) Deposits. All monies collected for products and services
2 rendered at the community health centers *shall be* accounted for and
3 deposited into the Fund and available to pay for the expenses of the
4 community centers.

5 (d) Application. All monies deposited in the Fund *shall be*
6 available to be used to pay for the expenses of the community center
7 allowable by Federal regulations and guidelines as the non-Federal share of
8 project costs in accordance with the Department's grant from the U.S.
9 Department of Health and Human Services. The Fund may also be used for
10 the following expenses:

11 (1) payment(s) for contractual services;

12 (2) payment(s) for supplies;

13 (3) payment(s) for any other expenses, which if remains
14 unpaid may result in an emergency situation as approved by the Board
15 in a resolution;

16 (4) the Fund *shall be* reimbursed from other appropriated
17 fund sources for any expenditure made as a result of circumstances
18 outlined in Subsection (3) if the expenditure was budgeted from said
19 appropriated source; and

20 (5) board stipends, as provided by applicable law.

21 (e) Accounts Receivables. The Community Health Centers
22 Administrator, in consultation with the Council, is hereby authorized to
23 pursue accounts receivables payment in whatever manner allowable by law,
24 including contractual services for collection. The Community Health
25 Centers Administrator *shall* promulgate rules and regulations through the

1 Administrative Adjudication Law governing collection and reduction of
2 uncollectible accounts receivables.”

3 **Section 3.** New Subsections (f) and (g) are *added* to §3811 of Chapter 3,
4 Article 8, Title 10, Guam Code Annotated, to read:

5 “(f) The Community Health Centers Administrator *shall* submit an
6 annual spending plan for the Fund in accordance with and at the same time
7 as the Bureau of Budget and Management Research budget call.

8 (g) No expenditures and encumbrances from the Fund *shall be*
9 made without appropriation by *I Liheslaturan Guåhan*.”

10 **Section 4.** New Subsections (6) and (7) are *added* to §3814 of Chapter 3,
11 Article 8, Title 10, Guam Code Annotated, to read:

12 “(6) *Shall* approve by resolution all expenditures allowed in §3811
13 of this Chapter greater than Five Thousand Dollars (\$5,000);

14 (7) may approve by resolution a Memorandum of Understanding
15 between the Community Health Centers and the Department of Revenue and
16 Taxation to garnish income tax refunds of recipients of products and services
17 rendered by the Community Health Centers who have *not* fulfilled their
18 payment obligation for said products and services. The Board *shall* adopt a
19 policy to govern the referral of such tax refund garnishment requests to the
20 Department of Revenue and Taxation.”