

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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>98-32 (LS)</b>	D.G. Rodriguez, Jr.	AN ACT TO MANDATE THE ESTABLISHMENT OF A GUAM IMMUNIZATION REGISTRY, AND TO PROVIDE FOR THE COORDINATED SUBMISSION OF OTHER STATISTICAL DATA FOR COMPILATION AND REPORTING BY THE OFFICE OF VITAL STATISTICS, BY ADDING A NEW §3210.1 AND AMENDING §3218, ALL OF ARTICLE 2 OF CHAPTER 3, 10 GCA.	04/25/13 9:08 a.m.	04/25/13	Committee on Health & Human Services, Health Insurance Reform, Economic Dvelopment, and Senior Citizens	05/06/13 9:00 a.m.	10/28/13 11:43 a.m.	<b>Fiscal Note Requested 04/30/13</b> <b>Fiscal Note Received 11/22/13</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>
	11/12/2013	AN ACT TO ADD A NEW § 3210.1 AND AMEND § 3218 OF ARTICLE 2 OF CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE ESTABLISHMENT OF A GUAM IMMUNIZATION REGISTRY, AND TO PROVIDE FOR THE COORDINATED SUBMISSION OF OTHER STATISTICAL DATA FOR COMPILATION AND REPORTING BY THE OFFICE OF VITAL STATISTICS.	11/15/13	11:28 a.m.				<b>As substituted by the Committee on Health &amp; Human Services, Health Insurance Reform, Economic Development and Senior Citizens.</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

November 22, 2013

### MEMORANDUM

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

**From:** Senator Rory J. Respicio

**Subject:** Fiscal Notes & Waivers

*Hafa Adai!*

Transmitted herewith are fiscal notes received from BBMR on the following Bill Nos. 91-32(COR), 98-32(LS), 116-32(COR), 153-32(COR), 176-32(COR), 181-32(COR), 194-32(COR), 195-32(COR), 202-32(COR), 209-32(COR), 211-32(COR) and Fiscal Note Waivers on the following Bill Nos. 94-32(COR), 165-32(COR), 170-32(COR), 189-32(COR), 193-32(COR), 210-32(COR).

Please include fiscal notes and waivers with their respective Committee Reports.

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Dos na Liheslaturan Guåhan*.

*Si Yu'os Ma'ase'!*

2013 NOV 22 PM 4:46

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR

**JOHN A. RIOS**  
DIRECTOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**OCT 30 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.: **98-32(LS), 153-32(COR), 195-32(COR) and** Fiscal Note Waiver on the following Bill Nos.: **165-32(COR), 189-32(COR), and 193-32(COR).**

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

  
JOHN A. RIOS  
Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 98-32(LS)**

**AN ACT TO MANDATE THE ESTABLISHMENT OF A GUAM IMMUNIZATION REGISTRY, AND TO PROVIDE FOR THE COORDINATED SUBMISSION OF OTHER STATISTICAL DATA FOR COMPILATION AND REPORTING BY THE OFFICE OF VITAL STATISTICS, BY ADDING A NEW §3210.1 AND AMENDING §3218, ALL OF ARTICLE 2 OF CHAPTER 3, TITLE 10 GUAM CODE ANNOTATED.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Public Health & Social Services		Dept./Agency Head: James W. Gillan	
Department's General Fund (GF) appropriation(s) to date:		53,618,080	
Department's Other Fund (Specify) appropriation(s) to date: Healthy Futures Fund, Environmental Health Fund, Sanitary Inspection Revolving Fund & Unappropriated Fund Balance of the Sanitary Inspection Revolving Fund		5,980,209	
<b>Total Department/Agency Appropriation(s) to date:</b>		<b>\$59,598,289</b>	

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (Bill No. 1(4-S))	\$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	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

1. Does the bill contain "revenue generating" provisions? // Yes      /x/ No  
If Yes, see attachment
2. 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
3. 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      /x/ No
4. Will the enactment of this Bill require new physical facilities? // Yes      /x/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /x/ Yes      // No  
/X/ Requested agency comments not received by due date      // Other:

Analyst: Orilda J. Guerrero Date: 10/25/13 Director: John A. Rios Date: OCT 30 2013

Footnotes:  
1/ See attached comments.

### Comments on Bill No. 98-32(LS)

The intent of the proposed measure, per the *I Liheslatura Guåhan's* findings, is the need to establish and maintain a single island-wide repository of immunization records (Guam Immunization Information System) as a means of improving and ensuring proper preventive health care and protection of the public's safety from contracting communicable diseases. The tracking of immunization records from birth to adulthood will ensure that those required to have mandatory vaccinations are up to date and have been properly administered. An Immunization Information System (IIS) is an important tool to increase and sustain high vaccination coverage by consolidating vaccination records of children and adults from multiple providers, forecasting next doses, past due, and next due and to help ensure that children get only the vaccinations they need. Moreover, the Guam Memorial Hospital (GMH) Medical Records Section currently compiles and reports partial birth abortion, however, it is also the intent of the proposed Bill that this responsibility be transferred to the Office of Vital Statistics under the Department of Public Health and Social Services (DPHSS).

The Office of Vital Statistics (OVS), under the Division of Public Health, Chief Public Health Office Section, is mandated to register, certify and maintain records of vital events that occur on Guam which includes, process and issue marriage licenses, birth certificates, death certificates, adoptions, affidavits and court orders. There is currently a Territorial Registrar, Program Coordinator IV, two (2) Vital Statistic Technicians and a Medical Records Clerk. The proposed legislation may require additional staff (ie. Vital Statistics Technician, G-1/\$18,723 and/or Vital Statistics Clerk, E-1/\$15,840), at a minimum of approximately \$45,000 (salary and benefits) to input data, tabulate, analyze, compile and maintain the Information System as well as the additional duties transferred from the GMH Medical Records Section to the DPHSS, OVS. The Bureau has contacted the Department of Public Health & Social Services for information on the proposed measure; however, information has not been received as of these comments.



FILE COPY

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

November 13, 2013

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

OFFICE OF THE GOVERNOR  
CENTRAL FILES

*J. Dela Rosa*  
RECEIVED BY  
TIME 11:28 AM. DATE 11/15/13

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 35-32(COR), 74-32(LS), 75-32(LS), 91-32(COR), 94-32(COR), 98-32(LS), 99-32(LS), 108-32(COR), 112-32(COR), 116-32(COR), 133-32(COR), 134-32(COR), 140-32(COR), 141-32(COR), 143-32(COR), 145-32(LS), 150-32(COR), 153-32(COR), 154-32(COR), 156-32(COR), 157-32(COR), 158-32(COR), 160-32(COR), 161-32(COR), 162-32(LS), 165-32(COR), 170-32(LS), 176-32(COR), 189-32(COR), 193-32(COR), 194-32(COR), 195-32(COR), 196-32(COR), 200-32(COR), 205-32(COR), 210-32(COR), 211-32(COR) and 217-32(LS) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on November 12, 2013.

Sincerely,

**Tina Rose Muña Barnes**  
**Legislative Secretary**

Enclosures (38)

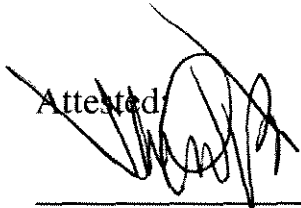
**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (FIRST) Regular Session**

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

This is to certify that **Substitute Bill No. 98-32 (LS), "AN ACT TO ADD A NEW § 3210.1 AND AMEND § 3218 OF ARTICLE 2 OF CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE ESTABLISHMENT OF A GUAM IMMUNIZATION REGISTRY, AND TO PROVIDE FOR THE COORDINATED SUBMISSION OF OTHER STATISTICAL DATA FOR COMPILATION AND REPORTING BY THE OFFICE OF VITAL STATISTICS"**, was on the 12<sup>th</sup> day of November 2013, duly and regularly passed.

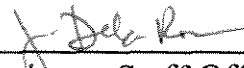


**Judith T. Won Pat, Ed.D.**  
**Speaker**

Attested 

**Tina Rose Muña Barnes**  
**Legislative Secretary**

-----  
This Act was received by *I Maga'lahen Guåhan* this 15<sup>th</sup> day of Nov,  
2013, at 11:28 o'clock A.M.



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

APPROVED:

\_\_\_\_\_  
**EDWARD J.B. CALVO**  
***I Maga'lahen Guåhan***

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

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

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2013 (FIRST) Regular Session**

**Bill No. 98-32 (LS)**

As substituted by the Committee on Health & Human Services,  
Health Insurance Reform, Economic Development  
and Senior Citizens.

Introduced by:

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

**AN ACT TO *ADD* A NEW § 3210.1 AND *AMEND* § 3218  
OF ARTICLE 2 OF CHAPTER 3, TITLE 10, GUAM  
CODE ANNOTATED, RELATIVE TO MANDATING THE  
ESTABLISHMENT OF A GUAM IMMUNIZATION  
REGISTRY, AND TO PROVIDE FOR THE  
COORDINATED SUBMISSION OF OTHER  
STATISTICAL DATA FOR COMPILATION AND  
REPORTING BY THE OFFICE OF VITAL STATISTICS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Mina'Trentai Dos Na*  
3 *Liheslaturan Guåhan* finds that there is a significant need for the coordinated



1 collection of immunization records as a means of improving and ensuring proper  
2 preventative health care, and the protection of the public's safety from contracting  
3 communicable diseases. The compilation and tracking of immunization records  
4 from birth to adulthood is crucial towards facilitating the Department of Public  
5 Health and Social Services' (Department) mandate to ensure that those required to  
6 have mandatory vaccinations are in fact up to date, and that they have been  
7 properly administered. Currently, the Department is working under a process, not  
8 supported by law, whereby the voluntary signed consent of the patient, or in the  
9 case of a minor, the parent or guardian, is required to allow the physician or health  
10 care provider to report any vaccination information for input in a Guam  
11 Immunization Registry. This "opt-in" system creates an administrative burden for  
12 health care providers. By mandating the submission of immunization information,  
13 and changing the process of obtaining records to an "opt-out" process, there will  
14 no longer be a need to obtain the signed consent of the patient, or the patient's  
15 parent or guardian, in order to be entered into a registry.

16 It is the intent of *I Liheslaturan Guåhan* to establish and maintain a single  
17 island-wide repository of immunization records needed to aid, coordinate, and help  
18 promote efficient and cost-effective disease screening, prevention and control  
19 measures from early age to adulthood. It *shall* be known as the "*Guam*  
20 *Immunization Registry*". The information to be compiled will allow the  
21 Department to assess immunization status, and identify any areas of concern or  
22 deficiency that need to be addressed. An efficient mandatory process will also  
23 ensure the accuracy of data collected.

24 *I Liheslaturan Guåhan* also finds that the compilation and reporting of a  
25 partial birth abortion, or an abortion, is currently the responsibility of the Guam  
26 Memorial Hospital Authority. The Guam Memorial Hospital Authority does not,  
27 however, generally perform abortions as a generally available health care service

1 under normal circumstances. Further, this responsibility places an unnecessary  
2 burden upon GMHA. The responsibility of data collection and compilation would  
3 be better coordinated if the responsibility is transferred to the Office of Vital  
4 Statistics under the Department of Public Health and Social Services. It is the  
5 intent of *I Liheslaturan Guåhan* to transfer this responsibility to the Department of  
6 Public Health and Social Services; provided, however, that all mandatory reporting  
7 content required, aside from the Department to which the reporting *shall* be  
8 reported, *shall* remain the same.

9 **Section 2.** A new §3210.1 is *added* to Article 2, Chapter 3, Title 10, Guam  
10 Code Annotated, to read:

11 **“§ 3210.1. Guam Immunization Registry.**

12 (a) All health care providers performing immunizations to children  
13 and adults *shall* submit immunization reports to the Department of Public  
14 Health and Social Services (Department) in a manner compliant with the  
15 guidelines for submissions issued by the Department, which *shall*, at a  
16 minimum, indicate the name, date, age, and gender, and specific  
17 immunization received by the patient.

18 (1) All immunization records and reports made for the  
19 purposes of compliance with this Section that directly or indirectly  
20 identify a person *shall* be kept confidential and *shall not* be disclosed,  
21 *except* under the following conditions:

22 (A) the person identified, the person’s legal guardian,  
23 or in the case of a minor, the minor’s parent or legal guardian  
24 consents;

25 (B) disclosure is deemed necessary by the Director of  
26 the Department to carry out the purposes and intent of this  
27 Chapter;

1 (C) a court directs upon its determination that  
2 disclosure is necessary for the conduct of proceedings before it;

3 (D) the disclosure is made between the person's  
4 healthcare provider and payer to obtain reimbursement for  
5 services rendered to the person; provided, that disclosure *shall*  
6 be made only if the provider informs the person that a  
7 reimbursement claim will be made to the person's payer, the  
8 person is afforded an opportunity to pay the reimbursement  
9 directly, and the person *does not* pay; or

10 (E) the Department of Public Health and Social  
11 Services releases aggregate immunization information that *does*  
12 *not* disclose any identifying information of persons whose  
13 information is maintained in the registry.

14 (2) Registry information *shall* be limited to patient name,  
15 demographic information, and contact information; information  
16 specific to immunizations or medication received by the patient,  
17 including types, manufacturers, lots numbers, expiration dates,  
18 anatomical sites of administration, routes of administration, vaccine  
19 information statement publication dates, doses, dates administered, the  
20 patient's history of vaccine, preventable diseases, and  
21 contraindications, precautions, adverse reactions to, or comments  
22 regarding immunization or medications; and the name and contact  
23 information of the vaccination administrator or medication provider  
24 and the patient's healthcare provider.

25 (3) The Department of Public Health and Social Services  
26 *shall* adopt administrative, physical, and technical measures to ensure  
27 the security of the registry; protect the confidentiality, integrity, and

1 availability of registry data; and prevent unauthorized access to  
2 registry information.

