



SENATOR DENNIS G. RODRIGUEZ, JR.

December 9, 2014

Honorable Benjamin J.F. Cruz
Acting Speaker
I Mina'Trentai Dos Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report – Bill No. 422-32 (COR), as Substituted

Dear Speaker Cruz:

Transmitted herewith, for your consideration, is the Substitute Bill 422-32 (COR)- An act to provide for isolation and quarantine procedures relative to an emergency detention order for the incubation periods of severe communicable diseases, as determined by the U.S. Center for Disease Control, by amending Sections III and IV of the Isolation and Quarantine Regulations, Chapter 10 of Division 1, 26 GAR., and provide for the disposition of bodies, by, adding a new §4502(H) and amending § 4505, both of Chapter 4A, 10GCA, and to authorize the sum of One Hundred Thirty Thousand Dollars (\$130,000.00) for related purposes. Introduced by Sen. Dennis G. Rodriguez, Jr., and referred to the Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens. Bill No. 422-32 (COR), as introduced, was publicly heard on December 3, 2014.

Committee votes are as follows:

- 2 TO PASS
NOT TO PASS
ABSTAIN
5 TO REPORT OUT ONLY
TO PLACE IN INACTIVE FILE

Senseramente,
[Signature]

Senator Dennis G. Rodriguez, Jr.
Chairman

Attachments

2014 DEC 11 PM 3:44



**COMMITTEE REPORT
ON**

**BILL NO. 422-32 (COR)
As Substituted**

Sponsored by Senator Dennis G. Rodriguez, Jr.

An act to provide for isolation and quarantine procedures relative to an emergency detention order for the incubation periods of severe communicable diseases, as determined by the U.S. Center for Disease Control, by amending Sections III and IV of the Isolation and Quarantine Regulations, Chapter 10 of Division 1, 26 GAR., and provide for the disposition of bodies, by, adding a new §4502(H) and amending § 4505, both of Chapter 4A, 10GCA, and to authorize the sum of One Hundred Thirty Thousand Dollars (\$130,000.00) for related purposes.




SENATOR DENNIS G. RODRIGUEZ, JR.

December 9 2014

MEMORANDUM

To: **ALL MEMBERS**
Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens.

From: **Senator Dennis G. Rodriguez, Jr.** 
Committee Chairperson

Subject: **Committee Report on Bill no. 422-32 (COR), as Substituted.**

Transmitted herewith, for your consideration, is the **Committee Report on Bill 422-32 (COR)- An act to provide for isolation and quarantine procedures relative to an emergency detention order for the incubation periods of severe communicable diseases, as determined by the U.S. Center for Disease Control, by amending Sections III and IV of the Isolation and Quarantine Regulations, Chapter 10 of Division 1, 26 GAR., and provide for the disposition of bodies, by adding a new §4502(H) and amending § 4505, both of Chapter 4A, 10GCA, and to authorize the sum of One Hundred Thirty Thousand Dollars (\$130,000.00) for related purposes. Introduced by Sen. Dennis G. Rodriguez, Jr.**

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 422-32 (COR)
- Copy of Substitute Bill No. 422-32 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 422-32 (COR)
- Notices of Public Hearing (1st and 2nd)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'âse'!

Attachments



SENATOR DENNIS G. RODRIGUEZ, JR.

Substitute Bill No. 422-32 (COR)- An act to provide for isolation and quarantine procedures relative to an emergency detention order for the incubation periods of severe communicable diseases, as determined by the U.S. Center for Disease Control, by amending Sections III and IV of the Isolation and Quarantine Regulations, Chapter 10 of Division 1, 26 GAR., and provide for the disposition of bodies, by, adding a new §4502(H) and amending § 4505, both of Chapter 4A, 10GCA, and to authorize the sum of One Hundred Thirty Thousand Dollars (\$130,000.00) for related purposes. Introduced by Sen. Dennis G. Rodriguez, Jr

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		<input checked="" type="checkbox"/>				
V. ANTHONY ADA Vice Chairman					12/9	
JUDITH T. WON PAT, Ed.D. Speaker (Ex-officio)						
BENJAMIN J. F. CRUZ Vice-Speaker					<input checked="" type="checkbox"/>	
TINA ROSE MUNA-BARNES Legislative Secretary						
FRANK B. AGUON, Jr. 12/9/14					<input checked="" type="checkbox"/>	
RORY J. RESPICIO			me 12-9-14			
ALINE A. YAMASHITA, Ph.D.					<input checked="" type="checkbox"/>	
THOMAS MORRISON						
MICHAEL LIMTIACO						
BRANT T. MCCREADIE						
CHRISTOPHER M. DUENAS					<input checked="" type="checkbox"/>	



SENATOR DENNIS G. RODRIGUEZ, JR.

COMMITTEE REPORT DIGEST

Bill No. 422-32 (COR)

- I. OVERVIEW:** The Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens conducted a public hearing on December 3, 2014. The hearing convened at 10am in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration **Bill 422-32 (COR)- An act to provide for isolation and quarantine procedures relative to an emergency detention order for the incubation periods of severe communicable diseases, as determined by the U.S. Center for Disease Control, by amending Sections III and IV of the Isolation and Quarantine Regulations, Chapter 10 of Division 1, 26 GAR., and provide for the disposition of bodies, by, adding a new §4502(H) and amending § 4505, both of Chapter 4A, 10GCA, and to authorize the sum of One Hundred Thirty Thousand Dollars (\$130,000.00) for related purposes. Introduced by Sen. Dennis G. Rodriguez, Jr.**

II. Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on November 18, 2014 (5-day notice), and again on November 26, 2014 (48-hour notice).

Senators Present

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator V. Anthony Ada	Vice Chairman
Senator Frank B. Aguon, Jr.	Committee Member

The public hearing on agenda item Bill No. 422-32 (COR) was called to order at.

II. SUMMARY OF TESTIMONY & DISCUSSION.

Chairman Rodriguez: We will now move on to the next item on the agenda Bill 422. I would like to now call on Mr. Leo Casil Deputy Director DPHSS, Mr. Ambrosio Constantino, Department of Homeland Security and also anyone else from DPHSS or Homeland that would like to come forward, please come forward. Do we have anyone else? Thank you very much for being here and thank you very much for patiently waiting Bill 422 is an act to provide...(Please see bill title)

What this bill is as the main sponsor is to provide the tools necessary to our first responders here I've been dealing with any communicable disease threat to our community. Last term, we worked close with Public Health, Josie O' Mallan specifically to provide an isolation quarantine procedures and on what we need to do to be moving forward if indeed there is any threat to our community. Fortunately, we have never tested that law we never needed to test that law, but seeing what is

Chairman, Committee on Health & Human Services, Health Insurance Reform, Economic Development, & Senior Citizens

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SENATOR DENNIS G. RODRIGUEZ, JR.

happening worldwide we want to make sure that our community remains protected and that working with Public Health and Homeland Security we have come up with this bill that would provide them the tools necessary to do just that and protect our community.

This bill also provides a small amount for funds that are being appropriated at the governors digression to use what is available within the executive branch for the purchase of PPEs known as personal protective equipments and understand I don't believe and correct me if I'm wrong but we don't have any of these equipments on island this dollar amount comes in consultation from homeland security in knowing what these costs are and what may be needed in the event of any threat to our community. I'll go ahead and start off with Public Health Mr. Casil.

Leo Casil: (Please see written testimony)

Chairman Rodriguez: Thank you very much Mr. Casil. Mr Constantino?

Mr. Constantino: (Please see written testimony)

Chairman Rodriguez: Thank you very much sir. Ms. Perez? Mr. Lujan? Did you have any?

Lucia Perez: (summary) In support of Bill 422-32 with the requested changes: She would like to say the 130,000 dollars is the beginning of such funding and she thanks the legislature for that but with previous experience, she would like to include the private sector of ambulance services in the event that they may need to utilize them. This funding would need to be increased just as Mr. Constantino has mentioned PPE Personal Protective Equipment those are disposable items are not cheap especially if people start putting advance requests in that their supplies are at hand and meet their needs. Public Health would set up standards and guidelines on how to disseminate that, I know by experience and as an EMT, every time there is a run, there is that disposable supply level that has to be kept, and that does not come cheap.

