

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>359-32 (COR)</b> <b>1 (7-S)</b>	D.G. Rodriguez, Jr.	AN ACT TO PARTIALLY FUND THE BUDGETARY SHORTFALLS WITHIN THE GUAM MEDICAID PROGRAM OF THE DEPARTMENT OF PUBLIC HEALTH AND THE NON-COMMUNICABLE DISEASE CONSORTIUM UNDER DPHSS, BY REPROGRAMMING AND APPROPRIATING SEVEN MILLION DOLLARS (\$7,000,000) FROM THE TOBACCO ASSET BACKED BONDS 2001 SERIES B SUB-ACCOUNTS.	6/23/14 4:18 p.m.	06/25/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			<b>Fiscal Note Request 06/30/14</b>
	<b>DATE PASSED</b>	<b>TITLE</b>	<b>TRANSMITTED</b>		<b>DUE DATE</b>	<small>DATE SIGNED BY I MAGA'LAHEN GUAHAN</small>	<b>PUBLIC LAW NO.</b>	<b>NOTES</b>
	7/9/2014	AN ACT TO PARTIALLY FUND THE BUDGETARY SHORTFALLS WITHIN THE GUAM MEDICAID PROGRAM OF THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPHSS), AND THE NON-COMMUNICABLE DISEASE CONSORTIUM UNDER DPHSS, BY REPROGRAMMING AND APPROPRIATING EIGHT MILLION EIGHT HUNDRED NINETY-FIVE THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS AND SEVENTY-SEVEN CENTS (\$8,895,813.77) FROM THE TOBACCO ASSET BACKED BONDS 2001 SERIES B SUB-ACCOUNTS.	07/09/14	5:55 p.m.	7/21/2014			<b>As amended in the Committee of the Whole.</b>



FILE COPY

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
THIRTY-SECOND GUAM LEGISLATURE  
155 Hesler Place, Hagåtña, Guam 96910

July 9, 2014

The Honorable Edward J.B. Calvo  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*


Dear *Maga'lahi* Calvo:

Transmitted herewith is Bill No. 1 (7-S), which was passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on July 9, 2014.

Sincerely,

  
TINA ROSE MUÑA BARNES  
Legislative Secretary

Enclosures (1)

5:55pm 7/9/14  


FILE COPY

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN**  
**2014 (SEVENTH) Special Session**

**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÁHAN**

This is to certify that **Bill No. 1 (7-S)**, "AN ACT TO PARTIALLY FUND THE BUDGETARY SHORTFALLS WITHIN THE GUAM MEDICAID PROGRAM OF THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPHSS), AND THE NON-COMMUNICABLE DISEASE CONSORTIUM UNDER DPHSS, BY REPROGRAMMING AND APPROPRIATING EIGHT MILLION EIGHT HUNDRED NINETY-FIVE THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS AND SEVENTY-SEVEN CENTS (\$8,895,813.77) FROM THE TOBACCO ASSET BACKED BONDS 2001 SERIES B SUB-ACCOUNTS," was on the 9<sup>th</sup> day of July, 2014, 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'lahen Guáhan* this 9 day of July, 2014,  
at 5:55 o'clock P.M.

  
**Assistant Staff Officer**  
***Maga'lahi's Office***

APPROVED:

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**EDWARD J.B. CALVO**  
***I Maga'lahen Guáhan***

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2014 (SEVENTH) Special Session**

**Bill No. 1 (7-S)**

As amended in the Committee of the Whole.

Introduced by:

Dennis G. Rodriguez, Jr.  
FRANK B. AGUON, JR.  
Chris M. Dueñas  
Aline A. Yamashita, Ph.D.  
V. Anthony Ada  
T. R. Muña Barnes  
T. C. Ada  
B. J.F. Cruz  
Michael T. Limtiaco  
Brant T. McCreadie  
Tommy Morrison  
R. J. Respicio  
Judith T. Won Pat, Ed.D.