3 (b) Purpose for Access to Registry Information; Access not  
4 Disclosure.

5 (1) Notwithstanding Subsection (a)(1), it *shall not* be a  
6 disclosure for the persons listed in Paragraphs (2), (3), (4) and (5) of  
7 this Subsection to have limited access to registry information for the  
8 purposes specified in each Subsection.

9 (2) Registry information regarding specific individuals in the  
10 registry may be accessed by authorized healthcare providers who are  
11 treating, have treated, or have been assigned to treat those individuals;  
12 by authorized employees of these healthcare providers; and, by  
13 authorized DPHSS health personnel assigned to monitor the  
14 immunization or health status of those individuals for the purposes of:

15 (A) recording the administration of any vaccination,  
16 including the pandemic influenza vaccine;

17 (B) determining the immunization history of a patient  
18 to deliver healthcare treatment accordingly;

19 (C) notifying individuals or parents or legal guardians  
20 of the need to schedule a visit for an immunization;

21 (D) generating official immunization records;

22 (E) ensuring compliance with mandatory  
23 immunization requirements;

24 (F) recording the distribution of the prophylactic and  
25 treatment medications administered or dispensed in preparation  
26 for, and in response to, a potentially catastrophic disease threat;

27 or

1 (G) complying with the Guam Immunization Program.

2 (3) Registry information regarding specific individuals in the  
3 registry may be accessed by school and post-secondary school  
4 personnel authorized by the Director of Public Health and Social  
5 Services, the Superintendent of the Guam Department of Education,  
6 or the administrator of a private or post-secondary school for the  
7 purpose of ensuring compliance with mandatory student  
8 immunization requirements.

9 (4) Registry information regarding specific individuals in the  
10 registry may be accessed by authorized health organizations that have  
11 been contracted to provide health insurance or health plan coverage  
12 for those individuals; provided, that access is limited to *only* the  
13 enrollees, members, subscribers, and insured of the authorized health  
14 organization, and for the purpose of producing an immunization  
15 assessment report by the authorized health organization.

16 (5) Registry information regarding specific individuals in the  
17 registry may be accessed by the Department, or agents of the  
18 Department, for the purposes of:

19 (A) ensuring compliance with mandatory  
20 immunization requirements;

21 (B) performing immunization related quality  
22 improvement or quality assessment activities;

23 (C) complying with Guam Vaccines for Children  
24 and/or other provided vaccine programs, vaccine ordering and  
25 accountability policies and procedures;

26 (D) producing aggregate immunization assessment  
27 reports to monitor and improve public health;

1 (E) supporting efforts to prevent and manage  
2 outbreaks of vaccine-preventable diseases, including pandemic  
3 influenza;

4 (F) assisting the Department in the event of a public  
5 health emergency; or

6 (G) managing and maintaining the Guam  
7 Immunization Registry system.

8 (6) The use of the registry information accessed pursuant to  
9 this Section *shall* be limited to an authorized vendor for registry  
10 development, maintenance and support.

11 (c) Registry Record Requirements.

12 (1) The establishment of an individual's record in the  
13 registry *shall not* require the prior consent of a patient, the consent of  
14 the legal guardian of a patient, or the consent of a patient's parent or  
15 legal guardian in the case of a minor or dependent. The Department  
16 *shall* make available to the patient or patient's parent or legal guardian  
17 in the case of a minor or dependent, via the patient's health care  
18 provider or birthing hospital, a written description of the purpose and  
19 benefits of the Guam Immunization Registry, as well as the procedure  
20 for refusing inclusion in the registry."

21 **Section 3.** §3218 of Article 2, Chapter 3, Title 10, Guam Code Annotated,  
22 *is amended* to read:

23 **"§ 3218. Partial-Birth Abortion and Abortion Report.**

24 (a) An individual abortion report for each abortion *shall* be  
25 completed by the mother's attending physician, and *shall* be transmitted  
26 directly to the Office of Vital Statistics of the Department of Public Health

1 and Social Services. The report *shall* be confidential and it *shall not* contain  
2 the name of the mother involved. This report *shall* include:

- 3 (1) patient number;
- 4 (2) name and address of the abortion facility or hospital;
- 5 (3) date of the abortion;
- 6 (4) zip code or other residential identification of the pregnant  
7 woman;
- 8 (5) age of the pregnant woman;
- 9 (6) ethnic origin of the pregnant woman;
- 10 (7) marital status of the pregnant woman;
- 11 (8) number of previous pregnancies;
- 12 (9) number of years of education of the pregnant woman;
- 13 (10) number of living children;
- 14 (11) number of previous induced abortions;
- 15 (12) date of the last induced abortion;
- 16 (13) date of the last live birth;
- 17 (14) method of contraception used, if any, at the time of  
18 conception;
- 19 (15) date of the beginning of the last menstrual period;
- 20 (16) medical condition of the pregnant woman at the time of  
21 abortion;
- 22 (17) RH type of the pregnant woman;
- 23 (18) type of abortion procedure used;
- 24 (19) complications, if any;
- 25 (20) type of procedure done after the abortion;
- 26 (21) type of family planning recommended;
- 27 (22) type of additional counseling given, if any;

- (23) signature of attending physician; and
- (24) certification provided for in this Section.

(b) An individual complication report for any post-abortion care performed upon a woman *shall* be completed by the physician providing such post-abortion care. This report *shall* include:

- (1) date of the abortion;
- (2) name and the address of the medical facility, abortion facility or hospital where the abortion was performed; and
- (3) nature of the abortion complication diagnosed or treated.

(c) All abortion reports *shall* be signed by the attending physician and *shall* be submitted to the Office of Vital Statistics within thirty (30) days from the date of the abortion. All complication reports *shall* be signed by the physician providing the post-abortion care and submitted to the Office of Vital Statistics within thirty (30) days from the date of the post-abortion care.

(d) A copy of the abortion report *shall* be made a part of the medical record of the patient in the facility or hospital in which the abortion was performed.

(e) The Office of Vital Statistics *shall* be responsible for collecting all abortion reports and complication reports, and collating and evaluating all data gathered therefrom, and *shall* annually publish a statistical report based on such data from abortions performed in the previous calendar year.

(f) The Office of Vital Statistics *shall* make available to physicians performing abortions on Guam, forms for both abortion reports and post-abortion care reports, as provided in Subsections (a) and (b) of this Section.

(g) All information in abortion reports and post-abortion care reports and the reports themselves *shall* be confidential. Information and



1 records may be disclosed *only* in communications between qualified  
2 professional persons in the provision of services or in statistical form for  
3 research purposes as required by Subsection (e) of this Section.

4 (h) Any person who releases confidential information in violation  
5 of Subsection (g) of this Section *shall* be guilty of a misdemeanor.

6 (i) Any person may bring an action against an individual who has  
7 willfully and knowingly released confidential information about such person  
8 in violation of Subsection (g) of this Section for the greater of the following  
9 amounts:

10 (1) Five Hundred Dollars (\$500); or

11 (2) Three (3) times the amount of actual damages, *if* any,  
12 sustained by the plaintiff, reasonable attorney's fees and the costs of  
13 the action. It is *not* a prerequisite to an action under this Subsection  
14 that the plaintiff suffer or be threatened with actual damages.

15 (j) *If* a physician performs a partial-birth abortion on the woman,  
16 the physician *shall* report such determination and the reasons for such  
17 determination in writing to the medical care facility in which the abortion is  
18 performed for inclusion in the report of the medical care facility to the  
19 Office of Vital Statistics and to the Guam Board of Medical Examiners, *or if*  
20 the abortion is *not* performed in a medical care facility, the physician *shall*  
21 report the reasons for such determination in writing to the Office of Vital  
22 Statistics and to the Guam Board of Medical Examiners as part of the written  
23 report made by the physician to the Office of Vital Statistics and to the  
24 Guam Board of Medical Examiners. The physician *shall* retain a copy of the  
25 written reports required under this Section for *not less than* five (5) years.

1 (k) Failure to report under this Section will subject physicians to a  
2 fine of *no less than* Ten Thousand Dollars (\$10,000) but *no more than* One  
3 Hundred Thousand Dollars (\$100,000) per offense.

4 (l) Subsection (k) *does not* preclude sanctions, or disciplinary  
5 action, or any other appropriate action by the Guam Board of Medical  
6 Examiners.

7 (m) The Office of Vital Statistics *shall* compile and retain all  
8 partial-birth abortion reports it receives under this Section and collate and  
9 evaluate all data gathered therefrom, and *shall* annually publish a statistical  
10 report based on such data from partial-birth abortions performed in the  
11 previous calendar year *no later than* January 31st of the following calendar  
12 year.

13 (n) The Office of Vital Statistics *shall* make available to physicians  
14 performing partial-birth abortions on Guam and the Guam Board of Medical  
15 Examiners forms for partial-birth abortion reports.

16 (o) All information in partial-birth abortion reports the Office of  
17 Vital Statistics receives *shall* be confidential. Information and reports may  
18 be disclosed *only* in communications between qualified professional persons  
19 in the provisions of services, or in statistical form for research purposes.

20 (p) Any person who releases confidential information in violation  
21 of Subsection (o) of this Section *shall* be guilty of a misdemeanor.”

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

1           **Section 5. Effective Date.** This Act *shall* be effective upon enactment;  
2 provided, *however*, that for the purposes of providing the Office of Vital Statistics,  
3 Department of Public Health and Social Services, with adequate time for the  
4 development and preparation of, but *not* limited to, guidelines, forms, other  
5 requisite documentation and procedures required for implementation, the  
6 mandatory reporting provisions pursuant to this Act *shall* be effective ninety (90)  
7 days after enactment, and during which time the current reporting requirements  
8 *shall* continue so as to ensure the uninterrupted collection of data.

# LEGISLATIVE SESSION

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2013 (FIRST) Regular Session

### Voting Sheet

**Bill No. 98-32 (LS)**

As substituted by the Committee on Health &  
Human Services, Health Insurance Reform,  
Economic Development and Senior Citizens.

Speaker Antonio R. Unipingco Legislative Session Hall  
November 12, 2013

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	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN	✓				
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓	I			
Senator Aline A. YAMASHITA, Ph.D.	✓				

**TOTAL**

15

Yea

Nay

Not Voting/  
Abstained

Out During  
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

I = Pass



SENATOR DENNIS G. RODRIGUEZ, JR.

OCT 23 2013

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

2013 OCT 28 AM 11:43

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

RE: Committee Report – Bill No. 98-32 (LS), as substituted

Dear Speaker Cruz:

- Transmitted herewith, for your consideration, is the **Committee Report on BILL 98-32 (LS)- An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the Office of Vital Statistics, by adding a new §3210.1 and amending §3218, all of Article 2 of Chapter 3, 10 GCA, as substituted;** 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. 98-32 (LS) was publicly heard on May 6, 2013.

Committee votes are as follows:

1 TO PASS  
0 NOT TO PASS  
0 ABSTAIN  
2 TO REPORT OUT ONLY  
0 TO PLACE IN INACTIVE FILE

Senseramente,

Senator Dennis G. Rodriguez, Jr.  
Chairman

Attachments



SENATOR DENNIS G. RODRIGUEZ, JR.

**COMMITTEE REPORT  
ON**

**BILL NO. 98-32 (LS), as substituted**  
**Sponsored by Senator Dennis G. Rodriguez, Jr.**

**BILL 98-32 (LS)- An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the Office of Vital Statistics, by adding a new §3210.1 and amending §3218, all of Article 2 of Chapter 3, 10 GCA**




**SENATOR DENNIS G. RODRIGUEZ, JR.**

October 14, 2013

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. 98-32 (LS), as substituted.**

- Transmitted herewith, for your consideration, is the **Committee Report on BILL 98-32 (LS)- An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the Office of Vital Statistics, by adding a new §3210.1 and amending §3218, all of Article 2 of Chapter 3, 10 GCA, as substituted;** Introduced by Sen. Dennis G. Rodriguez, Jr., referred to the Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens, and as substituted by the committee.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 98-32 (LS)
- Copy of Bill No. 98-32(LS), as Substituted
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 98-32 (LS)
- Notices of Public Hearing (1<sup>st</sup> and 2<sup>nd</sup>)
- 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'åse'!*

Attachments



SENATOR DENNIS G. RODRIGUEZ, JR.

COMMITTEE VOTING SHEET

**BILL 98-32 (LS), as substituted- An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the Office of Vital Statistics, by adding a new §3210.1 and amending §3218, all of Article 2 of Chapter 3, 10 GCA; Introduced by Senator Dennis G. Rodriguez, Jr.**

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		✓ 10/23				
V. ANTHONY ADA Vice Chairman		✓ 10/23				
BENJAMIN J. F. CRUZ Vice-Speaker						
TINA ROSE MUNA-BARNES Legislative Secretary						
FRANK B. AGUON, Jr.		✓				
VICENTE C. PANGELINAN						
RORY J. RESPICIO		Mr 10/23/13				
ALINE A. YAMASHITA, Ph.D.					10/23	
THOMAS MORRISON						
MICHAEL LIMTIACO					10/23	
BRANT T. MCCREADIE		✓				
CHRISTOPHER M. DUENAS	ST	✓ 10/23				





## SENATOR DENNIS G. RODRIGUEZ, JR.

### COMMITTEE REPORT DIGEST

Bill No. 98-32 (LS)

- I. OVERVIEW:** The Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens conducted a public hearing on **May 6, 2013**. The hearing convened at 9:00AM in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of **BILL 98-32 (LS)- An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the Office of Vital Statistics, by adding a new §3210.1 and amending §3218, all of Article 2 of Chapter 3, 10 GCA; Introduced by Senator 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 April 29, 2013 (5-day notice), and again on May 1, 2013 (48-hour notice).

#### **Senators Present**

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator V. Anthony Ada	Vice-Chairman
Vice Speaker B.J. Cruz	Committee Member
Senator ben c. pangelinan	Committee Member
Senator Thomas Morrison	Committee Member
Senator Christopher M. Duenas	Committee Member

The public hearing on agenda item Bill No. 98-32 (LS) was called to order at 10:00AM.

