

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

<b>BILL NO.</b>	<b>SPONSOR</b>	<b>TITLE</b>	<b>DATE INTRODUCED</b>	<b>DATE REFERRED</b>	<b>CMTE REFERRED</b>	<b>PUBLIC HEARING DATE</b>	<b>DATE COMMITTEE REPORT FILED</b>	<b>STATUS</b>
<b>45-32 (LS)</b>	Brant T. McCreadie	AN ACT TO ADD §5004.1 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE GUAM MEMORIAL HOSPITAL TO OBTAIN PROFESSIONAL SERVICES IN ACCORDANCE WITH INDUSTRY PRACTICE.	2/18/13 10:41 a.m.	2/18/13	Committee on General Governmental Operations and Cultural Affairs			<b>Fiscal Note Requested 2/19/13 Fiscal Note Received 03/13/13</b>



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
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MAJORITY LEADER

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Thomas C. Ada  
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Aline Yamashita  
Member

March 13, 2013

### Memorandum

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

**From:** Senator Thomas C. Ada *[Signature]*  
*Acting Chairperson, Committee on Rules*

**Subject:** Fiscal Notes

*Hafa Adai!*

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

Bill Nos.: 8-32 (COR), 19-32 (COR), 22-32 (COR, and 45-32 (COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'åse'!*

2013 MAR 13 AM 11:51

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORJOHN A. RIOS  
DIRECTORRAY TENORIO  
LIEUTENANT GOVERNOR**MAR 12 2013**

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 8-32(COR), 19-32(COR), 22-32(COR), and 45-32(LS).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

A handwritten signature in black ink, appearing to read "John A. Rios".

JOHN A. RIOS  
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 45-32 (LS)**

**AN ACT TO ADD §5004.1 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE GUAM MEMORIAL HOSPITAL TO OBTAIN PROFESSIONAL SERVICES IN ACCORDANCE WITH INDUSTRY PRACTICE.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Memorial Hospital Authority (GMHA)	Dept./Agency Head: Joseph P. Verga
Department's General Fund (GF) appropriation(s) to date:	2,225,415
Department's Other Fund (Specify) appropriation(s) to date: Healthy Futures Fund & Environmental Health Fund	11,607,693
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$13,833,108</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	1/	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? / / Yes /x/ No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A / / Yes / / No  
If no, what is the additional amount required? \$ \_\_\_\_\_ / / N/A
- Does the Bill establish a new program/agency? / / Yes /x/ No  
If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes / / No  
Is there a federal mandate to establish the program/agency? / / Yes / / No
- Will the enactment of this Bill require new physical facilities? / / Yes /x/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /x/ Yes / / No  
/ / Requested agency comments not received as of the due date / / Other:

Analyst: Nancy L. Mesa Date: 3/5/2013 Director: John A. Rios, Director Date: \_\_\_\_\_

Footnotes:  
1/ See attached comments.

*Handwritten:* 3/13/13

### Comments on Bill No. 45-32

Bill No. 45-32 is an Act to *add* §5004.1 of Chapter 5, Title 5, to the Guam Code Annotated, relative to allowing the Guam Memorial Hospital to obtain professional services in accordance with industry practice. Currently, Guam's Procurement Law does not allow compensation to a person or agency for assistance in contracting health care professionals which is a typical practice in the health care industry with regards to the national workforce shortage. This existing statute hampers the Hospital's ability in recruiting and hiring doctors to provide Primary and Specialty Care Services to individuals entering Guam's only civilian hospital for medical attention. If Bill No. 45-32 is enacted into law, it will allow the Hospital to employ or contract with an outside person or agency for the procurement of certified, registered, or licensed health care professionals and pharmacists, or essential positions critical to the Hospital for maintaining its accreditation. In addition, the Hospital Administrator will be able to remit a service fee or payment to said person or agency that is no more than fifteen percent (15%) of the total contracted salary amount of the person hired to perform professional services for the Guam Memorial Hospital in the first contract year. For example, with a low contracted salary amount of \$79,382 to a high of \$200,000, the estimated amount to be remitted to said person or agency is \$11,907 and \$30,000 respectively. Bill No. 45-32 if enacted into law will allow Guam Memorial Hospital to meet the Healthcare needs of the people of Guam by filling hard-to-fill positions for Physicians and Licensed Healthcare Professionals.



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February 18, 2013

### MEMORANDUM

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

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

**From:** **Senator Rory J. Respicio**   
*Majority Leader & Rules Chair*

**Subject:** **Referral of Bill No. 45-32(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 45-32(LS).

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 GUÅHAN**  
**2013 (FIRST) Regular Session**


Bill No. 45-82 (16)

Introduced by:

Brant T. McCreadie   
R. J. Respicio 

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**AN ACT TO ADD §5004.1 OF CHAPTER 5, TITLE 5,  
GUAM CODE ANNOTATED, RELATIVE TO  
ALLOWING THE GUAM MEMORIAL HOSPITAL  
TO OBTAIN PROFESSIONAL SERVICES IN  
ACCORDANCE WITH INDUSTRY PRACTICE.**

2013 FEB 18 AM 10:41 

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
3 the Guam Memorial Hospital Authority has an ongoing need to identify and retain  
4 health care professionals. Because Guam is a relatively small, insular community, it is  
5 often difficult to find doctors and nurses here on island who are able, available, and  
6 willing to provide services to the hospital. Frequently, it is necessary to look off-  
7 island to retain such services.