**AN ACT TO PARTIALLY FUND THE BUDGETARY SHORTFALLS WITHIN THE GUAM MEDICAID PROGRAM OF THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPHSS), AND THE NON-COMMUNICABLE DISEASE CONSORTIUM UNDER DPHSS, BY REPROGRAMMING AND APPROPRIATING EIGHT MILLION EIGHT HUNDRED NINETY-FIVE THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS AND SEVENTY-SEVEN CENTS (\$8,895,813.77) FROM THE TOBACCO ASSET BACKED BONDS 2001 SERIES B SUB-ACCOUNTS.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the current budget shortfall being experienced by the Medicaid program of the  
4 Department of Public Health & Social Services (DPHSS) is directly due to the

1 increasing indigent population, resulting in DPHSS being unable to fulfill their  
2 mandated responsibilities.

3 *I Liheslaturan Guåhan* further finds that the dire fiscal situation of the  
4 Medicaid program is exacerbating the burden being imposed upon the Guam  
5 Memorial Hospital Authority (GMHA), and throughout the already limited pool of  
6 private healthcare providers who accept Medicaid patients.

7 Therefore, it is the intent of *I Liheslaturan Guåhan* to provide supplemental  
8 funding for the Medicaid program from the Tobacco Asset Backed Bonds 2001  
9 Series B. It is further the intent of *I Liheslaturan Guåhan* to develop a financial  
10 incentive program that will improve the health and well-being of Medicaid  
11 beneficiaries and reduce expenditures associated with preventable conditions.

12 **Section 2.** Reprogramming and Appropriation of Available Funds from  
13 the Tobacco Asset Backed Bonds 2001 Series B Sub-Accounts.

14 (a) Notwithstanding any other provision of law, up to but not to  
15 exceed the aggregate sum of Eight Million Eight Hundred Ninety-Five  
16 Thousand Eight Hundred Thirteen Dollars and Seventy-Seven Cents  
17 (\$8,895,813.77) from the Tobacco Asset Backed Bonds 2001 Series B Sub-  
18 Accounts is hereby reprogrammed from the following account numbers, and  
19 in the amounts listed: #71 02 3000 3 01 (Health Security Trust Fund) - Five  
20 Million Nine Hundred Fifteen Thousand Nine Hundred Seventy-Eight  
21 Dollars and Fifty-Eight Cents (\$5,915,978.58); #71 04 3000 3 01 (Youth  
22 Tobacco Education and Prevention Trust Fund) - One Million Four Hundred  
23 Fifty-Three Thousand Two Hundred Fifty-One Dollars and Forty-Eight  
24 Cents (\$1,453,251.48); and #71 06 3000 3 01 (Health and Human Services  
25 Fund,) One Million Five Hundred Twenty-Six Thousand Five Hundred  
26 Eighty-Three Dollars and Seventy-One Cents (\$1,526,583.71) and is hereby

1 appropriated, as specifically provided for in the following distribution and  
2 authorized expenditure schedule:

3 (1) The sum of Seven Million Dollars (\$7,000,000) is hereby  
4 allocated to the Guam Medicaid Program of the Department of Public  
5 Health and Social Services for financial obligations incurred for FY  
6 2014 to be used as local matching requirements with available and  
7 authorized federal matching grants-in-aid, provided, however, the  
8 expenditure of a portion of the allocation pursuant to this Subsection 1  
9 is hereby authorized and may be *solely* utilized to supplement the  
10 Guam Cancer Assistance and Treatment Fund program.

11 (2) The sum of Seven Hundred Thousand Dollars (\$700,000)  
12 is hereby allocated to the Department of Public Health and Social  
13 Services to fund and facilitate the implementation of a “Getting Guam  
14 Healthy Incentive Program” (GGHIP) that encourages Medicaid  
15 beneficiaries to practice healthy behaviors, and to use the health care  
16 system wisely. This initiative *shall* include prenatal development  
17 classes, to include training modules that address healthy lifestyle  
18 habits, discipline, stress management, diversity, and developmentally  
19 appropriate practices in social, emotional, physical, and cognitive  
20 development for the growing child into adulthood. These training  
21 modules *shall* be required for those Medicaid recipients who are  
22 pregnant, and for those Medicaid recipients who are raising children  
23 who wish to avail of any GGHIP incentives. The GGHIP *shall* be  
24 managed by the Non-Communicable Diseases Consortium under the  
25 Bureau of Community Health Services, DPHSS, in collaboration with  
26 the Bureau of Healthcare Financing. Funds allocated for this program  
27 can only be utilized to provide monetary and/or in-kind proceeds to