#### **II. SUMMARY OF TESTIMONY & DISCUSSION.**

Chairman Rodriguez: There are two related subject matter in this Bill. First, it establishes a single, island-wide repository of immunization records. We have been working with the Department since last year. The second part is relative to reporting submissions. Today it is made at the Guam Memorial Hospital and the Bill places it to the Office of Vital Statistics so we can have a more coordinated records. I also know we have set up a separate accounting of the Office of Vital Statistics.

James Gillan: I am here to testify for and against this bill. I am in support of the first part, however, not for the second part of the bill.

Currently, we have the system to which we "opt-in" and this legislation provides us the system of "opt-out," which basically states that "No I do not want my information in the system." The current system we have causes a lot of problems, where it cannot provide an accurate count of children who received immunizations. What we would like to see is the development and establishment of



## SENATOR DENNIS G. RODRIGUEZ, JR.

electronic records, which would really help us. We do know that we have small providers who would not go with electronic records. In my confirmation, I made a commitment to have at least 98% will received their immunizations. I still think that we are ways away from that. We still have challenges with the WebIZ system right now, where some physicians input the data, and some do not. This “opt-out” system is the way to go and people have to consciously make the decision of not wanting to be in the system.

On the abortion records, there are some sentiments from the Office of Vital Statistics, which I am not sure of. We would not mind to be the repository of that. Right now, it will be an unfunded mandate. We only have three people in the Office of Vital Statistics, where a lot of work is being done by the three staff. Right now, we are not ready for that. I understand that the Record System at the hospital also needs relief.

Engracia Valencia: Data Quality Insurance for the program. WebIZ captures demographic information data of children and adults on Guam. Currently we have both public and private providers enrolled in our registry, and are able to access the registry including 7 private providers, 21 daycares, 26 public schools, and 1 private school. Basically, I am in support of this bill which benefits children and the parents as well. WebIZ can access their immunization records when people fail to bring in their immunization card.

Senator Rodriguez: One thing that caught my attention is mentioning 26 public schools, but only one private school. Why is that?

Engracia Valencia: because it is not mandated. I also want to mention the New York State passed the law mandating all below the age of 19 years to submit their records including medical histories.

Senator pangelinan: In the New York Legislation you read, did they have an opt-out provision or was it all mandatory?

Engracia Valencia: I would have to look into it, but I know most of them have the “opt-out” provision.

Senator pangelinan: is there a benefit to opting out?

Engracia Valencia: Some parents are concern of privacy. Once a provider is a part of the registry, they can access records from other providers as well.

Senator pangelinan: are there any incentives that we can give parents to discourage them from opting out?

James Gillan: from a Public Health stand point, they all should be in the system. When we do epidemiology for preventable diseases, we want to see all the information but we understand that there are people who value their privacy. If I had it my way, of course, we would like for everybody to be in the system.



## SENATOR DENNIS G. RODRIGUEZ, JR.

Senator pangelinan: When you mention non-communicable diseases, does it include sexually transmitted diseases?

James Gillan: those are not really vaccine preventable.

Tony Ada: Where does HIPPA fall into this when we talk about privacy?

James Gillan: I think HIPPA allows to access that information when it is medically necessary, but not to simply browse it. You may be able to access but must have some procedures to ensure that providers are not simply browsing for others' information.

Chairman Rodriguez: Going back to the reporting, as a part of the creation of the Office of Vital Statistics fund, perhaps there are sort of assistance that are coming your way. What we are going to have to do is to find the balance. We are looking at both having same struggles.

Carolyn Garrido: Currently, we only have 2 vital statistics admission. We are overwhelmed. We handle about a hundred people making requests of multiple documents. We are also in charge of marriage licenses. To process a marriage license, it takes about an hour. In the meantime we are also processing birth certificates. We are open from 8am to 3:30pm and process off island requests, adoptions, change of names, and others. We do not have the medical training to decipher the medical terms for abortions. I believe that the reporting of abortions should still stay at the Guam Memorial Hospital because they have the training. Yes, we have the revolving fund, where we are mandated to take the unclaimed bodies, which we are going to bury on Friday. We are really overworked.

Senator Rodriguez: I absolutely understand and that is why we established a spate Office of Vital Statistics. Has that been set up already? Where are the other provisions at in terms of helping you?

Carolyn Garrido: I believe we are down at the BBMR already. Yes we are upgrading our computer systems. In the next Fiscal year, we are able to hire at least one other staff. We are very behind on our statistical reporting because we do not have the manpower in doing the reports that we are mandated to do.

Vice Speaker Cruz: I am curious about the unclaimed bodies you will be burying this Friday. Are they fetuses?

Carolyn Garrido: There are four adults. We are mandated to find the funds to bury them.

Vice Speaker Cruz: How long?

Carolyn Garrido: One is since 2010 and no family member has claimed the body.

Chairman Rodriguez: This is why we established this provision because we found out about the unclaimed bodies.



## SENATOR DENNIS G. RODRIGUEZ, JR.

Carolyn Garrido: There was a family that was going to claim him, but they didn't push through with it.

Chairman Rodriguez: Since we are in this subject, maybe Alan can speak about it. I understand that some people have a hard time claiming bodies for instances such as homeless or friends of the deceased who no longer have families. What is the continued challenge there?

Carolyn Garrido: The new law that establishes a provision where a person claiming the body must submit a affidavit to the fact that they will be responsible for that person. Then, they take it to Dr. Espinola's office and will then go the Office of Vital Statistics.

Chairman Rodriguez: Is there a time before someone can claim the body?

Carolyn Garrido: All states it's 30 to 60 days, then it would be considered unclaimed.

Chairman Rodriguez: We still need to look at that because we continue to have the problems in that area.

Alan Ulrich: Unfortunately, I do not know about this activity or the issue you are discussing.

Chairman Rodriguez: Okay, regarding the Bill now where we are transferring the abortion report, would you like to testify on that.

Alan Ulrich: The intent of the bill in moving the reporting of records from the hospital to the Office of Vital Statistics. I would just like to ask Sera to comment on this issue.

Sera Rios: We don't do voluntary abortions at the hospital. They are done at clinics that is why I do not understand why GMH is doing the reporting when none are done at the hospital.

Alan Ulrich: Sera informed me that the number of abortion in the hospital is very minimal because of complications where patients are needed to be transfer to the hospital. In general, the hospital does not perform abortion. I understand the concerns of Mr. Gillan and certainly the work that you do at the Vital Statistics and the challenges. It seems that this information is best compiled at the Office of Vital Statistics.

Chairman Rodriguez: When you receive this information, what do you do with it? Do you analyze it and issue report?

Sera Rios: I had to do some research to do the reporting and it takes me less than five hours a month and probably two hours to report it annually. I do an Excel report and report it to Public Health annually.

Chairman Rodriguez: We will have a mark-up meeting for this bill where we can have the both of you present.



## SENATOR DENNIS G. RODRIGUEZ, JR.

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. 98-32 (LS).

**Fiscal Note:** Pending request/receipt from COR.

### III. FINDINGS AND RECOMMENDATIONS

The Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens, hereby reports out Bill No. 98-32 (LS), with the recommendation to

*Report Out only.*

*I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2013 (FIRST) Regular Session

Bill No. 98 -32 (LS)

Introduced by:

D. G. Rodriguez, Jr. 

AN ACT TO MANDATE THE ESTABLISHMENT OF A  
GUAM IMMUNIZATION REGISTRY, AND TO  
PROVIDE FOR THE COORDINATED SUBMISSION  
OF OTHER STATISTICAL DATA FOR  
COMPILATION AND REPORTING BY THE OFFICE  
OF VITAL STATISTICS, BY ADDING A NEW §3210.1  
AND AMENDING §3218, ALL OF ARTICLE 2 OF  
CHAPTER 3, 10 GCA.

2013 APR 25 AM 9:08  


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

**Section 1. Legislative findings and intent. Section 1. Legislative findings and intent.** *I Mina'Trentai Dos Na Liheslaturan Guåhan* finds that there is a significant need for the coordinated collection of immunization records as a means of improving and ensuring proper preventative health care and the protection of the public's safety from contracting communicable diseases. The compilation and tracking of immunization records from birth to adulthood is crucial towards facilitating the Department of Public Health & Social Services (the "Department") mandate to ensure that those required to have mandatory vaccinations are in fact up to date, and that they have been properly administered. Currently, the Department is working under a process, not supported by law, whereby the voluntary signed consent of the patient, or in the case of a minor, the parent or guardian, is required to allow the physician or health care provider to report any vaccination information for input in a Guam Immunization Information System. This "Opt-in" system creates an administrative burden for health care providers. By mandating the submission of immunization information, and changing the process of obtaining

1 records to an “opt-out” process, there will no longer be a need to obtain the signed  
2 consent of the patient or the patient’s parent or guardian, in order to be entered into  
3 a registry.

4 It is the intent of *I Liheslaturan Guåhan* to establish and maintain a single  
5 island-wide repository of immunization records needed to aid, coordinate, and help  
6 promote efficient and cost-effective disease screening, prevention and control  
7 measures from early age to adulthood. It shall be known as the “*Guam*  
8 *Immunization Information System*”. The information to be compiled will allow the  
9 Department to assess immunization status, and identify any areas of concern or  
10 deficiency that need to be addressed. An efficient mandatory process will also  
11 ensure the accuracy of data collected.

12 *I Liheslaturan Guåhan* finds that the compilation and reporting of a partial  
13 birth abortion or an abortion is currently the responsibility of the Guam Memorial  
14 Hospital Authority. The Guam Memorial Hospital Authority does not, however,  
15 generally perform abortions as a generally available health care service under  
16 normal circumstances. Further, this responsibility places an unnecessary burden  
17 upon GMHA. The responsibility of data collection and compilation would be  
18 better coordinated if the responsibility is transferred to the Office of Vital Statistics  
19 under the Department of Public Health and Social Services. It is the intent of *I*  
20 *Liheslaturan Guåhan* to transfer this responsibility to the Department of Public  
21 Health and Social Services, provided, however, all mandatory reporting content  
22 required, aside from the department to which the reporting shall be reported, shall  
23 remain the same.

24 **Section 2:** A new § 3210.1 is added to Article 2, Chapter 3, Title 10, Guam  
25 Code Annotated, to read:

26 **“§3210.1. Guam Immunization Information System.**

27 (a) All health care providers performing immunizations to children and  
28 adults shall submit immunization reports to the Department of Public Health and

1 Social Services (“Department”) in a manner compliant with guidelines for  
2 submissions issued by the Department which *shall*, at a minimum, indicate the  
3 name, date, age, and gender, and specific immunization received by the patient.

4 (1) All immunization records and reports made for the purposes of  
5 compliance with this Section that directly or indirectly identify a person  
6 *shall* be kept confidential and shall not be disclosed, *except* under the  
7 following conditions:

8 (A) The person identified, the person’s legal guardian, or in the case  
9 of a minor, the minor’s parent or legal guardian consents;

10 (B) Disclosure is deemed necessary by the Director of the  
11 Department to carry out purposes and intent of this chapter;

12 (C) A court directs upon its determination that disclosure is necessary  
13 for the conduct of proceedings before it;

14 (D) The disclosure is made between the person’s healthcare provider  
15 and payer to obtain reimbursement for services rendered to the person;  
16 provided that disclosure shall be made only if the provider informs the  
17 person that a reimbursement claim will be made to the person’s payer,  
18 the person is afforded an opportunity to pay the reimbursement  
19 directly, and the person does not pay; or

20 (E) The Department of Public Health and Social Services releases  
21 aggregate immunization information that does not disclose any  
22 identifying information of persons whose information is maintained in  
23 the registry.

24 (2) Registry information shall be limited to patient name,  
25 demographic information, and contact information; information specific to  
26 immunizations or medication received by the patient, including types,  
27 manufacturers, lots numbers, expiration dates, anatomical sites of  
28 administration, routes of administration, vaccine information statement



1 publication dates, doses, dates administered, the patient's history of vaccine,  
2 preventable diseases, and contraindications, precautions, adverse reactions  
3 to, or comments regarding immunization or medications; and the name and  
4 contact information of the vaccination administrator or medication provider  
5 and the patient's healthcare provider.

6 (3) The Department of Public Health and Social Services shall adopt  
7 administrative, physical, and technical measures to ensure the security of the  
8 registry; protect the confidentiality, integrity, and availability of registry  
9 data; and prevent unauthorized access to registry information.

10 (b) Purpose for access to registry information; access not disclosure.

11 (1) Notwithstanding (a)(1), it shall not be a disclosure for the persons  
12 listed in Paragraphs (2), (3), (4) and (5) of this Subsection to have limited  
13 access to registry information for the purposes specified in each subsection.

14 (2) Registry information regarding specific individuals in the registry  
15 may be accessed by authorized healthcare providers who are treating, have  
16 treated, or have been assigned to treat those individuals; by authorized  
17 employees of these healthcare providers; and, by authorized DPHSS health  
18 personnel assigned to monitor the immunization or health status of those  
19 individuals for the purposes of:

20 (A) Recording the administration of any vaccination, including  
21 pandemic influenza vaccine;

22 (B) Determining the immunization history of a patient to  
23 deliver healthcare treatment accordingly;

24 (C) Notifying individuals or parents or legal guardians of the  
25 need to schedule a visit for an immunization;

26 (D) Generating official immunization records;

27 (E) Ensuring compliance with mandatory immunization  
28 requirements;

1 (F) Recording the distribution of the prophylactic and  
2 treatment medications administered or dispensed in preparation  
3 for and in response to a potentially catastrophic disease threat;

4 or,

5 (G) Complying with Guam Immunization Program.

6 (3) Registry information regarding specific individuals in the registry  
7 may be accessed by school and post-secondary school personnel authorized  
8 by the director of Public Health and Social Services, superintendent of the  
9 Guam Department of Education, or the administrator of a private or post-  
10 secondary school for the purpose of ensuring compliance with mandatory  
11 student immunization requirements.