Chairman Rodriguez: Thank you very much, Ms. Perez for your testimony and for your services as well just to address that concern, this as I said when I introduced this bill this bill is really proactive approach rather than a panic approach to protect our community.

With this small amount of \$130,000 was meant to ensure that we get the equipment we need, PPEs, right now, the bill also states for subsequent for any replenishments if these are used or if any departments that are listed here would need to keep in stock that it be requested through their budgets and so this is a start in the amount and the start in the way they developed our plan moving forward we're asking the departments to ensure they incorporate this in their request moving forward so thank you very much for that. One of the agencies that was overlooked to include was Guam Customs and Quarantine as one of the first responders as well we'll make sure they are included in the bill that is reported out in the committee. Mr. Lujan did you have any?

Patrick Lujan: (summary) He is the Emergency Preparedness Manager is in full support of this bill. He has been hosting meetings in a regular basis for the flu plan to be ready by the end of December.



SENATOR DENNIS G. RODRIGUEZ, JR.

They will present to the legislature to amend chapter 10 dealing with the preparedness in the public health realm.

Chairman Rodriguez: Thank you very much? Mrs. O Mallan

Mrs. Josie O' Mallan: I'm here to answer question

Chairman Rodriguez: Okay, great. Senator Aguon?

Senator Aguon: First of all, thank you very much Mr. Chairman and good morning everyone. When the task force was initially in paneled there was a lot of concerns by our community and just by virtue of a lot of the activities that you've been carrying out and the discussions I just want to let you all know thank you for stepping up for the forefront and try to alleviate that our tremendous coordination not only in the airport facility visitors possible Ebola but you got GFD you have an isolation room you have GMH involved in this, homeland security, public health and public health is taking the lead and you've done well to try to allay some of the concerns of the fears of the community.

My only issue in regards to this is that I'm surprised that a request was not put for emergency procurement. You've gone through all of this discussion in terms of the availability of 130,000 dollars, but you need the equipment here on Guam yesterday. Even though we can continue to use the term, remote, that Guam would have an Ebola case you know just by standing you need all of these supplies yesterday, so that if an emergency procurement Mr. Chairman, I would suggest that be part of the consideration so that public health would be empowered to be able to procure or homeland security to procure these PPEs and that be provided another thing is the with regards to ongoing national discussions on Ebola.

I know President Obama I believe, not today, yesterday, did travel to get an update from a particular state in terms of the national planning to try and ensure they address it in the mainland US, obviously inclusive on Guam. What is the most recent discussion in regards to trying to address so that our people would understand what you have all discussed in addition to this legislation what are some of the ongoing activities that are taking place are we getting any possible financial support from the national government we need to apply is that where we can also seek some additional support or is this a situation where okay Guam we can send national standards but in your own terms of being able to find the PPEs and entire processes so that our community understands what's been going on so far.

Mr. Constantino: I didn't know that Guam Memorial Hospital has started procuring \$55,000 worth of equipment and I know they had to get approval from I don't know the terminology, Asst. Secretary HHS, Health and Human Services Assistant Secretary to Emergency Preparedness is that correct. Anyway it was approved \$55,000 they are already in the process, I do know that Guam Memorial Hospital donated a case 22 tire beck suits to the Fire Department to ensure that if the emergency was to occur right now the GFD, GMH, Public Health would be able to Respond to the Emergency we are in consultation with the private sectors as well Patrick Lujan here had a meeting that included the 3 major clinics and brought them in to discuss some of their responses and some of the things they are doing as a task force of all the different subcommittees went together to basically

Chairman, Committee on Health & Human Services, Health Insurance Reform, Economic Development, & Senior Citizens

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let everyone know what each subdivision is doing, well subcommittee was doing so that we don't just have a tunnel vision and a broad scope, so that everybody understands what's going on with that.

We also had discussions with let's say Guam hotel restaurant association, their security and safety committee and just letting them know that they need to come up to the plate as well and look at their industry because I remember a long time ago when I was a part of that industry when H1N1 came to this island some time ago as a manager for one of the hotels one of the things that I had to come up with on how our particular hotel is going to respond to our emergency which was H1N1 at that time, we did have a plan and briefed it to CDC and the bottom line was to minimize contact with the individual.

We looked at worst case scenarios, we had tabletop exercises including Guam International Airport and other agencies, public health had their table top CDC was sort of facilitating it Guam Memorial Hospital had their internal tabletop again CDC and Public Health who were facilitating it and Port Authority and Coast Guard and their entities so we are looking at all the different ports of entry as well as the private clinics as well as the private sectors to get involved and come up with a one direction solution because in the end it is not just one entity that is going to be responding but the island as a whole.

Senator Aguon: Thank you very much for that response and I am hopeful that our community is not only tuning in but understanding all the effort that has gone to this process thus far. That just highlights the activeness and you want to say proactive of the task force in terms of trying to be able to address the situation and now from the front end identify the funding for PPEs so that our community can continue and be assured health wise should remote chance happen in Guam the resources all the different agencies the private sector have already coordinated table top exercise because that is very helpful to know with all the situations that is occurring nationwide, certainly little Guam here in our wonderful island we have the stakeholders all participating and getting the proper exercises and training and education in regards as to how should it ever happens and I commend all of you and I thank you for all your efforts, obviously you know the legislative body is here to provide as much support in conjunction with working with the executive branch. Thank you Mr. Chair.

Chairman Rodriguez: Thank you very much, is there anything else that you like to add. Mrs.O' Mallan?

Mrs. Josie O' Mallan: Sure, just to add to what Mr. Constantino has mentioned. Earlier on, the federal government actually granted flexibility to Public Health who receives the Public Health Emergency Grants well as the hospital who receives the Hospital Preparedness Grant redirect funds to where there is a need and that actually has happened we do have at a part of our reach in the national strategic stockpile which is a resource in the event that we exhaust supplies and equipment we need to respond I know that in through the tax force and through the meetings we've been on engaging with all our key responders that we do have supplies to respond initially to incidence that may have occurred and then we have our reach back to again support us.



SENATOR DENNIS G. RODRIGUEZ, JR.

We are in the process of procuring some of the key equipment that is needed especially for the fire the EMT's that would be transporting you know suspect case be assured that there is a lot of working progress, planning, to be better prepare so that we can respond more effectively.

Patrick Lujan: May I add

Chairman Rodriguez: Yes, Please.

Patrick Lujan: Since you guys are on TV and a portion of the public that watches this and your concerned with the communities concern just to let you know even prior to the nationwide media exposure we've been under the surveillance and for this portion we have been watching this throughout Asia and throughout the world.

On top of the task force Public Health with the multiple and table top exercises and coast guard, we continue to push out guidance and information CDC pretty much stabilized prior months continual weekly change even with PPEs one week we were totally ready the next week we weren't ready that is how much the change of this disease has taking place and affected even us we continue to have briefings and major stakeholder meetings we meet with the Guam Medical Society we continue to work with the Guam Customs the Airport Operations committee which deals with all of their airlines and even with their cleaning company that cleans the airplanes and private clinics and even private hotels we enhanced the laboratory procedures in Public Health we've enhanced epidemiology procedures we created a procedure customs and how we would respond to any type of potential individual under investigation. Under her office we've trained DOD personnel already on the virus and our director was in FIJI reporting out to the World Health Organization we are in a better position than most of all the rest of the Pacific as far as preparedness is concerned for Ebola and we continue the discussions of Guam's preparedness and status just for your information to give you a little bit of comfort we've been working really hard for our major stakeholders whether it is Ebola or other any public health outbreak, we continue to get it in a better posture.

Chairman Rodriguez: Thank you very much and I have no doubt that our government of Public Health, Homeland Security, and the Task Force is doing a lot to ensure that Guam is prepared and ready and I can't overemphasize this legislation is really in a proactive approach. It is not a panic approach what may happen in case of a threat to our community or so. Thank you very much for the work that you do. Mr. Casil?

Mr. Casil: Just to show you how tight our schedule is, we have been directed to have a mandate to finish our pandemic plan to update and to accommodate Ebola by December 31st so the time frame as you can see that is a lot of time frame our subcommittee is constantly working and updating and so on we really appreciate your bill and perhaps it could also pass it at the same time should God forbid anything happen and we'll be ready with that, thank you very much.