1 eligible Medicaid beneficiaries. The funds allocated for this purpose  
2 can be accessed only through a dollar-for-dollar match, which may  
3 include in-kind items or services. Matching funds and/or in-kind items  
4 or services can be from grants or private businesses that promote  
5 healthy lifestyles. The Bureau of Healthcare Financing and the Bureau  
6 of Community Health Services *shall* work collaboratively with the  
7 Non-Communicable Diseases Consortium and *shall*, within ninety  
8 (90) days of the enactment of the Act, submit to the Director of  
9 DPHSS for final approval, the proposed terms and conditions of the  
10 Program.

11 (3) The sum of Three Hundred Thousand Dollars (\$300,000)  
12 is hereby allocated to the Department of Public Health and Social  
13 Services (DPHSS) to specifically fund the Physical Activity Action  
14 Team of the Non-Communicable Diseases Consortium. Funds  
15 allocated for this purpose *shall* be used to promote health and  
16 wellness, and physical activity for programs at the Guam Department  
17 of Education, during and after school, to include the Guam Special  
18 Olympics. The Bureau of Healthcare Financing and the Bureau of  
19 Community Health Services *shall* work collaboratively with the  
20 Physical Activity Action Team of the Non-Communicable Diseases  
21 Consortium and shall, within ninety (90) days of the enactment of the  
22 Act, submit to the Director of DPHSS for final approval, the proposed  
23 terms and conditions of the Program.

24 (4) The sum of Eight Hundred Ninety-Five Thousand Eight  
25 Hundred Thirteen Dollars and Seventy-Seven Cents (\$895,813.77),  
26 and any interest accrued as of 7/1/14 forward, is hereby allocated to  
27 the Guam Memorial Hospital Authority to specifically fund the

1 renovation of the OB/Maternity Ward. The Guam Memorial Hospital  
2 Authority *shall* submit a detailed report to *I Maga'lahaen Guåhan* and  
3 the Speaker of *I Liheslaturan Guåhan* regarding the expenditure of  
4 said funds.

5 (b) The Non-Communicable Diseases Consortium under the  
6 Bureau of Community Health Services, DPHSS, *shall* conduct an evaluation  
7 as to the effect of the programs funded by Subsections (2) and (3) of Section  
8 2(a) of this Act on the health and wellness of Medicaid recipients, and on the  
9 healthy behavior and wise use of the health care system of Medicaid  
10 recipients. The Consortium *shall* submit its evaluation and report to *I*  
11 *Liheslaturan Guåhan* (the Guam Legislature) on July 1<sup>st</sup> of each year.

12 The Bureau of Healthcare Financing *shall* also submit an evaluation as  
13 to the financial impact of the programs funded by Subsections (2) and (3) of  
14 Section 2(a) of this Act on the overall Medicaid program. The Bureau *shall*  
15 submit its evaluation and report to *I Liheslaturan Guåhan* (the Guam  
16 Legislature) on July 1<sup>st</sup> of each year.

17 (c) The funds reprogrammed and appropriated pursuant to this  
18 Section 2 *shall* be deemed a continuing appropriation and *shall* remain  
19 available for expenditures, as authorized pursuant to this Act, until fully  
20 expended.

21 **Section 3.** The Reprogramming and Appropriation in Section 2 of this Act  
22 is conditional upon (1) *I Maga'lahaen Guåhan's* written notification to the Speaker  
23 of *I Liheslaturan Guåhan* of adherence to the "proceeds-spent-last-rule"; and (2)  
24 the written concurrence of the government of Guam's bond counsel as to the  
25 legality of such reprogramming and appropriation, relative to the same rule. Such  
26 written concurrence *shall not* be deemed valid unless it is transmitted to the  
27 Speaker of *I Liheslaturan Guåhan*.