12 (4) Registry information regarding specific individuals in the registry  
13 may be accessed by authorized health organizations that have been  
14 contracted to provide health insurance or health plan coverage for those  
15 individuals; provided that access is limited to only the enrollees, members,  
16 subscribers, and insured of the authorized health organization, and for the  
17 purpose of producing an immunization assessment report by the authorized  
18 health organization.

19 (5) Registry information regarding specific individuals in the registry  
20 may be accessed by the Department or agents of the Department for  
21 purposes of:

22 (A) Ensuring compliance with mandatory immunization  
23 requirements;

24 (B) Performing immunization related quality improvement or  
25 quality assessment activities;

26 (C) Complying with Guam Vaccines for Children and/or other  
27 provided vaccine programs, vaccine ordering and accountability  
28 policies and procedures;

1 (D) Producing aggregate immunization assessment reports to  
2 monitor and improve public health;

3 (E) Supporting efforts to prevent and manage outbreaks of  
4 vaccine-preventable diseases, including pandemic influenza;

5 (F) Assisting the Department in the event of a public health  
6 emergency; or

7 (G) Managing and maintaining the Guam Immunization  
8 Registry system.

9 (6) The use of the registry information accessed pursuant to this  
10 Section shall be limited to authorized vendor for registry development,  
11 maintenance and support.

12 (c) Registry record requirements.

13 (1) The establishment of an individual's record in the registry *shall*  
14 *not* require the prior consent of a patient, the consent of a patient, or the consent of  
15 a patient's parent or legal guardian in the case of a minor or dependent. The  
16 Department shall make available to the patient or patient's parent or legal guardian  
17 in the case of a minor or dependent, via the patient's health care provider or  
18 birthing hospital, a written description of the purpose and benefits of the Guam  
19 Immunization Information System, as well as the procedure for refusing inclusion  
20 in the registry."

21 **Section 3.** §3218 of Article 2, Chapter 3, 10 GCA, is amended, to read:

22 **"§ 3218. Partial-Birth Abortion and Abortion Report.**

23 (a) An individual abortion report for each abortion shall be completed by  
24 the mother's attending physician, and shall be transmitted directly to the Office of  
25 Vital Statistics of the Department of Public Health & Social Services. The report

1 shall be confidential and it shall not contain the name of the mother involved. This  
2 report shall include:

- 3 (1) Patient number;
- 4 (2) Name and address of the abortion facility or hospital;
- 5 (3) Date of the abortion;
- 6 (4) Zip code or other residential identification of the pregnant  
7 woman;
- 8 (5) Age of the pregnant woman;
- 9 (6) Ethnic origin of the pregnant woman;
- 10 (7) Marital status of the pregnant woman;
- 11 (8) Number of previous pregnancies;
- 12 (9) Number of years of education of the pregnant woman;
- 13 (10) Number of living children;
- 14 (11) Number of previous induced abortions;
- 15 (12) Date of the last induced abortion;
- 16 (13) Date of the last live birth;
- 17 (14) Method of contraception used, if any, at the time of conception;
- 18 (15) Date of the beginning of the last menstrual period;
- 19 (16) Medical condition of the pregnant woman at the time of abortion;
- 20 (17) RH type of the pregnant woman;
- 21 (18) Type of abortion procedure used;
- 22 (19) Complications, if any;
- 23 (20) Type of procedure done after the abortion;
- 24 (21) Type of family planning recommended;
- 25 (22) Type of additional counseling given, if any;
- 26 (23) Signature of attending physician; and
- 27 (24) Certification provided for in this section.

1 (b) An individual complication report for any post-abortion care performed  
2 upon a woman shall be completed by the physician providing such post-abortion  
3 care. This report shall include:

4 (1) Date of the abortion;

5 (2) Name and the address of the medical facility, abortion facility or  
6 hospital where the abortion was performed; and

7 (3) Nature of the abortion complication diagnosed or treated.

8 (c) All abortion reports shall be signed by the attending physician and shall  
9 be submitted to the Office of Vital Statistics ~~Guam Memorial Hospital Medical~~  
10 ~~Records Section~~ within thirty (30) days from the date of the abortion. All  
11 complication reports shall be signed by the physician providing the post abortion  
12 care and submitted to the Office of Vital Statistics ~~Guam Memorial Hospital~~  
13 ~~Medical Records Section~~ within thirty (30) days from the date of the post-abortion  
14 care.

15 (d) A copy of the abortion report shall be made a part of the medical record  
16 of the patient in the facility or hospital in which the abortion was performed.

17 (e) The Office of Vital Statistics ~~Guam Memorial Hospital Medical Records~~  
18 ~~Section~~ shall be responsible for collecting all abortion reports and complication  
19 reports, and collating and evaluating all data gathered therefrom, and shall annually  
20 publish a statistical report based on such data from abortions performed in the  
21 previous calendar year.

22 (f) The Office of Vital Statistics ~~Guam Memorial Hospital Medical Records~~  
23 ~~Section~~ shall make available to physicians performing abortions in Guam, forms  
24 for both abortion reports and post-abortion care reports, as provided in subsections  
25 (a) and (b) of this section.

26 (g) All information in abortion reports and post-abortion care reports and  
27 the reports themselves shall be confidential. Information and records may be  
28 disclosed only in communications between qualified professional persons in the

1 provision of services or in statistical form for research purposes as required by  
2 subsection (e) of this section.

3 (h) Any person who releases confidential information in violation of  
4 subsection (g) of this section shall be guilty of a misdemeanor.

5 (i) Any person may bring an action against an individual who has willfully  
6 and knowingly released confidential information about such person in violation of  
7 subsection (g) of this section for the greater of the following amounts:

8 (1) Five Hundred Dollars (\$500); or

9 (2) Three (3) times the amount of actual damages, if any, sustained by the  
10 plaintiff, reasonable attorney's fees and the costs of the action. It is not a  
11 prerequisite to an action under this subsection that the plaintiff suffer or be  
12 threatened with actual damages.

13 (j) *If* a physician performs a partial-birth abortion on the woman, the  
14 physician *shall* report such determination and the reasons for such determination in  
15 writing to the medical care facility in which the abortion is performed for inclusion  
16 in the report of the medical care facility to the Office of Vital Statistics ~~Guam~~  
17 ~~Memorial Hospital Medical Records Section~~ and to the Guam Board of Medical  
18 Examiners, *or if* the abortion is *not* performed in a medical care facility, the  
19 physician *shall* report the reasons for such determination in writing to the Office of  
20 Vital Statistics ~~Guam Memorial Hospital Medical Records Section~~ and to the  
21 Guam Board of Medical Examiners as part of the written report made by the  
22 physician to the Office of Vital Statistics ~~Guam Memorial Hospital Medical~~  
23 ~~Records Section~~ and to the Guam Board of Medical Examiners. The physician  
24 *shall* retain a copy of the written reports required under this Section for *not less*  
25 *than* five (5) years.

26 (k) Failure to report under this Section will subject physicians to a fine of *no*  
27 *less than* Ten Thousand Dollars (\$10,000), but *no more than* One Hundred  
28 Thousand Dollars (\$100,000) per offense.

1 (l) Subsection (k) does *not* preclude sanctions *or* disciplinary action *or* any  
2 other appropriate action by the Guam Board of Medical Examiners.

3 (m) The Office of Vital Statistics ~~Guam Memorial Hospital Medical~~  
4 ~~Records Section~~ *shall* compile and retain all partial-birth abortion reports it  
5 receives under this Section and collate and evaluate all data gathered therefrom,  
6 and *shall* annually publish a statistical report based on such data from partial-birth  
7 abortions performed in the previous calendar year *no later than* January 31st of the  
8 following  
9 calendar year.

10 (n) The Office of Vital Statistics ~~Guam Memorial Hospital Medical Records~~  
11 ~~Section~~ *shall* make available to physicians performing partial-birth abortions in  
12 Guam and the Guam Board of Medical Examiners forms for partial-birth abortion  
13 reports.

14 (o) All information in partial-birth abortion reports the Office of Vital  
15 Statistics ~~Guam Memorial Hospital Medical Records Section~~ receives *shall* be  
16 confidential. Information and reports may be disclosed only in communications  
17 between qualified professional persons in the provisions of services *or* in statistical  
18 form for research purposes.

19 (p) Any person who releases confidential information in violation of  
20 subsection (o) of this Section *shall* be guilty of a misdemeanor.”

21 **Section 4: Severability.** *If* any provision of this Law or its application to  
22 any person or circumstance is found to be invalid or contrary to law, such  
23 invalidity shall *not* affect other provisions or applications of this Law which can be  
24 given effect without the invalid provisions or applications, and to this end the  
25 provisions of this Law are severable.

26 **Section 5: Effective Date.** This act *shall* be immediately effective upon  
27 enactment.

***I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2013 (FIRST) Regular Session**

**Bill No. 98-32 (LS), as Substituted**  
Committee on Health & Human Services,  
Health Insurance Reform, Economic  
Development and Senior Citizens

Introduced by:

**D. G. Rodriguez, Jr.**

---

**AN ACT TO MANDATE THE ESTABLISHMENT OF A  
GUAM IMMUNIZATION REGISTRY, AND TO  
PROVIDE FOR THE COORDINATED SUBMISSION  
OF OTHER STATISTICAL DATA FOR  
COMPILATION AND REPORTING BY THE OFFICE  
OF VITAL STATISTICS, BY ADDING A NEW §3210.1  
AND AMENDING §3218, ALL OF ARTICLE 2 OF  
CHAPTER 3, 10 GCA.**

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

**Section 1. Legislative findings and intent. Section 1. Legislative findings and intent.** *I Mina'Trentai Dos Na Liheslaturan Guåhan* finds that there is a significant need for the coordinated collection of immunization records as a means of improving and ensuring proper preventative health care and the protection of the public's safety from contracting communicable diseases. The compilation and tracking of immunization records from birth to adulthood is crucial towards facilitating the Department of Public Health & Social Services (the "Department") mandate to ensure that those required to have mandatory vaccinations are in fact up to date, and that they have been properly administered. Currently, the Department is working under a process, not supported by law, whereby the voluntary signed consent of the patient, or in the case of a minor, the parent or guardian, is required to allow the physician or health care provider to report any vaccination information for input in a Guam Immunization Information System. This "Opt-in" system



1 creates an administrative burden for health care providers. By mandating the  
2 submission of immunization information, and changing the process of obtaining  
3 records to an “opt-out” process, there will no longer be a need to obtain the signed  
4 consent of the patient or the patient’s parent or guardian, in order to be entered into  
5 a registry.

6 It is the intent of *I Liheslaturan Guåhan* to establish and maintain a single  
7 island-wide repository of immunization records needed to aid, coordinate, and help  
8 promote efficient and cost-effective disease screening, prevention and control  
9 measures from early age to adulthood. It shall be known as the “*Guam*  
10 *Immunization Information System*”. The information to be compiled will allow the  
11 Department to assess immunization status, and identify any areas of concern or  
12 deficiency that need to be addressed. An efficient mandatory process will also  
13 ensure the accuracy of data collected.

14 *I Liheslaturan Guåhan* finds that the compilation and reporting of a partial  
15 birth abortion or an abortion is currently the responsibility of the Guam Memorial  
16 Hospital Authority. The Guam Memorial Hospital Authority does not, however,  
17 generally perform abortions as a generally available health care service under  
18 normal circumstances. Further, this responsibility places an unnecessary burden  
19 upon GMHA. The responsibility of data collection and compilation would be  
20 better coordinated if the responsibility is transferred to the Office of Vital Statistics  
21 under the Department of Public Health and Social Services. It is the intent of *I*  
22 *Liheslaturan Guåhan* to transfer this responsibility to the Department of Public  
23 Health and Social Services, provided, however, all mandatory reporting content  
24 required, aside from the department to which the reporting shall be reported, shall  
25 remain the same.

26 **Section 2:** A new § 3210.1 is added to Article 2, Chapter 3, Title 10, Guam  
27 Code Annotated, to read:

28 **“§3210.1. Guam Immunization Information System.**

1 (a) All health care providers performing immunizations to children and  
2 adults shall submit immunization reports to the Department of Public Health and  
3 Social Services (“Department”) in a manner compliant with guidelines for  
4 submissions issued by the Department which *shall*, at a minimum, indicate the  
5 name, date, age, and gender, and specific immunization received by the patient.

6 (1) All immunization records and reports made for the purposes of  
7 compliance with this Section that directly or indirectly identify a person  
8 *shall* be kept confidential and shall not be disclosed, *except* under the  
9 following conditions:

10 (A) The person identified, the person’s legal guardian, or in the case  
11 of a minor, the minor’s parent or legal guardian consents;

12 (B) Disclosure is deemed necessary by the Director of the  
13 Department to carry out purposes and intent of this chapter;

14 (C) A court directs upon its determination that disclosure is necessary  
15 for the conduct of proceedings before it;

16 (D) The disclosure is made between the person’s healthcare provider  
17 and payer to obtain reimbursement for services rendered to the person;  
18 provided that disclosure shall be made only if the provider informs the  
19 person that a reimbursement claim will be made to the person’s payer,  
20 the person is afforded an opportunity to pay the reimbursement  
21 directly, and the person does not pay; or

22 (E) The Department of Public Health and Social Services releases  
23 aggregate immunization information that does not disclose any  
24 identifying information of persons whose information is maintained in  
25 the registry.

26 (2) Registry information shall be limited to patient name,  
27 demographic information, and contact information; information specific to  
28 immunizations or medication received by the patient, including types,

1 manufacturers, lots numbers, expiration dates, anatomical sites of  
2 administration, routes of administration, vaccine information statement  
3 publication dates, doses, dates administered, the patient's history of vaccine,  
4 preventable diseases, and contraindications, precautions, adverse reactions  
5 to, or comments regarding immunization or medications; and the name and  
6 contact information of the vaccination administrator or medication provider  
7 and the patient's healthcare provider.