Senator Aguon: Just a quick question because obviously continuity binders are always very helpful in regards to situations like this, are you following your disaster preparedness plan? Out of homeland security where public health would step in would take the lead or are you moving forward based on



SENATOR DENNIS G. RODRIGUEZ, JR.

all the suggestions and all the inclusions of the private sector as well as government of Guam Agencies just planning and moving ahead based on other plans than the emergency disaster.

Mr. Casil: We are following the emergency plan in cases of medical emergency, public health is the lead and we are following that plan the other thing is also the basis of our plan is the pandemic plan out of 2008, we look at that and that is the basis of how we respond to the emergency, but as Pat has mentioned earlier, CDC has changed protocols because of the changes of the protocol we had to relook at the plan set up a task force go through table top exercises meet with other stakeholders and so we are trying to expand out all plans are great guidance but in the end we always need to adjust what the threat is and it is the Ebola threat is changing the landscape of the medical community responds because of that I'm basically helping with public health as the lead in coordinating this effort to basically update ourselves and again your bill, this bill is very timely, In between our division as well you both use senators as our oversight senators we coordinated with your section to ensure that the communication is both ways.

Chairman Rodriguez: Great, thank you very much. So it is now 11:54am this public hearing is adjourned thank you.

There being no other testimony, or comments by Senators, Chairman Rodriguez declared the bill as having been heard, and concluded the public hearing on Bill No. 422-32 (COR).

Fiscal Note: Request dated November 18, 2014, attached.

III. FINDINGS AND RECOMMENDATIONS

Minor technical amendments relative to certain terminology in the field of communicable diseases, prevention and control were made to the Bill at the request of the Bureau of Communicable Disease Control and Prevention, and the Director, Department of Public Health and Social Services.

The Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens, hereby **reports out Bill No. 422-32 (COR), as Substituted**, with the recommendation to

Report out only.

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

**Bill No. 422-32 (COR), as Substituted
by Committee on Health and Human Services,
Health Insurance Reform, Economic Development,
and Senior Citizens**

Introduced by:

D.G. RODRIGUEZ, JR.

AN ACT TO PROVIDE FOR ISOLATION AND QUARANTINE PROCEDURES RELATIVE TO AN EMERGENCY DETENTION ORDER FOR THE INCUBATION PERIODS OF SEVERE COMMUNICABLE DISEASES, AS DETERMINED BY THE U.S. CENTER FOR DISEASE CONTROL, BY AMENDING SECTIONS III AND IV OF THE ISOLATION AND QUARANTINE REGULATIONS, CHAPTER 10 OF DIVISION 1, 26 GAR., AND PROVIDE FOR THE DISPOSITION OF BODIES, BY ADDING A NEW § 4502(H) AND AMENDING § 4505, BOTH OF CHAPTER 4A, 10GCA, AND TO AUTHORIZE THE SUM OF ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00) FOR RELATED PURPOSES.

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

2 **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds
3 that the Ebola Virus Disease epidemic in western Africa, the recent controlled
4 return of two infected American medical missionaries, and one imported case that
5 resulted in the limited spread of the Ebola virus to two (2) healthcare workers
6 within the continental United States.

7 The current fight against the spread of the epidemic of Ebola is being fought,
8 in significant part, through the isolation of those infected, and with limited medical
9 resources directly capable of combating the disease. These medications are still
10 being developed, and are essentially unavailable. The incubation period during

1 which the Ebola virus can incubate and present in a person exposed to the virus is
2 twenty-one (21) days, as determined by the U.S. Center for Disease Control and
3 Prevention and the World Health Organization.

4 *I Liheslaturan Guåhan* recognizes the ongoing debate in the United States as
5 to whether the U.S. government and its lead health organization are taking
6 sufficient steps to prevent entry of infected persons into the United States, and
7 implement sufficient mandatory isolation and quarantine procedures for infected
8 persons as well as those who have been exposed to them. Two eastern States, New
9 York and New Jersey, have now gone so far as to implement their own stringent
10 regulations mandating a twenty-one (21) day isolation and quarantine period for
11 those persons returning who have treated or been exposed to Ebola patients in the
12 affected western Africa countries.

13 Numerous American medical associations, hospitals, and other professional
14 healthcare provider organizations are protesting the lack of training and
15 preparedness, sufficient equipment and resources to properly and safely respond to
16 the Ebola threat. On Guam, first responders lack sufficient safety equipment to
17 respond to more than a handful of cases before the current, limited supplies would
18 be exhausted.

19 Although the Guam Memorial Hospital Authority has a number of isolation
20 rooms which are sufficient for certain types of communicable diseases, the
21 institutions resources, and realistic capabilities to address an Ebola case are
22 limited. Many larger and well recognized hospitals with resources far beyond the
23 capabilities of GMHA are expressing their concerns and inadequacies in terms of
24 safe containment and treatment capabilities. This is not a reflection upon the
25 dedicated and highly qualified healthcare providers at the hospital, but rather, a

1 realistic assessment of what has historically been an underfunded hospital with
2 limited resources and supplies. Nonetheless, the first line of defense must be
3 proper isolation and quarantine to prevent the spread. Part and parcel to this is
4 providing the necessary authority for the Director of the Department of Public
5 Health and Social Services to mandate, as is determined necessary for public health
6 and safety, the isolation and quarantine of infected persons, as well as those who
7 have had significant direct contact exposure to active cases at such time that
8 transmission is extremely possible.

9 It is, therefore, the *intent of I Liheslaturan Guåhan* to provide the authority,
10 based upon professionally determined criteria, for Executing an Emergency
11 Detention Order, and the Procedures for Isolation and Quarantine.

12 **Section 2.** Section §3309 of Article 3 – Disease Control, Chapter 3, Title
13 10, Guam Code Annotated, is hereby *amended*, to read:

14 **“§3309. Isolation and Quarantine: Regulations.** Isolation and
15 quarantine shall be imposed in accordance with regulations. Such regulations shall
16 designate the disease for which isolation or quarantine is necessary, and such other
17 requirements concerning diagnosis, treatment, release and other pertinent matters
18 as may be necessary.

19 (a) The regulations shall also provide for isolation and quarantine,
20 voluntary and involuntary, for the known incubation period, as determined
21 by the CDC, of any communicable disease which is identified and declared
22 by the U.S. Center for Disease Control and Prevention (CDC) to be critically
23 dangerous to public health and safety, and CDC mandates, directives,
24 instructions and protocol criteria are being declared and implemented in a
25 national effort to combat the spread of the disease.”

1 **Section 3.** A new Item 71 is hereby added to §3301(a) of Article 3, Chapter
2 3, Title 10, Guam Code Annotated, to read:

3 “71. In the event of any severe communicable disease with pandemic
4 potential which is identified and declared by the U.S. Center for Disease Control
5 and Prevention (CDC) to be critically dangerous to public health and safety, and
6 CDC mandates, directives, instructions and protocol criteria are being implemented
7 in a national effort to combat the spread of the disease, the disease shall be
8 immediately added, and shall not require prior promulgation by regulation as a
9 requisite for inclusion when time is of the essence in ensuring the health and safety
10 of the public. Subsequent promulgation by regulation may follow when
11 practicable.”

12 **Section 4.** A new Subsection (c) is hereby *ADDED* to §3310 of Article 3,
13 Chapter 3, Title 10, Guam Code Annotated, to read:

14 “(c) Notwithstanding §3309 of this Article, the Director may, in his
15 discretion and for the health and safety of the public, remove such person, with or
16 without his consent for isolation and quarantine, voluntary and involuntary, for the
17 duration of the known incubation period, as determined by the U.S. Center for
18 Disease Control and Prevention (CDC), of any severe communicable disease
19 which is identified and declared by the CDC to be critically dangerous to public
20 health and safety, and for which CDC mandates, directives, instructions and
21 protocol criteria are being declared and implemented in a national effort to combat
22 the spread of the disease.

1 (i) The Director shall base the minimum duration of the incubation
2 period upon the period of time determined to be appropriate and necessary
3 by the U.S. Center for Disease Control and Prevention.