1           **Section 4. Funds Not Subject to Governor’s Transfer Authority.** The  
2 funds reprogrammed and appropriated pursuant to Section 2 of this Act *shall not*  
3 be subject to the Governor’s transfer authority, and *shall only* be expended  
4 pursuant to the provisions of this Act.

5           **Section 5. Severability.** *If* any provision of this Act or its application to  
6 any person or circumstance is found to be invalid or contrary to law, such  
7 invalidity *shall* not affect other provisions or applications of this Act which can be  
8 given effect without the invalid provisions or application, and to this end the  
9 provisions of this Act are severable.

10          **Section 6. Effective Date.** This Act *shall* become effective upon  
11 enactment.

# LEGISLATIVE SESSION

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2014 (SEVENTH) Special Session

### Voting Sheet

Bill No. 1 (7-S)

As amended in the Committee of the Whole.

Speaker Antonio R. Unipingco Legislative Session Hall

July 9, 2014

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE					✓ Ex.
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Rory J. RESPICIO					✓ Ex.
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓	✓			
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL

||

Yea

|

Nay

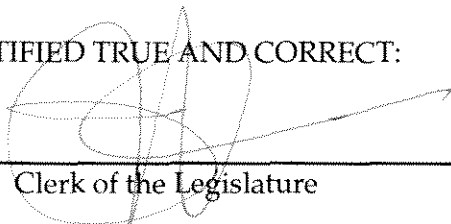
Not Voting/  
Abstained

Out During  
Roll Call

2 Ex.

Absent

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

I = Pass

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
359-32 (COR)	D.G. Rodriguez, Jr.	AN ACT TO PARTIALLY FUND THE BUDGETARY SHORTFALLS WITHIN THE GUAM MEDICAID PROGRAM OF THE DEPARTMENT OF PUBLIC HEALTH AND THE NON-COMMUNICABLE DISEASE CONSORTIUM UNDER DPHSS, BY REPROGRAMMING AND APPROPRIATING SEVEN MILLION DOLLARS (\$7,000,000) FROM THE TOBACCO ASSET BACKED BONDS 2001 SERIES B SUB-ACCOUNTS.	6/23/14 4:18 p.m.	06/25/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			<b>Fiscal Note Request 06/30/14</b>



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

June 30, 2014

VIA E-MAIL

[joey.calvo@bbmr.guam.gov](mailto:joey.calvo@bbmr.guam.gov)

Jose S. Calvo  
Acting Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

**RE: Request for Fiscal Notes– Bill Nos. 359-32 (COR) through 367-32(COR)**

*Hafa Adai* Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

*Si Yu'os ma'åse'* for your attention to this matter.

Very Truly Yours,

**Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

Attachment (1)