8 (3) The Department of Public Health and Social Services shall adopt  
9 administrative, physical, and technical measures to ensure the security of the  
10 registry; protect the confidentiality, integrity, and availability of registry  
11 data; and prevent unauthorized access to registry information.

12 (b) Purpose for access to registry information; access not disclosure.

13 (1) Notwithstanding (a)(1), it shall not be a disclosure for the persons  
14 listed in Paragraphs (2), (3), (4) and (5) of this Subsection to have limited  
15 access to registry information for the purposes specified in each subsection.

16 (2) Registry information regarding specific individuals in the registry  
17 may be accessed by authorized healthcare providers who are treating, have  
18 treated, or have been assigned to treat those individuals; by authorized  
19 employees of these healthcare providers; and, by authorized DPHSS health  
20 personnel assigned to monitor the immunization or health status of those  
21 individuals for the purposes of:

22 (A) Recording the administration of any vaccination, including  
23 pandemic influenza vaccine;

24 (B) Determining the immunization history of a patient to  
25 deliver healthcare treatment accordingly;

26 (C) Notifying individuals or parents or legal guardians of the  
27 need to schedule a visit for an immunization;

28 (D) Generating official immunization records;

1 (E) Ensuring compliance with mandatory immunization  
2 requirements;

3 (F) Recording the distribution of the prophylactic and  
4 treatment medications administered or dispensed in preparation  
5 for and in response to a potentially catastrophic disease threat;  
6 or,

7 (G) Complying with Guam Immunization Program.

8 (3) Registry information regarding specific individuals in the registry  
9 may be accessed by school and post-secondary school personnel authorized  
10 by the director of Public Health and Social Services, superintendent of the  
11 Guam Department of Education, or the administrator of a private or post-  
12 secondary school for the purpose of ensuring compliance with mandatory  
13 student immunization requirements.

14 (4) Registry information regarding specific individuals in the registry  
15 may be accessed by authorized health organizations that have been  
16 contracted to provide health insurance or health plan coverage for those  
17 individuals; provided that access is limited to only the enrollees, members,  
18 subscribers, and insured of the authorized health organization, and for the  
19 purpose of producing an immunization assessment report by the authorized  
20 health organization.

21 (5) Registry information regarding specific individuals in the registry  
22 may be accessed by the Department or agents of the Department for  
23 purposes of:

24 (A) Ensuring compliance with mandatory immunization  
25 requirements;

26 (B) Performing immunization related quality improvement or  
27 quality assessment activities;

1 (C) Complying with Guam Vaccines for Children and/or other  
2 provided vaccine programs, vaccine ordering and accountability  
3 policies and procedures;

4 (D) Producing aggregate immunization assessment reports to  
5 monitor and improve public health;

6 (E) Supporting efforts to prevent and manage outbreaks of  
7 vaccine-preventable diseases, including pandemic influenza;

8 (F) Assisting the Department in the event of a public health  
9 emergency; or

10 (G) Managing and maintaining the Guam Immunization  
11 Registry system.

12 (6) The use of the registry information accessed pursuant to this  
13 Section shall be limited to authorized vendor for registry development,  
14 maintenance and support.

15 (c) Registry record requirements.

16 (1) The establishment of an individual's record in the registry *shall*  
17 *not* require the prior consent of a patient, the consent of a patient, or the consent of  
18 a patient's parent or legal guardian in the case of a minor or dependent. The  
19 Department shall make available to the patient or patient's parent or legal guardian  
20 in the case of a minor or dependent, via the patient's health care provider or  
21 birthing hospital, a written description of the purpose and benefits of the Guam  
22 Immunization Information System, as well as the procedure for refusing inclusion  
23 in the registry.”

24 **Section 3.** §3218 of Article 2, Chapter 3, 10 GCA, is amended, to read:

25 **“§ 3218. Partial-Birth Abortion and Abortion Report.**

1 (a) An individual abortion report for each abortion shall be completed by  
2 the mother's attending physician, and shall be transmitted directly to the Office of  
3 Vital Statistics of the Department of Public Health & Social Services. The report  
4 shall be confidential and it shall not contain the name of the mother involved. This  
5 report shall include:

- 6 (1) Patient number;
- 7 (2) Name and address of the abortion facility or hospital;
- 8 (3) Date of the abortion;
- 9 (4) Zip code or other residential identification of the pregnant  
10 woman;
- 11 (5) Age of the pregnant woman;
- 12 (6) Ethnic origin of the pregnant woman;
- 13 (7) Marital status of the pregnant woman;
- 14 (8) Number of previous pregnancies;
- 15 (9) Number of years of education of the pregnant woman;
- 16 (10) Number of living children;
- 17 (11) Number of previous induced abortions;
- 18 (12) Date of the last induced abortion;
- 19 (13) Date of the last live birth;
- 20 (14) Method of contraception used, if any, at the time of conception;
- 21 (15) Date of the beginning of the last menstrual period;
- 22 (16) Medical condition of the pregnant woman at the time of abortion;
- 23 (17) RH type of the pregnant woman;
- 24 (18) Type of abortion procedure used;
- 25 (19) Complications, if any;
- 26 (20) Type of procedure done after the abortion;
- 27 (21) Type of family planning recommended;
- 28 (22) Type of additional counseling given, if any;

1 (23) Signature of attending physician; and

2 (24) Certification provided for in this section.

3 (b) An individual complication report for any post-abortion care performed  
4 upon a woman shall be completed by the physician providing such post-abortion  
5 care. This report shall include:

6 (1) Date of the abortion;

7 (2) Name and the address of the medical facility, abortion facility or  
8 hospital where the abortion was performed; and

9 (3) Nature of the abortion complication diagnosed or treated.

10 (c) All abortion reports shall be signed by the attending physician and shall  
11 be submitted to the Office of Vital Statistics ~~Guam Memorial Hospital Medical~~  
12 ~~Records Section~~ within thirty (30) days from the date of the abortion. All  
13 complication reports shall be signed by the physician providing the post abortion  
14 care and submitted to the Office of Vital Statistics ~~Guam Memorial Hospital~~  
15 ~~Medical Records Section~~ within thirty (30) days from the date of the post-abortion  
16 care.

17 (d) A copy of the abortion report shall be made a part of the medical record  
18 of the patient in the facility or hospital in which the abortion was performed.

19 (e) The Office of Vital Statistics ~~Guam Memorial Hospital Medical Records~~  
20 ~~Section~~ shall be responsible for collecting all abortion reports and complication  
21 reports, and collating and evaluating all data gathered therefrom, and shall annually  
22 publish a statistical report based on such data from abortions performed in the  
23 previous calendar year.

24 (f) The Office of Vital Statistics ~~Guam Memorial Hospital Medical Records~~  
25 ~~Section~~ shall make available to physicians performing abortions in Guam, forms  
26 for both abortion reports and post-abortion care reports, as provided in subsections  
27 (a) and (b) of this section.

1 (g) All information in abortion reports and post-abortion care reports and  
2 the reports themselves shall be confidential. Information and records may be  
3 disclosed only in communications between qualified professional persons in the  
4 provision of services or in statistical form for research purposes as required by  
5 subsection (e) of this section.

6 (h) Any person who releases confidential information in violation of  
7 subsection (g) of this section shall be guilty of a misdemeanor.

8 (i) Any person may bring an action against an individual who has willfully  
9 and knowingly released confidential information about such person in violation of  
10 subsection (g) of this section for the greater of the following amounts:

11 (1) Five Hundred Dollars (\$500); or

12 (2) Three (3) times the amount of actual damages, if any, sustained by the  
13 plaintiff, reasonable attorney's fees and the costs of the action. It is not a  
14 prerequisite to an action under this subsection that the plaintiff suffer or be  
15 threatened with actual damages.

16 (j) *If* a physician performs a partial-birth abortion on the woman, the  
17 physician *shall* report such determination and the reasons for such determination in  
18 writing to the medical care facility in which the abortion is performed for inclusion  
19 in the report of the medical care facility to the Office of Vital Statistics ~~Guam~~  
20 ~~Memorial Hospital Medical Records Section~~ and to the Guam Board of Medical  
21 Examiners, *or if* the abortion is *not* performed in a medical care facility, the  
22 physician *shall* report the reasons for such determination in writing to the Office of  
23 Vital Statistics ~~Guam Memorial Hospital Medical Records Section~~ and to the  
24 Guam Board of Medical Examiners as part of the written report made by the  
25 physician to the Office of Vital Statistics ~~Guam Memorial Hospital Medical~~  
26 ~~Records Section~~ and to the Guam Board of Medical Examiners. The physician  
27 *shall* retain a copy of the written reports required under this Section for *not less*  
28 *than* five (5) years.



1 (k) Failure to report under this Section will subject physicians to a fine of *no*  
2 *less than* Ten Thousand Dollars (\$10,000), but *no more than* One Hundred  
3 Thousand Dollars (\$100,000) per offense.

4 (l) Subsection (k) does *not* preclude sanctions *or* disciplinary action *or* any  
5 other appropriate action by the Guam Board of Medical Examiners.

6 (m) The Office of Vital Statistics ~~Guam Memorial Hospital Medical~~  
7 ~~Records Section~~ *shall* compile and retain all partial-birth abortion reports it  
8 receives under this Section and collate and evaluate all data gathered therefrom,  
9 and *shall* annually publish a statistical report based on such data from partial-birth  
10 abortions performed in the previous calendar year *no later than* January 31st of the  
11 following  
12 calendar year.

13 (n) The Office of Vital Statistics ~~Guam Memorial Hospital Medical Records~~  
14 ~~Section~~ *shall* make available to physicians performing partial-birth abortions in  
15 Guam and the Guam Board of Medical Examiners forms for partial-birth abortion  
16 reports.

17 (o) All information in partial-birth abortion reports the Office of Vital  
18 Statistics ~~Guam Memorial Hospital Medical Records Section~~ receives *shall* be  
19 confidential. Information and reports may be disclosed only in communications  
20 between qualified professional persons in the provisions of services *or* in statistical  
21 form for research purposes.

22 (p) Any person who releases confidential information in violation of  
23 subsection (o) of this Section *shall* be guilty of a misdemeanor.”

24 **Section 4: Severability.** *If* any provision of this Law or its application to  
25 any person or circumstance is found to be invalid or contrary to law, such  
26 invalidity shall *not* affect other provisions or applications of this Law which can be  
27 given effect without the invalid provisions or applications, and to this end the  
28 provisions of this Law are severable.

1           **Section 5: Effective Date.** This act *shall* be immediately effective upon  
2 enactment, provided, however, for the purposes providing the Office of Vital  
3 Statistics, Department of Public Health and Social Services, adequate time for the  
4 development and preparation of, but not limited to, guidelines, forms, other  
5 requisite documentation and procedures required for implementation, the  
6 mandatory reporting provisions pursuant to this Act shall be effective ninety (90)  
7 after enactment, and during which time the current reporting requirements shall  
8 continue so as to ensure the uninterrupted collection of data.



**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 • 32<sup>nd</sup> Guam Legislature*

**PUBLIC HEARING: Monday, May 6, 2013, 9:00 a.m.**

**Guam Legislature Public Hearing Room**

**BILL NO. 98-32 (LS) D.G. Rodriguez, Jr.- Guam Immunization Registry**

PLEASE PRINT YOUR NAME	SIGNATURE	AGENCY or ORGANIZATION	Support	Oppose	Written Testimony	Oral Testimony	EMAIL ADDRESS	CONTACT NUMBERS
JIM GILLAN		DPHSS	X	X		X		735 7101
ENGRACIA VALENIA		DPHSS	X				engracia.guambao@dphss.guam.gov	735-7114
MICHELE LEON EMERENO		DPHSS	X				michele.leonemereno@dphss.guam.gov	735-7143
Carolyn Garrido		DPHSS		X			cdphss.guam.gov carolyn.garrido	735-7285
ALAN ULRIE		GMHA	X			X	alan.ulrie@gmha.org	647-2936
Sera Rios		GMHA	X				Sera.rios@gmha.org	647-2225



# 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

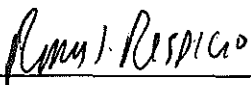
Senator  
Aline Yamashita  
Member

## 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. 98-32 (LS) – "AN ACT TO MANDATE THE ESTABLISHMENT OF A GUAM IMMUNIZATION REGISTRY, AND TO PROVIDE FOR THE COORDINATED SUBMISSION OF OTHER STATISTICAL DATA FOR COMPILATION AND REPORTING BY THE OFFICE OF VITAL STATISTICS, BY ADDING A NEW §3210.1 AND AMENDING §3218, ALL OF ARTICLE 2 OF CHAPTER 3, 10GCA."** – on October 28, 2013. COR hereby certifies that BBMR confirmed receipt of this request on April 30, 2013 at 3:00 P.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 98-32 (LS) to be included in the committee report on said bill, is hereby waived.

Certified by:

  
\_\_\_\_\_

Senator Rory J. Respicio  
Chairperson, Committee on Rules

Date 10/28/13



## 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

April 25, 2013

### 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. 98-32(LS)

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 98-32(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

*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</b>	<b>FISCAL NOTES</b>
98-32 (LS)	D.G. Rodriguez, Jr.	AN ACT TO MANDATE THE ESTABLISHMENT OF A GUAM IMMUNIZATION REGISTRY, AND TO PROVIDE FOR THE COORDINATED SUBMISSION OF OTHER STATISTICAL DATA FOR COMPILATION AND REPORTING BY THE OFFICE OF VITAL STATISTICS, BY ADDING A NEW §3210.1 AND AMENDING §3218, ALL OF ARTICLE 2 OF CHAPTER 3, 10 GCA.	4/25/13 9:08 A.M.	4/25/13	Committee on Health & Human Services, Health Insurance Reform, Economic Dvelopment, and Senior Citizens			



---

## FIRST NOTICE OF PUBLIC HEARING-May 6, 2013

1 message

---

**Amanda Shelton** <amanda@toduguam.com>

Mon, Apr 29, 2013 at 5:07 PM

To: phnotice@guamlegislature.org

### MEMORANDUM

TO: ALL SENATORS

FROM: Senator Dennis G. Rodriguez, Jr.