4 (ii) The duration of isolation and quarantine for the incubation period
5 shall be deemed to include an additional period of time as is necessary for
6 testing and confirmation that the person does not have, or no longer is the
7 carrier of a communicable disease.”

8 **Section 5.** Subsection III.A of Section II – Procedure for Requesting
9 Voluntary Isolation, of the Procedures for Isolation and Quarantine of Chapter 10,
10 Division 1, Title 26, Guam Administrative Rules and Regulations, is hereby
11 *amended* by *ADDING* a new Item 4, to read:

12 **“III. Use Of Voluntary Isolation.**

13 A. Voluntary Isolation should always be used as a first option UNLESS the
14 DPHSS Director under the medical advice of the Chief Medical Officer has:

15 1. determined in his or her professional judgment that seeking voluntary
16 compliance would create a risk of serious harm; and

17 2. determined that there is a reason to believe that the person or persons
18 is/are, or is/are suspected to be, infected with, exposed to or contaminated with a
19 communicable disease or chemical, biological, or radiological agent that could
20 spread to or contaminate others if remedial action is not taken; ~~and~~

21 3. Determined that there is a reason to believe that the person or persons
22 would pose a serious and imminent risk to the health and safety of others if not
23 detained for purposes of isolation and quarantine; and

1 4. Determined that there is a satisfactory medical evidence providing
2 reason to believe that although the person or persons does not demonstrate or show
3 symptoms of a communicable disease which is identified and declared by the U.S.
4 Center for Disease Control and Prevention (CDC) to be critically dangerous to
5 public health and safety, and ongoing CDC mandates, directives, instructions and
6 protocol criteria are being implemented in a national effort to combat the spread of
7 the communicable disease, and that, due to significant exposure to the
8 communicable disease, the person or persons shall nonetheless be deemed to pose
9 a serious and imminent risk to the health and safety of others if not detained for
10 purposes of isolation and quarantine for the known incubation period, as
11 determined by the CDC.”

12 **Section 6.** Section I of Section III – Procedure for Executing an Emergency
13 Detention Order, of the Procedures for Isolation and Quarantine of Chapter 10,
14 Division 1, Title 26, Guam Administrative Rules and Regulations, is hereby
15 *amended* by *ADDING* a new Subsection D, to read:

16 “D. Incubation Period for Communicable Disease: The incubation period is
17 defined as the time from exposure to onset of disease, and when limited to
18 infectious diseases, corresponds to the time from infection with a microorganism to
19 symptom development.

20 **Section 7.** Section IV – Use of Emergency Detention Orders, of Section III
21 – Procedure for Executing an Emergency Detention Order, of the Procedures for
22 Isolation and Quarantine of Chapter 10, Division 1, Title 26, Guam Administrative
23 Rules and Regulations, is hereby *amended*, to read:

24 **“IV. Use of Emergency Detention Orders.**

1 A. If the Director orders the immediate involuntary detention of a person or
2 persons for purposes of isolation or quarantine, the Director shall issue a written
3 emergency detention order as soon as reasonably possible and in all cases within
4 12 hours of detention. The emergency detention order shall be for a period not to
5 exceed 10 days.

6 B. If the Director determines that there is satisfactory medical evidence
7 providing professional justification to believe that although the person or persons
8 does not demonstrate or show symptoms of a communicable disease resulting from
9 significant exposure to the communicable disease, the person or persons shall
10 nonetheless be deemed to pose a serious and imminent risk to the health and safety
11 of others if not detained for purposes of isolation and quarantine for the duration of
12 the known incubation period, as determined by the CDC, for a communicable
13 disease identified and declared by the U.S. Center for Disease Control and
14 Prevention (CDC) to be critically dangerous to public health and safety, and
15 ongoing CDC mandates, directives, instructions and protocol criteria are being
16 implemented in a national effort to combat the spread of the communicable
17 disease.”

18 **Section 8.** A new Subsection (h) is hereby *ADDED* to § 4502 of Chapter
19 4A, Title 10, Guam Code Annotated, to read:

20 (a) Legislative Finding and Intent. *I Liheslaturan Guåhan* finds that due to
21 the unique and extremely virulent pathogenic nature of certain communicable
22 diseases, that there is a prevailing public health and safety necessity of ensuring
23 that the dead human body which died as a result of any communicable disease,
24 which is identified and declared by the U.S. Center for Disease Control and

1 Prevention (CDC) to be critically dangerous to public health and safety, then, final
2 disposition *shall* be determined by the Director.

3 (b) A new Subsection (h) is hereby *ADDED* to § 4502 of Chapter 4A, Title
4 10, Guam Code Annotated, to read:

5 “(h) In the case of a dead human body which died as a result of any
6 communicable disease, which is identified and declared by the U.S. Center for
7 Disease Control and Prevention (CDC) to be critically dangerous to public health
8 and safety, then, final disposition shall be determined by the Director.

9 Final disposition shall be pursuant to CDC mandates, directives, instructions
10 and protocol criteria being declared and implemented in a national effort to combat
11 the spread of the disease, to include special protocols and procedures for the final
12 disposition of human remains with a continuing and extremely high contagion
13 potential for transmission of the communicable disease, as shall be determined and
14 mandated by the CDC.

15 Final disposition of a dead human body, as determined necessary for public
16 health and safety by the Director, shall include the authority to order mandatory
17 cremation, and to further include, the authority to restrict or prohibit access to the
18 dead human body.”

19 **Section 9.** § 4505 of Chapter 4A, Title 10, Guam Code Annotated, is
20 hereby *amended*, to read:

21 **“§ 4505. Discretion of Director as to Disposition.**

22 In the protection of the public health, having consideration of the cause of
23 death or other special conditions, and as provided pursuant to §4502(h) and this

1 Chapter, the Director shall have ultimate authority over the final disposition of the
2 human body, and may in his discretion order such form of burial or disposition of a
3 dead human body as he deems necessary.”

4 **Section 10. Funding Authorization; Personal Protective Equipment**
5 **and Supplies.** At the discretion of the Governor, the **SUM of ONE HUNDRED**
6 **THIRTY THOUSAND DOLLARS (\$130,000.00)** is hereby AUTHORIZED
7 from any available funds of the Executive Branch FY-2015 Budget to the
8 Department of Public Health and Social Services for the immediate purchase of
9 personal protective equipment and supplies in advance preparation for utilization
10 in infection control measures needed to manage patients who are determined or
11 suspected to be infected (inclusive of incubation period) with an infectious
12 communicable disease such as, but not limited to, the filoviruses, Ebola or
13 Marburg, or other highly pathogenic agents with extremely high, short-term
14 mortality rates. The Governor *shall* within thirty days submit a report to *I*
15 *Liheslaturan Guåhan* detailing the respective source and amount of funds
16 authorized pursuant to this Section.

17 (a) Distribution of Personal Protection Equipment and Resources. The
18 required personal protective equipment (PPE) and supplies identified and
19 purchased with the appropriation pursuant to this Section *shall* be initially
20 distributed by the Department of Public Health and Social Services (DPHSS), as
21 *shall* be determined necessary by DPHSS, to the designated responding and
22 treatment agencies pursuant to a highest needs distribution allocation plan to be
23 developed by the Department of Public Health and Social Services as the lead
24 agency, with the appropriate participation of emergency planning, response, and
25 treatment agencies and entities of the government of Guam, to include, but not
26 limited to, the Office of Guam Civil Defense, Guam Office of Homeland Security,

1 the Guam Fire Department, the Guam Memorial Hospital Authority, the
2 Government of Guam Customs and Quarantine Agency, the Guam International
3 Airport Authority and the Port Authority of Guam.

4 (b) Subsequent acquisition or replenishment of PPE's and requisite
5 associated supplies by responding or treatment agencies, to include the Department
6 of Public Health and Social Services, Guam Office of Homeland Security, Guam
7 Fire Department, and Guam Memorial Hospital Authority, Government of Guam
8 Customs and Quarantine Agency, or agencies of first encounter as ports of entry
9 via the Guam Airport Authority and the Port Authority of Guam, *shall* be acquired
10 with funds from the respective agency budgets, and *shall* be accordingly pursuant
11 to the agency's respective government of Guam emergency preparedness,
12 response, and safety plan requirements for highly pathogenic agents with
13 extremely high, short-term mortality rates for any severe communicable disease
14 with island-wide, national, or international pandemic potential.