Cc: Clerk of the Legislature

<b>Bill Nos.</b>	<b>Sponsors</b>	<b>Title</b>
<b>359-32 (COR)</b>	D.G. Rodriguez, Jr.	AN ACT TO PARTIALLY FUND THE BUDGETARY SHORTFALLS WITHIN THE GUAM MEDICAID PROGRAM OF THE DEPARTMENT OF PUBLIC HEALTH AND THE NON-COMMUNICABLE DISEASE CONSORTIUM UNDER DPHSS, BY REPROGRAMMING AND APPROPRIATING SEVEN MILLION DOLLARS (\$7,000,000) FROM THE TOBACCO ASSET BACKED BONDS 2001 SERIES B SUB-ACCOUNTS.
<b>360-32 (COR)</b>	T.R. Muña Barnes, B J.F. Cruz	AN ACT TO ADD SECTION 18 TO CHAPTER X OF PUBLIC LAW 32-068 (GENERAL APPROPRIATIONS ACT OF 2014) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO GVB FOR MANHITA CHAMORRO.
<b>361-32 (COR)</b>	T.R. Muña Barnes, B J.F. Cruz	AN ACT TO AMEND SECTION 4 TO CHAPTER X OF PUBLIC LAW 32-068 (GENERAL APPROPRIATIONS ACT OF 2014) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO GVB FOR THE HISTORIC INALAHAN FOUNDATION.
<b>362-32 (COR)</b>	Michael F.Q. San Nicolas	AN ACT TO EXTEND THE DEADLINE FOR REAL PROPERTY TAX (RPT) EXEMPTIONS, AUTHORIZE THE USE OF THE TAXPAYER IDENTIFICATION NUMBER FOR RPT, AND REDUCE THE STATUTE OF LIMITATIONS ON THE COLLECTION OF RPT, BY ADDING A NEW §24109, AND BY AMENDING §§ 24204 AND 24112, EACH OF CHAPTER 24, TITLE 11, GUAM CODE ANNOTATED.
<b>363-32 (COR)</b>	T.R. Muna Barnes B. J.F. Cruz	AN ACT TO AMEND SECTION 10 TO CHAPTER X OF PUBLIC LAW 32-068 (GENERAL APPROPRIATIONS ACT OF 2014) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO GUAM FESTPAC & FOLKLIFE FESTIVAL TRUST ACCOUNT.
<b>364-32 (COR)</b>	T.R. Muna Barnes B. J.F. Cruz	AN ACT TO AMEND SECTION 12 TO CHAPTER X OF PUBLIC LAW 32-068 (GENERAL APPROPRIATIONS ACT OF 2014) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO GVB FOR THE HUMATAK FOUNDATION.
<b>365-32 (COR)</b>	T.R. Muna Barnes B. J.F. Cruz	AN ACT TO ADD SECTION 19 TO CHAPTER X OF PUBLIC LAW 32-068 (GENERAL APPROPRIATIONS ACT OF 2014) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO GVB FOR HURAO ACADEMY, INC.
<b>366-32 (COR)</b>	T.R. Muna Barnes B. J.F. Cruz	AN ACT TO ADD SECTION 20 TO CHAPTER X OF PUBLIC LAW 32-068 (GENERAL APPROPRIATIONS ACT OF 2014) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO GVB FOR INETNON GEFPÅ'GO CULTURAL ARTS PROGRAM, INC.
<b>367-32 (COR)</b>	T.R. Muna Barnes B. J.F. Cruz	AN ACT TO ADD SECTION 21 TO CHAPTER X OF PUBLIC LAW 32-068 (GENERAL APPROPRIATIONS ACT OF 2014) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO GVB FOR GUAMPEDIA FOUNDATION, INC.



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
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E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
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Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

June 25, 2014

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

**Subject: Referral of Bill No. 359-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 359-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment

**MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN**  
**2014 (SECOND) Regular Session**

Bill No. 359 -32 (COR)

Introduced by:

D.G. RODRIGUEZ, JR. *Ar*

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**AN ACT TO PARTIALLY FUND THE BUDGETARY SHORTFALLS WITHIN THE GUAM MEDICAID PROGRAM OF THE DEPARTMENT OF PUBLIC HEALTH AND THE NON-COMMUNICABLE DISEASE CONSORTIUM UNDER DPHSS, BY REPROGRAMMING AND APPROPRIATING SEVEN MILLION DOLLARS (\$7,000,000) FROM THE TOBACCO ASSET BACKED BONDS 2001 SERIES B SUB-ACCOUNTS.**

2014 JUN 24 PM 4:18 AP

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

2        **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds  
3 that the current budget shortfall being experienced by the Medicaid Program of the  
4 Department of Public Health & Social Services (DPHSS) is directly due to the  
5 increasing indigent population, resulting in DPHSS being unable to fulfill their  
6 mandate responsibilities.

7        Further, the dire fiscal situation of the Medicaid program is exacerbating the  
8 burden being imposed upon the Guam Memorial Hospital Authority (GMHA) and  
9 throughout the already limited pool of private healthcare providers who accept  
10 Medicaid patients.