SUBJECT: FIRST NOTICE OF PUBLIC HEARING-May 6, 2013

Buenas yan Hafa Adai!

The Committee on Health and Human Services, Health Insurance Reform, Economic Development and Senior Citizens has scheduled public hearing for May 6, 2013 at 9:00 a.m. The items on the agenda are as follows:

9:00 a.m.

- The Executive Appointment of **Ms. Virginia Yasuhiro** as member, Council on Mental Health and Substance Abuse (AKA "The Advisory Council).
- **Bill No.98-32 (LS) D.LS) pment and Senior Citizens (AKA "ce Abuse.abated or rebated through the Qualifying Certificate Program.ish to have added fG. Rodriguez, Jr.-An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the office of vital statistics, by adding a new §3210.1 and amending §3218, all of article 2 of chapter 3, 10 GCA.**

I look forward to your presence and participation.

Si Yu'os Ma'ase'!

—  
*Si Yu'os Ma'ase'*  
**Amanda L. Shelton**  
Chief Policy Analyst  
Office of Senator Rodriguez

649-8638

www.toduguam.com



**SENATOR DENNIS G. RODRIGUEZ, JR.**

FOR IMMEDIATE RELEASE

April 29, 2013

**PRESS RELEASE  
FIRST NOTICE OF PUBLIC HEARING  
Monday, May 6, 2013, 9:00 a.m.**

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Insurance Reform, Economic Development and Senior Citizens will be conducting a Public Hearing **Monday, May 6, 2013 at 9:00 a.m.** at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

9:00 a.m.

- The Executive Appointment of **Ms. Virginia Yasuhiro** as member, Council on Mental Health and Substance Abuse (AKA "The Advisory Council).
- **Bill No.98-32 (LS) D.G. Rodriguez, Jr.**-An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the office of vital statistics, by adding a new §3210.1 and amending §3218, all of article 2 of chapter 3, 10 GCA.

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via-hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact our office at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU).

###

Chairman, Committee on Health & Human Services, Health Insurance Reform, Economic Development, & Senior Citizens  
*Ufisinan Todu Guam • I Mina' Trentai Dos Na Liheslaturan Guåhan • 32<sup>nd</sup> Guam Legislature*  
176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520  
E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com) / [www.todugam.com](http://www.todugam.com)





---

## FIRST NOTICE OF PUBLIC HEARING-MAY 6, 2013

1 message

---

**Amanda Shelton** <amanda@toduguan.com>

Mon, Apr 29, 2013 at 5:03 PM

To: Clynt Ridgell <clynt@spbguam.com>, Duane George <dmgeorge@guampdn.com>, dtamondong@guampdn.com, editor@mvariety.com, gdumat-ol@guampdn.com, gerry@mvguam.com, Sabrina Salas Matanane <hottips@kuam.com>, john@kuam.com, Josh Tyquiengco <jtyquiengco@spbguam.com>, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, ricknauta@hitradio100.com, Sabrina Salas Matanane <sabrina@kuam.com>, slimtiaco@guampdn.com, zita@mvguam.com, Amritha Alladi <aalladi@guampdn.com>, Arvin Temkar <aktemkar@guampdn.com>, Cameron Miculka <cimiculka@guampdn.com>, "David V. Crisostomo" <dcrisostomo@guampdn.com>, "George, Duane M" <dmgeorge@guam.gannett.com>, gerry partido <gerrypartido.mvguam3@gmail.com>, James <officemanager@hitradio100.com>, Jason Salas <jason@kuam.com>, Jerick Sablan <jpsablan@guampdn.com>, Jesse Lujan <jesselujan27@yahoo.com>, "Jon A. Anderson" <editor@mvguam.com>, Joy <joy@mvguam.com>, Jr <news@lifenews.com>, Katrina <life@guampdn.com>, Ken Quintanilla <kenq@kuam.com>, Kevin Kemigan <kevin@spbguam.com>, Kevin Kemigan <news@k57.com>, Marvic Cagurangan <marvic@mvguam.com>, Mindy Aguon <mindy@kuam.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, "rgibson@k57.com" <rgibson@k57.com>, Travis Coffman <thebigshow@k57.com>, William Gibson <breakfastshowk57@gmail.com>, phnotice@guamlegislature.org

Hafa Adai,

Please see attach notice of public hearing scheduled for May 6, 2013. Please feel free to contact our office should you have any questions or concerns.

—  
*Si Yu 'os Ma 'ase',*  
**Amanda L. Shelton**  
Chief Policy Analyst  
Office of Senator Rodriguez

649-8638  
www.toduguan.com

---

 **May 6, 2013 Public Hearing Notice.pdf**  
237K



Joseph Anthony Mesngon <jmesngon.senator@rodriguez@gmail.com>

## SECOND NOTICE OF PUBLIC HEARING-MAY 6, 2013

2 messages

Amanda Shelton <amanda@toduguam.com>

Wed, May 1, 2013 at 3:05 PM

To: Clynt Ridgell <clynt@spbguam.com>, Duane George <dmgeorge@guampdn.com>, dtamondong@guampdn.com, editor@mvariety.com, gdumat-ol@guampdn.com, gerry@mvguam.com, Sabrina Salas Matanane <hottips@kuam.com>, john@kuam.com, Josh Tyquiengco <jtyquiengco@spbguam.com>, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, ricknauta@hitradio100.com, Sabrina Salas Matanane <sabrina@kuam.com>, slimtiaco@guampdn.com, zita@mvguam.com, Amritha Alladi <aalladi@guampdn.com>, Arvin Temkar <aktemkar@guampdn.com>, Cameron Miculka <cimiculka@guampdn.com>, "David V. Crisostomo" <dcrisostomo@guampdn.com>, "George, Duane M" <dmgeorge@guam.gannett.com>, gerry partido <gerrypartido.mvguam3@gmail.com>, James <officemanager@hitradio100.com>, Jason Salas <jason@kuam.com>, Jerick Sablan <jpsablan@guampdn.com>, Jesse Lujan <jesselujan27@yahoo.com>, "Jon A. Anderson" <editor@mvguam.com>, Joy <joy@mvguam.com>, Jr <news@lifeneews.com>, Katrina <life@guampdn.com>, Ken Quintanilla <kenq@kuam.com>, Kevin Kerrigan <kevin@spbguam.com>, Kevin Kerrigan <news@k57.com>, Marvic Cagurangan <marvic@mvguam.com>, Mindy Aguon <mindy@kuam.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, "rgibson@k57.com" <rgibson@k57.com>, Travis Coffman <thebigshow@k57.com>, William Gibson <breakfastshowk57@gmail.com>, phnotice@guamlegislature.org

Hafa Adai,

Please see attached notice of public hearing scheduled for May 6, 2013. Please feel free to contact our office should you have any questions or concerns. Thank you.

FOR IMMEDIATE RELEASE

May 1, 2013

### PRESS RELEASE

#### SECOND NOTICE OF PUBLIC HEARING

**Monday, May 6, 2013, 9:00 a.m.**

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Insurance Reform, Economic Development and Senior Citizens will be conducting a Public Hearing **Monday, May 6, 2013 at 9:00 a.m.** at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

9:00 a.m.

- The Executive Appointment of **Ms. Virginia Yasuhiro** as member, Council on Mental Health and Substance Abuse (AKA "The Advisory Council).
- **Bill No.98-32 (LS) D.LS) pment and Senior Citizens (AKA "ce Abuse.abated or rebated through the Qualifying Certificate Program.ish to have added fG. Rodriguez, Jr.-An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the office of vital statistics, by adding a new §3210.1 and**

amending §3218, all of article 2 of chapter 3, 10 GCA.

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact our office at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU).

###

—  
*Si Yu'os Ma'åse'*  
**Amanda L. Shelton**  
Chief Policy Analyst  
Office of Senator Rodriguez

649-8638  
[www.toduguam.com](http://www.toduguam.com)

---

 **May 6, 2013 Second Public Hearing Notice.pdf**  
232K

---

**Amanda Shelton** <[amanda@toduguam.com](mailto:amanda@toduguam.com)>  
To: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)

Wed, May 1, 2013 at 3:08 PM

MEMORANDUM

TO: ALL SENATORS

FROM: Senator Dennis G. Rodriguez, Jr.

SUBJECT: SECOND NOTICE OF PUBLIC HEARING MAY 6, 2013

Buenas yan Hafa Adai!

The Committee on Health and Human Services, Health Insurance Reform, Economic Development and Senior Citizens has scheduled a Public Hearing for May 6, 2013 at 9:00 a.m. The items on the agenda are as follows:

9:00 a.m.

· The Executive Appointment of **Ms. Virginia Yasuhiro** as member, Council on Mental Health and Substance Abuse (AKA "The Advisory Council).

· **Bill No.98-32 (LS) D.G. Rodriguez, Jr.** -An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the office of vital statistics, by adding a new §3210.1 and amending §3218, all of article 2 of chapter 3, 10 GCA.

I look forward to your presence and participation.

—

*Si Yu'os Ma'åse'*,

**Amanda L. Shelton**

Chief Policy Analyst

Office of Senator Rodriguez

649-8638

[www.toduguam.com](http://www.toduguam.com)



**SENATOR DENNIS G. RODRIGUEZ, JR.**

FOR IMMEDIATE RELEASE

May 1, 2013

**PRESS RELEASE  
SECOND NOTICE OF PUBLIC HEARING  
Monday, May 6, 2013, 9:00 a.m.**

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Insurance Reform, Economic Development and Senior Citizens will be conducting a Public Hearing **Monday, May 6, 2013 at 9:00 a.m.** at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

9:00 a.m.

- The Executive Appointment of **Ms. Virginia Yasuhiro** as member, Council on Mental Health and Substance Abuse (AKA "The Advisory Council).
- **Bill No.98-32 (LS) D.G. Rodriguez, Jr.**-An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the office of vital statistics, by adding a new §3210.1 and amending §3218, all of article 2 of chapter 3, 10 GCA.

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via-hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact our office at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU).

###

Chairman, Committee on Health & Human Services, Health Insurance Reform, Economic Development, & Senior Citizens  
*Ufisinan Todu Guam • I Mina' Trentai Dos Na Liheslaturan Guåhan • 32<sup>nd</sup> Guam Legislature*  
176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520  
E-mail: [senatordrodriguez@gmail.com](mailto:senatordrodriguez@gmail.com) / [www.toduguam.com](http://www.toduguam.com)

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)  
As of August 27, 2013**

aalladi@guampdn.com
action@weareguahan.com
admin@frankaguonjr.com
admin@guamrealtors.com
admin@leapguam.com
admin@weareguahan.com
aguon4guam@gmail.com
ahernandez@guamlegislature.org
ajuan@kijifm104.com
alerta.jermaine@gmail.com
aline4families@gmail.com
am800guam@gmail.com
amanda@toduguam.com
amier@mvguam.com
ang.duenas@gmail.com
angela.lgrios@gmail.com
aokada@guamlegislature.org
ataligba@gmail.com
av@guamlegislature.org
avillaverde@guamlegislature.org
avon.guam@gmail.com
baza.matthew@gmail.com
bbautista@spbguam.com
bdydasco@yahoo.com
berthaduenas@guamlegislature.org
betsy@spbguam.com
bmkelman@guampdn.com
brantforguam@gmail.com
breanna.lai@mail.house.gov
bruce.lloyd.media@gmail.com
carlos.pangelinan@senatorbjcruz.com
carlsonc@pstripes.osd.mil
ccastro@guamchamber.com.gu
ccharfauros@guamag.org
charissa.tenorio@senatorbjcruz.com
chechsantos@gmail.com
cheerfulcatunao@yahoo.com
cherbert.senatordrodriguez@gmail.com
chris.budasi@guamlegislature.org
cipo@guamlegislature.org
clerks@guamlegislature.org
clifton@toduguam.com
clynt@spbguam.com
colleenw@guamlegislature.org
committee@frankaguonjr.com
communications@guam.gov
conedera@mikelimtiaco.com
cor@guamlegislature.org
coy@senatorada.org
cyrus@senatorada.org
dcrisost@guam.gannett.com
desori623@hotmail.com
dleddy@guamchamber.com.gu
dmgeorge@guampdn.com

dtamondong@guampdn.com
duenasenator@gmail.com
ed@tonyada.com
edelynn1130@hotmail.com
editor@mvguam.com
editor@saipantribune.com
edpocaigne@judiwonpat.com
elaine@tinamunabarnes.com
emqcho@gmail.com
ewinstoni@yahoo.com
eo@guamrealtors.com
etajalle@guamlegislature.org
evelyn4families@gmail.com
fbtorres@judiwonpat.com
floterlaje@gmail.com
frank@judiwonpat.com
frank@mvguam.com
gdumat-ol@guampdn.com
gerry@mvguam.com
gerrypartido@gmail.com
gina@mvguam.com
gktv23@hotmail.com
guam@pstripes.osd.mil
guamnativesun@yahoo.com
hana@guam-shinbun.com
hill.bruce@abc.net.au
hottips@kuam.com
info@chinesetimesguam.com
janela@mvguam.com
jason@judiwonpat.com
jason@kuam.com
jblas@tinamunabarnes.com
jean@tinamunabarnes.com
jennifer.lj.dulla@gmail.com
jennifer@mvguam.com
jimespaldon@yahoo.com
jmesngon.senatordrodriguez@gmail.com
joan@kuam.com
joe@toduguam.com
john.calvo@noaa.gov
john@kuam.com
jpmanuel@gmail.com
jtenorio@guamcourts.org
jtyquiengco@spbguam.com
julian.c.janssen@gmail.com
juliette@senatorada.org
kai@spbguam.com
kcn.kelly@gmail.com
kelly.toves@mail.house.gov
keng@kuam.com
kevin@spbguam.com
khmg@hbcguam.net
koreannews@guam.net
koreatv@kuentos.guam.net