15 **Section 11. Severability.** If any provision of this Act or its application to
16 any person or circumstance is found to be invalid or contrary to law, such
17 invalidity shall not affect other provisions or applications of this Act which can be
18 given effect without the invalid provisions or application, and to this end the
19 provisions of this Act are severable.

20 **Section 12. Effective Date.** This Act shall become immediately effective
21 upon enactment.

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

Bill No. 422-32 (COR)

Introduced by:

D.G. RODRIGUEZ, JR. 

AN ACT TO PROVIDE FOR ISOLATION AND QUARANTINE PROCEDURES RELATIVE TO AN EMERGENCY DETENTION ORDER FOR THE INCUBATION PERIODS OF SEVERE COMMUNICABLE DISEASES, AS DETERMINED BY THE U.S. CENTER FOR DISEASE CONTROL, BY AMENDING SECTIONS III AND IV OF THE ISOLATION AND QUARANTINE REGULATIONS, CHAPTER 10 OF DIVISION 1, 26 GAR., AND PROVIDE FOR THE DISPOSITION OF BODIES, BY ADDING A NEW § 4502(H) AND AMENDING § 4505, BOTH OF CHAPTER 4A, 10GCA, AND TO AUTHORIZE THE SUM OF ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00) FOR RELATED PURPOSES.

2014 NOV 14 PM 3:21 

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

2 **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds
3 that with near pandemic outbreak of the Ebola virus in western Africa, and the
4 recent controlled return of two infected American medical missionaries
5 nonetheless resulted in the limited spread of the Ebola virus to two (2) persons
6 within the continental United States.

7 The current fight against the spread of the epidemic of Ebola is being fought,
8 in significant part, through the isolation of those infected, and with limited medical
9 resources directly capable of combating the disease. These medications are still
10 being developed, and are essentially unavailable. The incubation period during
11 which the Ebola virus can incubate and present in a person exposed to the virus is

1 twenty-one (21) days, as determined by the U.S. Center for Disease Control and
2 the World Health Organization.

3 *I Liheslaturan Guåhan* recognizes the ongoing debate in the United States as
4 to whether the U.S. government and its lead health organization are taking
5 sufficient steps to prevent entry of infected persons into the United States, and
6 implement sufficient mandatory isolation and quarantine procedures for infected
7 persons as well as those who have been exposed to them. Two eastern States, New
8 York and New Jersey, have now gone so far as to implement their own stringent
9 regulations mandating a twenty-one (21) day isolation and quarantine period for
10 those persons returning who have treated or been exposed to Ebola patients in the
11 affected western Africa countries.

12 Numerous American medical associations, hospitals, and other professional
13 healthcare provider organizations are protesting the lack of training and
14 preparedness, sufficient equipment and resources to properly and safely respond to
15 the Ebola threat. On Guam, first responders lack sufficient safety equipment to
16 respond to more than a handful of cases before the current, limited supplies would
17 be exhausted.

18 Although the Guam Memorial Hospital Authority has a number of isolation
19 rooms which are sufficient for certain types of communicable diseases, the
20 institutions resources, and realistic capabilities to address an Ebola case are
21 limited. Many larger and well recognized hospitals with resources far beyond the
22 capabilities of GMHA are expressing their concerns and inadequacies in terms of
23 safe containment and treatment capabilities. This is not a reflection upon the
24 dedicated and highly qualified healthcare providers at the hospital, but rather, a
25 realistic assessment of what has historically been an underfunded hospital with

1 limited resources and supplies. Nonetheless, the first line of defense must be
2 proper isolation and quarantine to prevent the spread. Part and parcel to this is
3 providing the necessary authority for the Director of the Department of Public
4 Health and Social Services to mandate, as is determined necessary for public health
5 and safety, the isolation and quarantine of infected persons, as well as those who
6 have had significant direct contact exposure to active cases at such time that
7 transmission is extremely possible.

8 It is, therefore, the *intent* of *I Liheslaturan Guåhan* to provide the authority,
9 based upon professionally determined criteria, for Executing an Emergency
10 Detention Order, and the Procedures for Isolation and Quarantine.

11 **Section 2.** Section §3309 of Article 3 – Disease Control, Chapter 3, Title
12 10, Guam Code Annotated, is hereby *amended*, to read:

13 **“§3309. Isolation and Quarantine: Regulations.** Isolation and
14 quarantine shall be imposed in accordance with regulations. Such regulations shall
15 designate the disease for which isolation or quarantine is necessary, and such other
16 requirements concerning diagnosis, treatment, release and other pertinent matters
17 as may be necessary.

18 (a) The regulations shall also provide for isolation and quarantine,
19 voluntary and involuntary, for the known incubation period, as determined
20 by the CDC, of any communicable disease which is identified and declared
21 by the U.S. Center for Disease Control (CDC) to be critically dangerous to
22 public health and safety, and CDC mandates, directives, instructions and
23 protocol criteria are being declared and implemented in a national effort to
24 combat the spread of the disease.”

1 **Section 3.** A new Item 71 is hereby added to §3301(a) of Article 3, Chapter
2 3, Title 10, Guam Code Annotated, to read:

3 “71. In the event of any severe communicable disease with pandemic
4 potential which is identified and declared by the U.S. Center for Disease Control
5 (CDC) to be critically dangerous to public health and safety, and CDC mandates,
6 directives, instructions and protocol criteria are being implemented in a national
7 effort to combat the spread of the disease, the disease shall be immediately added,
8 and shall not require prior promulgation by regulation as a requisite for inclusion
9 when time is of the essence in ensuring the health and safety of the public.
10 Subsequent promulgation by regulation may follow when practicable.”

11 **Section 4.** A new Subsection (c) is hereby *ADDED* to §3310 of Article 3,
12 Chapter 3, Title 10, Guam Code Annotated, to read:

13 “(c) Notwithstanding §3309 of this Article, the Director may, in his
14 discretion and for the health and safety of the public, remove such person, with or
15 without his consent for isolation and quarantine, voluntary and involuntary, for the
16 duration of the known incubation period, as determined by the U.S. Center for
17 Disease Control CDC, of any severe communicable disease with pandemic
18 potential which is identified and declared by the CDC to be critically dangerous to
19 public health and safety, and for which CDC mandates, directives, instructions and
20 protocol criteria are being declared and implemented in a national effort to combat
21 the spread of the disease.

22 (i) The Director shall base the minimum duration of the incubation
23 period upon the period of time determined to be appropriate and necessary
24 by the U.S. Center for Disease Control.

1 (ii) The duration of isolation and quarantine for the incubation period
2 shall be deemed to include an additional period of time as is necessary for
3 testing and confirmation that the person does not have, or no longer is the
4 carrier of a communicable disease.”

5 **Section 5.** Subsection III.A of Section II – Procedure for Requesting
6 Voluntary Isolation, of the Procedures for Isolation and Quarantine of Chapter 10,
7 Division 1, Title 26, Guam Administrative Rules and Regulations, is hereby
8 *amended* by *ADDING* a new Item 4, to read:

9 **“III. Use Of Voluntary Isolation.**

10 A. Voluntary Isolation should always be used as a first option UNLESS the
11 DPHSS Director under the medical advice of the Chief Medical Officer has:

12 1. determined in his or her professional judgment that seeking voluntary
13 compliance would create a risk of serious harm; and

14 2. determined that there is a reason to believe that the person or persons
15 is/are, or is/are suspected to be, infected with, exposed to or contaminated with a
16 communicable disease or chemical, biological, or radiological agent that could
17 spread to or contaminate others if remedial action is not taken; ~~and~~

18 3. Determined that there is a reason to believe that the person or persons
19 would pose a serious and imminent risk to the health and safety of others if not
20 detained for purposes of isolation and quarantine; and

21 4. Determined that there is a satisfactory medical evidence providing
22 reason to believe that although the person or persons does not demonstrate or show
23 symptoms of a communicable disease which is identified and declared by the U.S.
24 Center for Disease Control (CDC) to be critically dangerous to public health and

1 safety, and ongoing CDC mandates, directives, instructions and protocol criteria
2 are being implemented in a national effort to combat the spread of the
3 communicable disease, and that, due to significant exposure to the communicable
4 disease, the person or persons shall nonetheless be deemed to pose a serious and
5 imminent risk to the health and safety of others if not detained for purposes of
6 isolation and quarantine for the known incubation period, as determined by the
7 CDC.”