8 *I Liheslaturan Guåhan* further finds that typically in the health care industry,  
9 individuals willing to provide services to a health care provider are identified with the  
10 assistance of private agencies and persons. These agencies and persons are in turn  
11 compensated for securing a position by the health care provider or, in some instances,  
12 by the health care professional. Currently the Guam procurement law allows methods

1 for the retention and employment of these professionals but does not allow  
2 compensation to a person or agency for assistance in contracting health care  
3 professionals. This severely hampers the Hospital in finding and retaining  
4 appropriate, qualified health care professionals.

5 Therefore, it is the intent of *I Liheslaturan Guåhan* to allow the Hospital to  
6 obtain professional services in accordance with industry practice by adding a new  
7 §5004.1 to Chapter 5, Title 5, Guam Code Annotated.

8 **Section 2.** Section 5004.1 of Chapter 5, Title 5, Guam Code Annotated, is  
9 hereby *added* to read:

10 **“§ 5004.1 Exemption for procurement of Professional Medical Services at**  
11 **Guam Memorial Hospital.**

12 The provisions of this chapter shall not apply to the procurement of  
13 professional services by the Guam Memorial Hospital Authority. This  
14 exemption shall be limited to the procurement of certified, registered, or  
15 licensed health care professionals and pharmacists, or to essential positions  
16 critical to the Guam Memorial Hospital for maintaining accreditation.

17 Notwithstanding any other provision of law, the Guam Memorial  
18 Hospital is authorized to employ or contract with an outside person or agency  
19 for the procurement of professional medical services. In the instance that the  
20 Guam Memorial Hospital solicits the assistance of an outside person or agency



1 for the procurement of professional medical services, the Administrator shall be  
2 able to remit a service fee or payment to said person or agency that is no more  
3 than fifteen percent (15%) of the total contracted salary amount of the person  
4 hired to perform professional services for the Guam Memorial Hospital in the  
5 first contract year.

6 The Administrator is authorized to enter into contracts with certified,  
7 registered and licensed health care professionals and pharmacists employed at  
8 the Guam Memorial Hospital at the time of enactment of this statute for a  
9 period not to exceed two (2) years. Nothing in this section shall be interpreted  
10 to prevent the Administrator from entering into contract with same certified,  
11 registered and licensed health care professionals and pharmacists for additional  
12 contract terms after expiration of the initial contract entered into under this  
13 section.”

14 **Section 3. Effective Date.** This Act shall be effective upon enactment.

15 **Section 4. Severability.** *If* any provision of this Law or its application to any  
16 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
17 *not* affect other provisions or applications of this Law which can be given effect  
18 without the invalid provisions or application, and to this end the provisions of this  
19 Law are severable.



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February 19, 2013

VIA FACSIMILE

(671) 472-2825

John A. Rios  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

**RE: Request for Fiscal Note – Bill Nos. 43-32 through 44-32 (COR) and Bill Nos. 45-32 through 47-32 (LS)**

*Hafa Adai* Mr. Rios:

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

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

Very Truly Yours,

**Senator Rory J. Respicio**  
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

**Bill No. 43-32 (COR)** - B..J.F. Cruz - AN ACT TO ADD A NEW (b) (1) AND (2) TO § 67.801; AND TO ADD A NEW § 67.802 AND § 67.803 TO ARTICLE 8 OF CHAPTER 67 OF TITLE 9 GUAM CODE ANNOTATED RELATIVE TO STRENGTHENING THE PENALTIES FOR THE POSSESSION, MANUFACTURING, SELLING, OR DISTRIBUTION OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM.

**Bill No. 44-32 (COR)** - Judith T. Won Pat, Ed.D - AN ACT TO AMEND §23111(g)(2) OF CHAPTER 23, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE USE OF MILEAGE EARNED THROUGH CREDIT CARD PURCHASES AUTHORIZED BY THE GOVERNMENT OF GUAM, TO SUPPORT STUDENT TRAVEL INVOLVING ACADEMIC, SPORTS AND CULTURAL ACTIVITIES.

**Bill No. 45-32 (LS)** - Brant T. McCreadie - AN ACT TO ADD §5004.1 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE GUAM MEMORIAL HOSPITAL TO OBTAIN PROFESSIONAL SERVICES IN ACCORDANCE WITH INDUSTRY PRACTICE.

**Bill No. 46-32 (LS)** - T.R. Muna Barnes - AN ACT TO AMEND A SUBSECTION (c) AND SUBSECTION (h) OF ARTICLE 1, CHAPTER 10, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO THE RIGHT OF INSPECTION

**Bill No. 47-32 (LS)** - V.C. Pangelinan - AN ACT TO ADD A NEW SECTION 8103.1 TO ARTICLE 1, CHAPTER 8, TITLE 4 OF THE GUAM CODE ANNOTATED, TO COMPLY WITH INTERNAL REVENUE CODE REQUIREMENTS APPLICABLE TO THE GOVERNMENT OF GUAM RETIREMENT FUND