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)  
As of August 27, 2013**

<a href="mailto:kstokish@gmail.com">kstokish@gmail.com</a>
<a href="mailto:kstone@ite.net">kstone@ite.net</a>
<a href="mailto:law@guamag.org">law@guamag.org</a>
<a href="mailto:life@guampdn.com">life@guampdn.com</a>
<a href="mailto:llmatthews@guampdn.com">llmatthews@guampdn.com</a>
<a href="mailto:lou4families@gmail.com">lou4families@gmail.com</a>
<a href="mailto:louella@mvguam.com">louella@mvguam.com</a>
<a href="mailto:louise@tonyada.com">louise@tonyada.com</a>
<a href="mailto:m.salaila@yahoo.com">m.salaila@yahoo.com</a>
<a href="mailto:mabuhaynews@yahoo.com">mabuhaynews@yahoo.com</a>
<a href="mailto:mahouquinene@guam.net">mahouquinene@guam.net</a>
<a href="mailto:malainse@gmail.com">malainse@gmail.com</a>
<a href="mailto:maria.pangelinan@gec.guam.gov">maria.pangelinan@gec.guam.gov</a>
<a href="mailto:maryfejeran@gmail.com">maryfejeran@gmail.com</a>
<a href="mailto:mary@roryforguam.com">mary@roryforguam.com</a>
<a href="mailto:mcarlson@guamlegislature.org">mcarlson@guamlegislature.org</a>
<a href="mailto:mcpherson.kathryn@abc.net.au">mcpherson.kathryn@abc.net.au</a>
<a href="mailto:menchu@toduguam.com">menchu@toduguam.com</a>
<a href="mailto:mike.lidia@senatorbjcruz.com">mike.lidia@senatorbjcruz.com</a>
<a href="mailto:mike@mikelimtiaco.com">mike@mikelimtiaco.com</a>
<a href="mailto:mindy@kuam.com">mindy@kuam.com</a>
<a href="mailto:mis@guamlegislature.org">mis@guamlegislature.org</a>
<a href="mailto:miseke@mcvguam.com">miseke@mcvguam.com</a>
<a href="mailto:mlwheeler2000@yahoo.com">mlwheeler2000@yahoo.com</a>
<a href="mailto:mmafnas@guamlegislature.org">mmafnas@guamlegislature.org</a>
<a href="mailto:monty.mcdowell@amiguam.com">monty.mcdowell@amiguam.com</a>
<a href="mailto:mspeps4873@gmail.com">mspeps4873@gmail.com</a>
<a href="mailto:mvariety@pticom.com">mvariety@pticom.com</a>
<a href="mailto:mwatanabe@guampdn.com">mwatanabe@guampdn.com</a>
<a href="mailto:news@guampdn.com">news@guampdn.com</a>
<a href="mailto:news@spbguam.com">news@spbguam.com</a>
<a href="mailto:nick@kuam.com">nick@kuam.com</a>
<a href="mailto:norman.aguilar@guamcc.edu">norman.aguilar@guamcc.edu</a>
<a href="mailto:nsantos@guamlegislature.org">nsantos@guamlegislature.org</a>
<a href="mailto:odngirairikl@guampdn.com">odngirairikl@guampdn.com</a>
<a href="mailto:office@senatorada.org">office@senatorada.org</a>
<a href="mailto:oliviampalacios@gmail.com">oliviampalacios@gmail.com</a>
<a href="mailto:onlyonguam@acubedink.com">onlyonguam@acubedink.com</a>
<a href="mailto:pacificjournalist@gmail.com">pacificjournalist@gmail.com</a>
<a href="mailto:parroyo@k57.com">parroyo@k57.com</a>
<a href="mailto:pdkprg@gmail.com">pdkprg@gmail.com</a>
<a href="mailto:pete@tonyada.com">pete@tonyada.com</a>
<a href="mailto:phillipsguam@gmail.com">phillipsguam@gmail.com</a>
<a href="mailto:publisher@glimpsesofguam.com">publisher@glimpsesofguam.com</a>
<a href="mailto:qduenas_8@yahoo.com">qduenas_8@yahoo.com</a>
<a href="mailto:rennae@guamlegislature.org">rennae@guamlegislature.org</a>
<a href="mailto:responsibleguam@gmail.com">responsibleguam@gmail.com</a>
<a href="mailto:rfttehan@yahoo.com">rfttehan@yahoo.com</a>
<a href="mailto:rgibson@k57.com">rgibson@k57.com</a>

<a href="mailto:richdevera@gmail.com">richdevera@gmail.com</a>
<a href="mailto:ricknauta@hitradio100.com">ricknauta@hitradio100.com</a>
<a href="mailto:rliantiaco@guampdn.com">rliantiaco@guampdn.com</a>
<a href="mailto:rob@judiwonpat.com">rob@judiwonpat.com</a>
<a href="mailto:rolly@ktkb.com">rolly@ktkb.com</a>
<a href="mailto:roryforguam@gmail.com">roryforguam@gmail.com</a>
<a href="mailto:ryanjames@senatormorrison.com">ryanjames@senatormorrison.com</a>
<a href="mailto:santos.duenas@gmail.com">santos.duenas@gmail.com</a>
<a href="mailto:senator@senatorbjcruz.com">senator@senatorbjcruz.com</a>
<a href="mailto:senatorbrantmccreadie@gmail.com">senatorbrantmccreadie@gmail.com</a>
<a href="mailto:senator@tinamunabarnes.com">senator@tinamunabarnes.com</a>
<a href="mailto:senatorrodriguez@gmail.com">senatorrodriguez@gmail.com</a>
<a href="mailto:sensorsannicolas@gmail.com">sensorsannicolas@gmail.com</a>
<a href="mailto:senatortonyada@guamlegislature.org">senatortonyada@guamlegislature.org</a>
<a href="mailto:senbenp@guam.net">senbenp@guam.net</a>
<a href="mailto:sgflores@tinamunabarnes.com">sgflores@tinamunabarnes.com</a>
<a href="mailto:sgtarms@guamlegislature.org">sgtarms@guamlegislature.org</a>
<a href="mailto:sitarose2@yahoo.com">sitarose2@yahoo.com</a>
<a href="mailto:slimtiaco@guampdn.com">slimtiaco@guampdn.com</a>
<a href="mailto:sonedera-salas@guamlegislature.org">sonedera-salas@guamlegislature.org</a>
<a href="mailto:speaker@judiwonpat.com">speaker@judiwonpat.com</a>
<a href="mailto:tanya4families@gmail.com">tanya4families@gmail.com</a>
<a href="mailto:tasigirl@gmail.com">tasigirl@gmail.com</a>
<a href="mailto:tcastro@guam.net">tcastro@guam.net</a>
<a href="mailto:telo.taitague@guam.gov">telo.taitague@guam.gov</a>
<a href="mailto:tessa@senatorbjcruz.com">tessa@senatorbjcruz.com</a>
<a href="mailto:thebigshow@guamcell.net">thebigshow@guamcell.net</a>
<a href="mailto:thebigshow@k57.com">thebigshow@k57.com</a>
<a href="mailto:therese.hart.writer@gmail.com">therese.hart.writer@gmail.com</a>
<a href="mailto:therese@judiwonpat.com">therese@judiwonpat.com</a>
<a href="mailto:tinamunabarnes@gmail.com">tinamunabarnes@gmail.com</a>
<a href="mailto:tjtaitano@cs.com">tjtaitano@cs.com</a>
<a href="mailto:tom@senatorada.org">tom@senatorada.org</a>
<a href="mailto:tommy@senatormorrison.com">tommy@senatormorrison.com</a>
<a href="mailto:tony@tonyada.com">tony@tonyada.com</a>
<a href="mailto:trittent@pstripes.osd.mil">trittent@pstripes.osd.mil</a>
<a href="mailto:tterlaje@guam.net">tterlaje@guam.net</a>
<a href="mailto:val@tonyada.com">val@tonyada.com</a>
<a href="mailto:vincent@tinamunabarnes.com">vincent@tinamunabarnes.com</a>
<a href="mailto:wil@judiwonpat.com">wil@judiwonpat.com</a>
<a href="mailto:will@senatorada.org">will@senatorada.org</a>
<a href="mailto:xiosormd@gmail.com">xiosormd@gmail.com</a>
<a href="mailto:xiosormd@yahoo.com">xiosormd@yahoo.com</a>
<a href="mailto:ylee2@guam.gannett.com">ylee2@guam.gannett.com</a>
<a href="mailto:zita@mvguam.com">zita@mvguam.com</a>
<a href="mailto:zpalomo@guamag.org">zpalomo@guamag.org</a>



## SENATOR DENNIS G. RODRIGUEZ, JR.

### PUBLIC HEARING AGENDA

Monday, May 6, 2013

9:00 a.m.

Public Hearing Room, *I Libeslaturan Guåhan*, Hagatña, Guam

I. Call to Order

II. Announcements

III. Items for Public Consideration

9:00 a.m.

- The Executive Appointment of **Ms. Virginia Yasuhiro** as member, Council on Mental Health and Substance Abuse (AKA "The Advisory Council).
- **Bill No.98-32 (LS) D.G. Rodriguez, Jr.**-An act to mandate the establishment of a Guam Immunization Registry, and to provide for the coordinated submission of other statistical data for compilation and reporting by the office of vital statistics, by adding a new §3210.1 and amending §3218, all of article 2 of chapter 3, 10 GCA.

IV. Announcements

V. Adjournment





# 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

2013 APR 30 PM 3:41

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

April 30, 2013

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

VIA EMAIL  
[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

Senator  
Vicente (Ben) C. Pangelinan  
Member

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

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

RE: Request for Fiscal Note – Bill Nos. 97-32(LS), 98-32(LS),  
99-32(LS), and 100-32(LS)

Senator  
Dennis G. Rodriguez, Jr.  
Member

*Håfa Adai* Mr. Rios:

Vice-Speaker  
Benjamin J.F. Cruz  
Member

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.

Legislative Secretary  
Tina Rose Muña Barnes  
Member

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

Senator  
Frank Blas Aguon, Jr.  
Member

Very Truly Yours,

Senator  
Michael F.Q. San Nicolas  
Member

Senator Rory J. Respicio  
Chairperson, Committee on Rules

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Attachments

Senator  
Aline Yamashita  
Member

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
97-32 (LS)	D.G. Rodriguez,Jr.	AN ACT TO APPROPRIATE AVAILABLE FUNDS FROM THE GUAM/TERRITORIAL HIGHWAY FUND TO DESIGNATE AND PRIORITIZE CERTAIN CAPITAL IMPROVEMENT PROJECTS, PURCHASE HEAVY EQUIPMENT NEEDED BY THE DEPARTMENT OF PUBLIC WORKS FOR FLOOD MITIGATION AND FUND THE DEPARTMENT OF REVENUE AND TAXATION'S TRANSACTION PROCESSING SYSTEM.
98-32(LS)	D.G. Rodriguez,Jr.	AN ACT TO MANDATE THE ESTABLISHMENT OF A GUAM IMMUNIZATION REGISTRY, AND TO PROVIDE FOR THE COORDINATED SUBMISSION OF OTHER STATISTICAL DATA FOR COMPILATION AND REPORTING BY THE OFFICE OF VITAL STATISTICS, BY ADDING A NEW §3210.1 AND AMENDING §3218, ALL OF ARTICLE 2 OF CHAPTER 3,10GCA.
99-32(LS)	Brant T. McCreadie	AN ACT TO AMEND §80.60 OF ARTICLE 4, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING MINIMUM SENTENCES FOR CRIMES.
100-32(LS)	Judith T. Won Pat,Ed.D	AN ACT TO ADD A NEW ITEM (e) TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE DEPOSIT OF UNCLAIMED OR UNPAID TAX REFUND CHECKS INTO THE INCOME TAX REFUND RESERVE FUND



## 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

April 25, 2013

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

### MEMORANDUM


Senator  
Vicente (Ben) C. Pangelinan  
Member

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

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

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

Senator  
Dennis G. Rodriguez, Jr.  
Member

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

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Subject: **Referral of Bill No. 98-32(LS)**

Legislative Secretary  
Tina Rose Muña Barnes  
Member

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 98-32(LS).

Senator  
Frank Blas Aguon, Jr.  
Member

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*.

Senator  
Michael F.Q. San Nicolas  
Member

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

*Si Yu'os Ma'åse!*

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Attachment

Senator  
Aline Yamashita  
Member

**I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (FIRST) Regular Session**

Bill No. 98 -32 (LS)

Introduced by:

D. G. Rodriguez, Jr. 

**AN ACT TO MANDATE THE ESTABLISHMENT OF A  
GUAM IMMUNIZATION REGISTRY, AND TO  
PROVIDE FOR THE COORDINATED SUBMISSION  
OF OTHER STATISTICAL DATA FOR  
COMPILATION AND REPORTING BY THE OFFICE  
OF VITAL STATISTICS, BY ADDING A NEW §3210.1  
AND AMENDING §3218, ALL OF ARTICLE 2 OF  
CHAPTER 3, 10 GCA.**

2013 APR 25 AM 9:08  


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

**Section 1. Legislative findings and intent. Section 1. Legislative findings and intent.** *I Mina'Trentai Dos Na Liheslaturan Guåhan* finds that there is a significant need for the coordinated collection of immunization records as a means of improving and ensuring proper preventative health care and the protection of the public's safety from contracting communicable diseases. The compilation and tracking of immunization records from birth to adulthood is crucial towards facilitating the Department of Public Health & Social Services (the "Department") mandate to ensure that those required to have mandatory vaccinations are in fact up to date, and that they have been properly administered. Currently, the Department is working under a process, not supported by law, whereby the voluntary signed consent of the patient, or in the case of a minor, the parent or guardian, is required to allow the physician or health care provider to report any vaccination information for input in a Guam Immunization Information System. This "Opt-in" system creates an administrative burden for health care providers. By mandating the submission of immunization information, and changing the process of obtaining

1 records to an “opt-out” process, there will no longer be a need to obtain the signed  
2 consent of the patient or the patient’s parent or guardian, in order to be entered into  
3 a registry.