8 **Section 6.** Section I of Section III – Procedure for Executing an Emergency
9 Detention Order, of the Procedures for Isolation and Quarantine of Chapter 10,
10 Division 1, Title 26, Guam Administrative Rules and Regulations, is hereby
11 *amended* by *ADDING* a new Subsection D, to read:

12 “D. Incubation Period for Communicable Disease: The incubation period is
13 defined as the time from exposure to onset of disease, and when limited to
14 infectious diseases, corresponds to the time from infection with a microorganism to
15 symptom development.

16 **Section 7.** Section IV – Use of Emergency Detention Orders, of Section III
17 – Procedure for Executing an Emergency Detention Order, of the Procedures for
18 Isolation and Quarantine of Chapter 10, Division 1, Title 26, Guam Administrative
19 Rules and Regulations, is hereby *amended*, to read:

20 **“IV. Use of Emergency Detention Orders.**

21 A. If the Director orders the immediate involuntary detention of a person or
22 persons for purposes of isolation or quarantine, the Director shall issue a written
23 emergency detention order as soon as reasonably possible and in all cases within

1 12 hours of detention. The emergency detention order shall be for a period not to
2 exceed 10 days.

3 B. If the Director determines that there is satisfactory medical evidence
4 providing professional justification to believe that although the person or persons
5 does not demonstrate or show symptoms of a communicable disease resulting from
6 significant exposure to the communicable disease, the person or persons shall
7 nonetheless be deemed to pose a serious and imminent risk to the health and safety
8 of others if not detained for purposes of isolation and quarantine for the duration of
9 the known incubation period, as determined by the CDC, for a communicable
10 disease identified and declared by the U.S. Center for Disease Control (CDC) to be
11 critically dangerous to public health and safety, and ongoing CDC mandates,
12 directives, instructions and protocol criteria are being implemented in a national
13 effort to combat the spread of the communicable disease.”

14 **Section 8.** A new Subsection (h) is hereby *ADDED* to § 4502 of Chapter
15 4A, Title 10, Guam Code Annotated, to read:

16 (a) Legislative Finding and Intent. *I Liheslaturan Guåhan* finds that due to
17 the unique and extremely virulent pathogenic nature of certain communicable
18 diseases, that there is a prevailing public health and safety necessity of ensuring
19 that the dead human body which died as a result of any communicable disease,
20 which is identified and declared by the U.S. Center for Disease Control (CDC) to
21 be critically dangerous to public health and safety, then, final disposition *shall* be
22 determined by the Director.

23 (b) A new Subsection (h) is hereby *ADDED* to § 4502 of Chapter 4A, Title
24 10, Guam Code Annotated, to read:

1 “(h) In the case of a dead human body which died as a result of any
2 communicable disease, which is identified and declared by the U.S. Center for
3 Disease Control (CDC) to be critically dangerous to public health and safety, then,
4 final disposition shall be determined by the Director.

5 Final disposition shall be pursuant to CDC mandates, directives, instructions
6 and protocol criteria being declared and implemented in a national effort to combat
7 the spread of the disease, to include special protocols and procedures for the final
8 disposition of human remains with a continuing and extremely high contagion
9 potential for transmission of the communicable disease, as shall be determined and
10 mandated by the CDC.

11 Final disposition of a dead human body, as determined necessary for public
12 health and safety by the Director, shall include the authority to order mandatory
13 cremation, and to further include, the authority to restrict or prohibit access to the
14 dead human body.”

15 **Section 9.** § 4505 of Chapter 4A, Title 10, Guam Code Annotated, is
16 hereby *amended*, to read:

17 **“§ 4505. Discretion of Director as to Disposition.**

18 In the protection of the public health, having consideration of the cause of
19 death or other special conditions, and as provided pursuant to §4502(h) and this
20 Chapter, the Director shall have ultimate authority over the final disposition of the
21 human body, and may in his discretion order such form of burial or disposition of a
22 dead human body as he deems necessary.”

23 **Section 10. Funding Authorization; Bio infectious Personal Protection**
24 **Equipment and Supplies.** At the discretion of the Governor, the **SUM of ONE**

1 **HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00)** is hereby
2 AUTHORIZED from any available funds of the Executive Branch FY-2015
3 Budget to the Department of Public Health and Social Services for the purchase of
4 biohazards personnel protection equipment and supplies for utilization in infection
5 control measures needed to manage patients who are determined or suspected to be
6 infected (inclusive of incubation period) with an infectious communicable disease
7 such as, but not limited to, the filoviruses, Ebola or Marburg, or other highly
8 pathogenic agents with extremely high, short-term mortality rates. The Governor
9 *shall* within thirty days submit a report to *I Liheslaturan Guåhan* detailing the
10 respective source and amount of funds authorized pursuant to this Section.

11 (a) Distribution of Personal Protection Equipment and Resources. The
12 required biohazards personnel protection equipment (PPE) and supplies identified
13 and purchased with the appropriation pursuant to this Section shall be initially
14 distributed by the Department of Public Health, as determined necessary, to the
15 designated responding and treatment agencies pursuant to a highest needs
16 distribution allocation plan to be developed by the Department of Public Health
17 and Social Services as the lead agency, with the appropriate participation of
18 emergency planning, response, and treatment agencies and entities of the
19 government of Guam, to include, but not limited to, the Office of Guam Civil
20 Defense, Guam Office of Homeland Security, the Guam Fire Department, the
21 Guam Memorial Hospital Authority, the Guam International Airport Authority and
22 the Port Authority of Guam.

23 (b) Subsequent acquisition or replenishment of PPE's and requisite
24 associated supplies by responding or treatment agencies, to include the Department
25 of Public Health, Guam Fire Department, and Guam Memorial Hospital Authority,
26 or agencies of first encounter as ports of entry via the Guam Airport Authority and

1 the Port Authority of Guam, *shall* be acquired with funds from the respective
2 agency budgets, and *shall* be accordingly pursuant to the agency's respective
3 government of Guam emergency preparedness, response, and safety plan
4 requirements for highly pathogenic agents with extremely high, short-term
5 mortality rates for any severe communicable disease with island-wide, national, or
6 international pandemic potential.

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

12 **Section 12. Effective Date.** This Act shall become immediately effective
13 upon enactment.



SENATOR DENNIS G. RODRIGUEZ, Jr., Chairman
 COMMITTEE ON HEALTH & HUMAN SERVICES, HEALTH INSURANCE REFORM,
 ECONOMIC DEVELOPMENT AND SENIOR CITIZENS
Mina'trentai Dos Na Liheslaturan Guåhan • 32nd Guam Legislature

PUBLIC HEARING DATE / Wednesday, December 3, 2014 10am

Bill No. 422-32 (COR) Introduced by Sen. Dennis G. Rodriguez, Jr.

An act to provide for isolation and quarantine procedures relative to an emergency detention order for the incubation periods of severe communicable diseases, as determined by the U.S. Center for Disease Control, by amending Sections III and IV of the Isolation and Quarantine Regulations, Chapter 10 of Division 1, 26 GAR., and provide for the disposition of bodies, by adding a new subsection 4502(H) and amending subsection 4505, both of Chapter 4A, 10GCA, and to authorize the sum of one hundred thirty thousand dollars (\$130,000) for related purposes.