11        It is the *intent* of *I Liheslaturan Guåhan* to provide supplemental funding for  
12 the Medicaid Program from the Tobacco Asset Backed Bonds 2001 Series B. It is  
13 further the *intent* to develop a financial incentive program that will improve the

1 health and wellbeing of Medicaid beneficiaries and reduce expenditures associated  
2 with preventable conditions.

3 **Section 2. Reprogramming and Appropriation of Available Funds from**  
4 **the Available Interest of the Tobacco Asset Backed Bonds 2001 Series B Sub-**  
5 **Accounts.**

6 (a) The aggregate SUM of SEVEN MILLION DOLLARS (\$7,000,000)  
7 from the Tobacco Asset Backed Bonds 2001 Series B Sub-Accounts, is hereby  
8 REPROGRAMMED from the following account numbers and in the amounts  
9 listed: #71 02 3000 3 01 (Health Security Trust Fund) - \$5,000,000.00; #71 04  
10 3000 3 01 (Youth Tobacco Education and Prevention Trust Fund) - \$1,000,000.00;  
11 and, #71 06 3000 3 01 (Health and Human Services Fund,) - \$1,000,000.00; and  
12 is hereby APPROPRIATED, as specifically provided for in the following  
13 distribution and authorized expenditure schedule:

14 (1) The SUM of SIX MILLION DOLLARS (\$6,000,000.00) is hereby  
15 allocated to the Guam Medicaid Program of the Department of Public  
16 Health and Social Services for financial obligations incurred for FY-  
17 2013 and FY-2014 to be used as local matching requirements with  
18 available and authorized federal matching grants-in-aid;

19 (2) The SUM of SEVEN HUNDRED THOUSAND DOLLARS  
20 (\$700,000.00) is hereby allocated to Department of Public Health and  
21 Social Services to fund and facilitate the implementation of a “Getting  
22 Guam Healthy Incentive Program” (GGHIP) that encourages  
23 Medicaid beneficiaries to practice healthy behaviors and use of the  
24 health care system wisely. The GGHIP *shall* be managed by the Non-  
25 Communicable Diseases Consortium under the Bureau of Community



1 Health Services, DPHSS, in collaboration with the Bureau of  
2 Healthcare Financing. Funds allocated for this program can only be  
3 utilized to provide monetary and/or in-kind proceeds to eligible  
4 Medicaid beneficiaries. The funds allocated for this purpose can be  
5 accessed only through a dollar-for-dollar match, which may include  
6 in-kind items or services. Matching funds and/or in-kind items or  
7 services can be from grants or private businesses that promote healthy  
8 lifestyles. The Bureau of Healthcare Financing and the Bureau of  
9 Community Health Services *shall* work collaboratively with the Non-  
10 Communicable Diseases Consortium and *shall*, within 90 days of the  
11 enactment of the Act, submit to the Director of DPHSS, for final  
12 approval, the proposed Terms and Conditions of the program; and,

13 (3) The SUM of THREE HUNDRED THOUSAND DOLLARS  
14 (\$300,000.00) is hereby allocated to the Department of Public Health  
15 and Social Services (DPHSS) to specifically fund the Physical  
16 Activity Action Team of the Non-Communicable Diseases  
17 Consortium. Funds allocated for this purpose shall be used to  
18 promote physical activity to elementary students in the Guam  
19 Department of Education schools.

20 (b) The funds reprogrammed and appropriated pursuant to this Section 2  
21 *shall* be deemed a continuing appropriation and *shall* remain available for  
22 expenditures, as authorized pursuant to this Act, until fully expended.

23 **Section 3. Funds Not Subject to Governor's Transfer Authority.** The  
24 funds reprogrammed and appropriated pursuant to Section 2 of this Act shall not be

1 subject to the Governor's transfer authority, and shall only be expended pursuant to  
2 the provisions of this Act.

3 **Section 4. Severability.** If any provision of this Act or its application to  
4 any person or circumstance is found to be invalid or contrary to law, such  
5 invalidity shall not affect other provisions or applications of this Act which can be  
6 given effect without the invalid provisions or application, and to this end the  
7 provisions of this Act are severable.

8 **Section 5. Effective Date.** This Act shall become immediately effective  
9 upon enactment.