PRINT NAME	SIGNATURE	AGENCY	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	OPPOSE	CONTACT NUMBERS	EMAIL ADDRESS
LEO G. CASIL	<i>[Signature]</i>	DPTSS	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
Ambrosio Constantino	<i>[Signature]</i>	GHIS/OCD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
<i>— None follows —</i>								



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

GOVERNMENT OF GUAM
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT

DEC 08 2014



JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

Testimony on Bill 422-32 (COR)

Hafa Adai, Mr. Chairman and members of the Committee on Health and Human Services, Senior Citizens, Economic Development, and Election Reform. My name is James W. Gillan, Director of the Department of Public Health and Social Services (DPHSS). Thank you for allowing me the opportunity to provide testimony in support of on Bill 422-32, "An Act to Provide for Isolation and Quarantine Procedures Relative to an Emergency Detention Order for the Incubation Periods of Severe Communicable Diseases, as Determined by the U.S. Center for Disease Control, by *Amending* Sections III and IV of the Isolation and Quarantine Regulations, Chapter 10 of Division 1, 26 GAR., and Provide for the Disposition of bodies, by Adding a New §4502(H) and Amending §4505, both of Chapter 4A, 10GCA, and to Authorize the Sum of \$130,000 for Related Purposes."

On August 8, the World Health Organization declared the current Ebola outbreak a Public Health Emergency of International Concern. The 2014 Ebola epidemic is the largest in history with widespread transmission in multiple countries in West Africa. As of November 28, a total of 15,901 Ebola cases were reported with 5,674 deaths. To date, two imported cases, including one death, and two locally acquired cases in healthcare workers have been reported in the United States. There is no reported case of Ebola on Guam.

The Ebola virus is not spread by casual contact, through air or by water, or by any food grown or legally purchased in the United States. The virus is spread through direct contact with the body fluids of a person who is sick with or has died from Ebola (blood, vomit, urine, feces, semen, spit). Ebola can only be spread to others after symptoms begin. Symptoms (fever, headache, diarrhea, vomiting, stomach/muscle pain, unexplained bleeding) can appear from 2 to 21 days after exposure (incubation period).

The incubation period of communicable diseases is defined as the length of time between entry of an infectious agent into the body and the beginning of disease symptoms. Bill 422-32 amends the current Isolation and Quarantine Regulations to extend the period of isolation or quarantine, with or without consent, based on the incubation period of any communicable disease, including Ebola, beyond the 10 days.

In addition, we are is in support of adding §4502 and amending §4505 of Chapter 4A, 10GCA giving authority to the Director regarding the final disposition of human remains based on CDC guidance, to ensure the safe handling of human remains that may contain a communicable disease, such as Ebola.

We support the initial funding authorization of \$130,000 to the Department of Public Health and Social Services to be expended as designated in Section 10 for "Bio infectious Personal Protection Equipment and Supplies." A distribution and allocation plan will be established to prioritize the expenditures and who the appropriate entities will be for the initial set up.

Lastly, we request that the citation of "U.S. Center for Disease Control" be corrected to the U.S. Centers for Disease Control and Prevention, and the term "pandemic" removed in Section 4.(c) to ensure that all communicable diseases not classified as a pandemic (epidemic occurring on a scale which crosses international boundaries, usually affecting a large number of people) are covered.

In conclusion, we recommend approval of Bill 422-32 and thank you for your consideration and support. For any further questions, you may contact the Division of Public Health, Bureau of Communicable Disease Control of this Department at 735-7142.


JAMES W. GILLAN

GUAM HOMELAND SECURITY OFFICE OF CIVIL DEFENSE



November 26, 2014

EDDIE BAZA CALVO
Governor
Maga' Lahi Guahan

Senator Dennis G. Rodriguez Jr.
32nd Guam Legislature
Suite 107
176 Serenu Avenue
Tamuning, Guam 96931

RAY S. TENORIO
Lt. Governor
Segundo Maga' Lahi Guahan

Subject: Bill 422-32 (COR), An Act to Provide Emergency Isolation and Quarantine Procedure Relative to an Emergency Detention Order for the Incubation Periods of Severe Communicable Disease and Authorization of the sum of \$130,000.00 for Related Purposes

AMBROSIO D. CONSTANTINO, JR.
Homeland Security Advisor
Konseharon Isakiguan | Tano'

Dear Senator Rodriguez,

Hafa Adai! Guam Homeland Security / Office of Civil Defense is in favor of Bill 422-32 (COR) for the following reason.

JAMES T. McDONALD
Acting Administrator
Administrador

1. Current law and regulations allow the Director of Department of Public Health & Social Services (DPHSS) the authority to impose isolation or quarantine of individuals that is reasonably suspected of having or is suspected of being a carrier of any disease that is considered a danger to the public community. However, Guam regulations limit that authority to only 10 days, while some pathogens have an incubation period longer than the authorized period of 10 days. In the case of Ebola, the incubation period is 21 days per Center for Disease Control (CDC).
2. If the required quarantine or isolation period, set by CDC, is greater than 10 days, then the Government of Guam must go before the courts to request additional days to ensure patient is not a danger to the community because of the disease. This is a legal delay that can be superseded by your bill.
3. Prior to a pandemic emergency, personal protective equipment (PPE) on hand should be inventoried to ensure necessary stock is available to respond. This \$130,000 is a good start if an emergency was to occur or there are signs of a possible emergency. Possible signs include Ebola confirmed in places like Philippines, Hawaii, Japan, Korea or other locations with direct flights to Guam. Recommend that within your bill, it identifies whose account the \$130,000 is put into.

Your support is greatly appreciated. Should you need additional information, please contact me at 475-9600 or via email at ambrosio.constantino@ghs.guam.gov.

Si Yu'os Ma'ase

AMBROSIO D. CONSTANTINO, JR.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: 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

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 E.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 422-32 (COR) – D.G. Rodriguez, Jr., "An act to provide for isolation and quarantine procedures relative to an emergency detention order for the incubation periods of severe communicable diseases, as determined by the U.S. Center for Disease Control, by amending Sections III and IV of the Isolation and Quarantine Regulations, Chapter 10 of Division 1, 26 GAR., and provide for the disposition of bodies, by adding a new subsection 4502(H) and amending subsection 4505, both of Chapter 4A, 10GCA, and to authorize the sum of one hundred thirty thousand dollars (\$130,000) for related purposes."** - on November 18, 2014. COR hereby certifies that BBMR confirmed receipt of this request November 19, 2014 at 8:01 A.M.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 422-32 (COR) to be included in the committee report on said bill, is hereby waived.**

Certified by:



Senator Rory J. Respicio
Chairperson, Committee on Rules

December 11, 2014

Date



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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

November 18, 2014

VIA E-MAIL
anthony.blaz@bbmr.guam.gov

Anthony C. Blaz
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 417-32(LS) through 423-32(COR)

Hafa Adai Mr. Blaz:

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 Thomas C. Ada
Acting Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
417-32 (LS)	B. J. F. Cruz	AN ACT TO APPROPRIATE FUNDS FROM THE SUPPLEMENTAL APPROPRIATIONS REVENUE (SAR) FUND FOR THE PAYMENT OF GOVERNMENT OF GUAM EMPLOYEE AND LAW ENFORCEMENT PERSONNEL UNPAID OVERTIME COSTS; AND FOR OTHER PURPOSES.
418-32 (COR)	B. J. F. Cruz	AN ACT TO ADOPT THE RULES AND REGULATIONS OF THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION CONCERNING CERTIFICATION OF PEACE OFFICERS AND STANDARDS FOR EMPLOYING AGENCIES AND TRAINING INSTITUTIONS, TO BE CODIFIED UNDER A NEW CHAPTER 3 OF TITLE 27 - GUAM ADMINISTRATIVE RULES AND REGULATIONS.
419-32 (COR)	B. J. F. Cruz	AN ACT TO AMEND SECTION 2, PART I, CHAPTER II OF PUBLIC LAW 32-181, RELATIVE TO AUTHORIZING FUNDING FOR CHARTER SCHOOLS.
420-32 (COR)	Judith T. Won Pat, Ed.D.	AN ACT TO APPROVE THE RULES AND REGULATIONS GOVERNING THE STANDARDS FOR PROFESSIONAL CONDUCT FOR GUAM EDUCATORS.
421-32 (COR)	Judith T. Won Pat, Ed.D.	AN ACT TO APPROVE AMENDMENTS TO CHAPTER 8, TITLE 5A, GUAM ADMINISTRATIVE RULES AND REGULATIONS.
422-32 (COR)	Dennis G. Rodriguez, Jr	AN ACT TO PROVIDE FOR ISOLATION AND QUARANTINE PROCEDURES RELATIVE TO AN EMERGENCY DETENTION ORDER FOR THE INCUBATION PERIODS OF SEVERE COMMUNICABLE DISEASES, AS DETERMINED BY THE U.S. CENTER FOR DISEASE CONTROL, BY AMENDING SECTIONS III AND IV OF THE ISOLATION AND QUARANTINE REGULATIONS, CHAPTER 10 OF DIVISION 1, 26 GAR., AND PROVIDE FOR THE DISPOSITION OF BODIES, BY ADDING A NEW § 4502(H) AND AMENDING § 4505, BOTH OF CHAPTER 4A, 10GCA, AND TO AUTHORIZE THE SUM OF ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00) FOR RELATED PURPOSES.
423-32 (COR)	B. J.F. Cruz	AN ACT TO ADD A NEW ITEM (18) TO § 4102(a) OF CHAPTER 4, TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE PERSONNEL NEEDS OF THE ATTORNEY GENERAL OF GUAM AND THE PUBLIC AUDITOR.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
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Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER


Senator
Aline Yamashita
Member

November 14, 2014

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Thomas C. Ada** 
Acting Chairperson of the Committee on Rules

Subject: **Referral of Bill No. 422-32(COR)**

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 422-32(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



Joe Mesngon <joe@toduguam.com>

FIRST NOTICE of Public & Confirmation Hearing on Wed., Dec. 3, 2014

3 messages

Joe Mesngon <joe@toduguam.com>

Tue, Nov 18, 2014 at 9:49 AM

To: phnotice@guamlegislature.org

November 18, 2014

MEMORANDUM

TO: All Senators, Stakeholders and Media

FROM: Sen. Dennis G. Rodriguez, Jr.

SUBJECT: FIRST NOTICE of Public and Confirmation Hearing

Hafa Adai!

The Committee on Health and Human Services has scheduled a PUBLIC and CONFIRMATION HEARING on Wednesday, December 3, 2014 at 10am in the Guam Legislature Public Hearing Room.

Oral and written testimonies will be accepted on the following:

- The Executive Appointment of Dr. Gregory Miller to serve as a Member of the Guam Board of Allied Health Examiners.

-The Executive Appointment of Ms. Linda RP Perez to serve as a Member of the Guam Board of Allied Health Examiners.

-Bill No. 416-32 (LS) Introduced by Sen. Dennis G. Rodriguez, Jr.

An act to add a new Article 2 to Chapter 58, 12 GCA, relative to encouraging the development of 1600 new hotel rooms through the issuance of special qualifying certificates to hotel developers; and, provide for qualifying certificate abeyance pending development of industry specific criteria, by adding a new § 58146.1 to Chapter 58, 12 GCA.

-Bill No. 422-32 (COR) Introduced by Sen. Dennis G. Rodriguez, Jr.

An act to provide for isolation and quarantine procedures relative to an emergency detention order for the incubation periods of severe communicable diseases, as determined by the U.S. Center for Disease Control, by amending Sections III and IV of the Isolation and Quarantine Regulations, Chapter 10 of Division 1, 26 GAR., and provide for the disposition of bodies, by adding a new subsection 4502(H) and amending subsection 4505, both of Chapter 4A, 10GCA, and to authorize the sum of one hundred thirty thousand dollars (\$130,000) for related purposes.

Written testimonies may be addressed to Sen. Dennis G. Rodriguez, Jr., Chairman of the Committee on Health and Human Services and emailed to senatordrodriguez@gmail.com, or delivered to 176 Serenu Ave. Suite 107 Tamuning, Guam or 155 Hesler St. Hagatna, Guam.

Individuals who may require special accommodations are asked to contact the office at 649-8638/0511 no later than 48 hours prior to the hearing.

Si Yu'os Ma'ase!

Joseph A. Q. Mesngon
Office of Senator Dennis G. Rodriguez, Jr.
32nd Guam Legislature
649-8638/0511
www.toduguam.com

Adam Bearce <adam@guamlegislature.org>
To: Joe Mesngon <joe@toduguam.com>, Yong Pak <yong@guamlegislature.org>

Tue, Nov 18, 2014 at 10:10 AM

Thank you now posted.

[Quoted text hidden]

Dennis G. Rodriguez, Jr. <senator@toduguam.com>
To: Joe Mesngon <joe@toduguam.com>
Cc: Nicole Ramos <nicoleramos@toduguam.com>

Tue, Nov 18, 2014 at 4:12 PM

Hafa Adai joe and Nicky,

Please send this notice individually to respective stakeholders who have an interest in each bill and confirmation hearing. Please call and personally speak to both nominees as well to ensure they know the date of hearing.

Thank you and God bless.

DGR

Dennis G. Rodríguez, Jr.
www.toduguam.com

[Quoted text hidden]



Joe Mesngon <joe@toduguam.com>

SECOND NOTICE of Public & Confirmation Hearing on Wed., Dec. 3, 2014

2 messages

Joe Mesngon <joe@toduguam.com>

To: phnotice@guamlegislature.org

November 26, 2014

MEMORANDUM

TO: All Senators, Stakeholders and Media

FROM: Sen. Dennis G. Rodriguez, Jr.

SUBJECT: SECOND NOTICE of Public and Confirmation Hearing

Hafa Adai!

The Committee on Health and Human Services has scheduled a PUBLIC and CONFIRMATION HEARING on Wednesday, December 3, 2014 at 10am in the Guam Legislature Public Hearing Room.

Oral and written testimonies will be accepted on the following:

- The Executive Appointment of Dr. Gregory Miller to serve as a Member of the Guam Board of Allied Health Examiners.
- The Executive Appointment of Ms. Linda RP Perez to serve as a Member of the Guam Board of Allied Health Examiners.

-Bill No. 416-32 (LS) Introduced by Sen. Dennis G. Rodriguez, Jr.

An act to add a new Article 2 to Chapter 58, 12 GCA, relative to encouraging the development of 1600 new hotel rooms through the issuance of special qualifying certificates to hotel developers; and, provide for qualifying certificate abeyance pending development of industry specific criteria, by adding a new § 58146.1 to Chapter 58, 12 GCA.

-Bill No. 422-32 (COR) Introduced by Sen. Dennis G. Rodriguez, Jr.

An act to provide for isolation and quarantine procedures relative to an emergency detention order for the incubation periods of severe communicable diseases, as determined by the U.S. Center for Disease Control, by amending Sections III and IV of the Isolation and Quarantine Regulations, Chapter 10 of Division 1, 26 GAR., and provide for the disposition of bodies, by adding a new subsection 4502(H) and amending subsection 4505, both of Chapter 4A, 10GCA, and to authorize the sum of one hundred thirty thousand dollars (\$130,000) for related purposes.

Written testimonies may be addressed to Sen. Dennis G. Rodriguez, Jr., Chairman of the Committee on Health and Human Services and emailed to senatordrodriguez@gmail.com, or delivered to 176 Serenu Ave. Suite 107 Tamuning, Guam or 155 Hesler St. Hagatna, Guam.

Individuals who may require special accommodations are asked to contact the office at 649-8638/0511 no later than 48 hours prior to the hearing.

Si Yu'os Ma'ase'!

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As of October 2, 2014**

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As of October 2, 2014**

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SENATOR DENNIS G. RODRIGUEZ, JR.

PUBLIC HEARING AGENDA

Wednesday, December 3, 2014 10am Public Hearing Room, *I Liheslatura*

I. Call to order

II. Items for public consideration:

- The Executive Appointment of Dr. Gregory Miller to serve as a Member of the Guam Board of Allied Health Examiners.
- The Executive Appointment of Ms. Linda RP Perez to serve as a Member of the Guam Board of Allied Health Examiners.
- **Bill No. 416-32 (LS)** Introduced by Sen. Dennis G. Rodriguez, Jr.
An act to add a new Article 2 to Chapter 58, 12 GCA, relative to encouraging the development of 1600 new hotel rooms through the issuance of special qualifying certificates to hotel developers; and, provide for qualifying certificate abeyance pending development of industry specific criteria, by adding a new § 58146.1 to Chapter 58, 12 GCA.
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III. Adjournment

Thank you for your participation in today's hearing.