4 It is the intent of *I Liheslaturan Guåhan* to establish and maintain a single  
5 island-wide repository of immunization records needed to aid, coordinate, and help  
6 promote efficient and cost-effective disease screening, prevention and control  
7 measures from early age to adulthood. It shall be known as the “*Guam*  
8 *Immunization Information System*”. The information to be compiled will allow the  
9 Department to assess immunization status, and identify any areas of concern or  
10 deficiency that need to be addressed. An efficient mandatory process will also  
11 ensure the accuracy of data collected.

12 *I Liheslaturan Guåhan* finds that the compilation and reporting of a partial  
13 birth abortion or an abortion is currently the responsibility of the Guam Memorial  
14 Hospital Authority. The Guam Memorial Hospital Authority does not, however,  
15 generally perform abortions as a generally available health care service under  
16 normal circumstances. Further, this responsibility places an unnecessary burden  
17 upon GMHA. The responsibility of data collection and compilation would be  
18 better coordinated if the responsibility is transferred to the Office of Vital Statistics  
19 under the Department of Public Health and Social Services. It is the intent of *I*  
20 *Liheslaturan Guåhan* to transfer this responsibility to the Department of Public  
21 Health and Social Services, provided, however, all mandatory reporting content  
22 required, aside from the department to which the reporting shall be reported, shall  
23 remain the same.

24 **Section 2:** A new § 3210.1 is added to Article 2, Chapter 3, Title 10, Guam  
25 Code Annotated, to read:

26 **“§3210.1. Guam Immunization Information System.**

27 (a) All health care providers performing immunizations to children and  
28 adults shall submit immunization reports to the Department of Public Health and

1 Social Services (“Department”) in a manner compliant with guidelines for  
2 submissions issued by the Department which *shall*, at a minimum, indicate the  
3 name, date, age, and gender, and specific immunization received by the patient.

4 (1) All immunization records and reports made for the purposes of  
5 compliance with this Section that directly or indirectly identify a person  
6 *shall* be kept confidential and shall not be disclosed, *except* under the  
7 following conditions:

8 (A) The person identified, the person’s legal guardian, or in the case  
9 of a minor, the minor’s parent or legal guardian consents;

10 (B) Disclosure is deemed necessary by the Director of the  
11 Department to carry out purposes and intent of this chapter;

12 (C) A court directs upon its determination that disclosure is necessary  
13 for the conduct of proceedings before it;

14 (D) The disclosure is made between the person’s healthcare provider  
15 and payer to obtain reimbursement for services rendered to the person;  
16 provided that disclosure shall be made only if the provider informs the  
17 person that a reimbursement claim will be made to the person’s payer,  
18 the person is afforded an opportunity to pay the reimbursement  
19 directly, and the person does not pay; or

20 (E) The Department of Public Health and Social Services releases  
21 aggregate immunization information that does not disclose any  
22 identifying information of persons whose information is maintained in  
23 the registry.

24 (2) Registry information shall be limited to patient name,  
25 demographic information, and contact information; information specific to  
26 immunizations or medication received by the patient, including types,  
27 manufacturers, lots numbers, expiration dates, anatomical sites of  
28 administration, routes of administration, vaccine information statement

1 publication dates, doses, dates administered, the patient's history of vaccine,  
2 preventable diseases, and contraindications, precautions, adverse reactions  
3 to, or comments regarding immunization or medications; and the name and  
4 contact information of the vaccination administrator or medication provider  
5 and the patient's healthcare provider.

6 (3) The Department of Public Health and Social Services shall adopt  
7 administrative, physical, and technical measures to ensure the security of the  
8 registry; protect the confidentiality, integrity, and availability of registry  
9 data; and prevent unauthorized access to registry information.

10 (b) Purpose for access to registry information; access not disclosure.

11 (1) Notwithstanding (a)(1), it shall not be a disclosure for the persons  
12 listed in Paragraphs (2), (3), (4) and (5) of this Subsection to have limited  
13 access to registry information for the purposes specified in each subsection.

14 (2) Registry information regarding specific individuals in the registry  
15 may be accessed by authorized healthcare providers who are treating, have  
16 treated, or have been assigned to treat those individuals; by authorized  
17 employees of these healthcare providers; and, by authorized DPHSS health  
18 personnel assigned to monitor the immunization or health status of those  
19 individuals for the purposes of:

20 (A) Recording the administration of any vaccination, including  
21 pandemic influenza vaccine;

22 (B) Determining the immunization history of a patient to  
23 deliver healthcare treatment accordingly;

24 (C) Notifying individuals or parents or legal guardians of the  
25 need to schedule a visit for an immunization;

26 (D) Generating official immunization records;

27 (E) Ensuring compliance with mandatory immunization  
28 requirements;

1 (F) Recording the distribution of the prophylactic and  
2 treatment medications administered or dispensed in preparation  
3 for and in response to a potentially catastrophic disease threat;  
4 or,

5 (G) Complying with Guam Immunization Program.

6 (3) Registry information regarding specific individuals in the registry  
7 may be accessed by school and post-secondary school personnel authorized  
8 by the director of Public Health and Social Services, superintendent of the  
9 Guam Department of Education, or the administrator of a private or post-  
10 secondary school for the purpose of ensuring compliance with mandatory  
11 student immunization requirements.

12 (4) Registry information regarding specific individuals in the registry  
13 may be accessed by authorized health organizations that have been  
14 contracted to provide health insurance or health plan coverage for those  
15 individuals; provided that access is limited to only the enrollees, members,  
16 subscribers, and insured of the authorized health organization, and for the  
17 purpose of producing an immunization assessment report by the authorized  
18 health organization.

19 (5) Registry information regarding specific individuals in the registry  
20 may be accessed by the Department or agents of the Department for  
21 purposes of:

22 (A) Ensuring compliance with mandatory immunization  
23 requirements;

24 (B) Performing immunization related quality improvement or  
25 quality assessment activities;

26 (C) Complying with Guam Vaccines for Children and/or other  
27 provided vaccine programs, vaccine ordering and accountability  
28 policies and procedures;



1 (D) Producing aggregate immunization assessment reports to  
2 monitor and improve public health;

3 (E) Supporting efforts to prevent and manage outbreaks of  
4 vaccine-preventable diseases, including pandemic influenza;

5 (F) Assisting the Department in the event of a public health  
6 emergency; or

7 (G) Managing and maintaining the Guam Immunization  
8 Registry system.

9 (6) The use of the registry information accessed pursuant to this  
10 Section shall be limited to authorized vendor for registry development,  
11 maintenance and support.

12 (c) Registry record requirements.

13 (1) The establishment of an individual's record in the registry *shall*  
14 *not* require the prior consent of a patient, the consent of a patient, or the consent of  
15 a patient's parent or legal guardian in the case of a minor or dependent. The  
16 Department shall make available to the patient or patient's parent or legal guardian  
17 in the case of a minor or dependent, via the patient's health care provider or  
18 birthing hospital, a written description of the purpose and benefits of the Guam  
19 Immunization Information System, as well as the procedure for refusing inclusion  
20 in the registry."

21 **Section 3.** §3218 of Article 2, Chapter 3, 10 GCA, is amended, to read:

22 **"§ 3218. Partial-Birth Abortion and Abortion Report.**

23 (a) An individual abortion report for each abortion shall be completed by  
24 the mother's attending physician, and shall be transmitted directly to the Office of  
25 Vital Statistics of the Department of Public Health & Social Services. The report

1 shall be confidential and it shall not contain the name of the mother involved. This  
2 report shall include:

- 3 (1) Patient number;
- 4 (2) Name and address of the abortion facility or hospital;
- 5 (3) Date of the abortion;
- 6 (4) Zip code or other residential identification of the pregnant  
7 woman;
- 8 (5) Age of the pregnant woman;
- 9 (6) Ethnic origin of the pregnant woman;
- 10 (7) Marital status of the pregnant woman;
- 11 (8) Number of previous pregnancies;
- 12 (9) Number of years of education of the pregnant woman;
- 13 (10) Number of living children;
- 14 (11) Number of previous induced abortions;
- 15 (12) Date of the last induced abortion;
- 16 (13) Date of the last live birth;
- 17 (14) Method of contraception used, if any, at the time of conception;
- 18 (15) Date of the beginning of the last menstrual period;
- 19 (16) Medical condition of the pregnant woman at the time of abortion;
- 20 (17) RH type of the pregnant woman;
- 21 (18) Type of abortion procedure used;
- 22 (19) Complications, if any;
- 23 (20) Type of procedure done after the abortion;
- 24 (21) Type of family planning recommended;
- 25 (22) Type of additional counseling given, if any;
- 26 (23) Signature of attending physician; and
- 27 (24) Certification provided for in this section.

1 (b) An individual complication report for any post-abortion care performed  
2 upon a woman shall be completed by the physician providing such post-abortion  
3 care. This report shall include:

4 (1) Date of the abortion;

5 (2) Name and the address of the medical facility, abortion facility or  
6 hospital where the abortion was performed; and

7 (3) Nature of the abortion complication diagnosed or treated.

8 (c) All abortion reports shall be signed by the attending physician and shall  
9 be submitted to the Office of Vital Statistics ~~Guam Memorial Hospital Medical~~  
10 ~~Records Section~~ within thirty (30) days from the date of the abortion. All  
11 complication reports shall be signed by the physician providing the post abortion  
12 care and submitted to the Office of Vital Statistics ~~Guam Memorial Hospital~~  
13 ~~Medical Records Section~~ within thirty (30) days from the date of the post-abortion  
14 care.

15 (d) A copy of the abortion report shall be made a part of the medical record  
16 of the patient in the facility or hospital in which the abortion was performed.

17 (e) The Office of Vital Statistics ~~Guam Memorial Hospital Medical Records~~  
18 ~~Section~~ shall be responsible for collecting all abortion reports and complication  
19 reports, and collating and evaluating all data gathered therefrom, and shall annually  
20 publish a statistical report based on such data from abortions performed in the  
21 previous calendar year.

22 (f) The Office of Vital Statistics ~~Guam Memorial Hospital Medical Records~~  
23 ~~Section~~ shall make available to physicians performing abortions in Guam, forms  
24 for both abortion reports and post-abortion care reports, as provided in subsections  
25 (a) and (b) of this section.

26 (g) All information in abortion reports and post-abortion care reports and  
27 the reports themselves shall be confidential. Information and records may be  
28 disclosed only in communications between qualified professional persons in the

1 provision of services or in statistical form for research purposes as required by  
2 subsection (e) of this section.

3 (h) Any person who releases confidential information in violation of  
4 subsection (g) of this section shall be guilty of a misdemeanor.

5 (i) Any person may bring an action against an individual who has willfully  
6 and knowingly released confidential information about such person in violation of  
7 subsection (g) of this section for the greater of the following amounts:

8 (1) Five Hundred Dollars (\$500); or

9 (2) Three (3) times the amount of actual damages, if any, sustained by the  
10 plaintiff, reasonable attorney's fees and the costs of the action. It is not a  
11 prerequisite to an action under this subsection that the plaintiff suffer or be  
12 threatened with actual damages.

13 (j) *If* a physician performs a partial-birth abortion on the woman, the  
14 physician *shall* report such determination and the reasons for such determination in  
15 writing to the medical care facility in which the abortion is performed for inclusion  
16 in the report of the medical care facility to the Office of Vital Statistics ~~Guam~~  
17 ~~Memorial Hospital Medical Records Section~~ and to the Guam Board of Medical  
18 Examiners, *or if* the abortion is *not* performed in a medical care facility, the  
19 physician *shall* report the reasons for such determination in writing to the Office of  
20 Vital Statistics ~~Guam Memorial Hospital Medical Records Section~~ and to the  
21 Guam Board of Medical Examiners as part of the written report made by the  
22 physician to the Office of Vital Statistics ~~Guam Memorial Hospital Medical~~  
23 ~~Records Section~~ and to the Guam Board of Medical Examiners. The physician  
24 *shall* retain a copy of the written reports required under this Section for *not less*  
25 *than* five (5) years.

26 (k) Failure to report under this Section will subject physicians to a fine of *no*  
27 *less than* Ten Thousand Dollars (\$10,000), but *no more than* One Hundred  
28 Thousand Dollars (\$100,000) per offense.

1 (l) Subsection (k) does *not* preclude sanctions *or* disciplinary action *or* any  
2 other appropriate action by the Guam Board of Medical Examiners.

3 (m) The Office of Vital Statistics ~~Guam Memorial Hospital Medical~~  
4 ~~Records Section~~ *shall* compile and retain all partial-birth abortion reports it  
5 receives under this Section and collate and evaluate all data gathered therefrom,  
6 and *shall* annually publish a statistical report based on such data from partial-birth  
7 abortions performed in the previous calendar year *no later than* January 31st of the  
8 following  
9 calendar year.

10 (n) The Office of Vital Statistics ~~Guam Memorial Hospital Medical Records~~  
11 ~~Section~~ *shall* make available to physicians performing partial-birth abortions in  
12 Guam and the Guam Board of Medical Examiners forms for partial-birth abortion  
13 reports.

14 (o) All information in partial-birth abortion reports the Office of Vital  
15 Statistics ~~Guam Memorial Hospital Medical Records Section~~ receives *shall* be  
16 confidential. Information and reports may be disclosed only in communications  
17 between qualified professional persons in the provisions of services *or* in statistical  
18 form for research purposes.

19 (p) Any person who releases confidential information in violation of  
20 subsection (o) of this Section *shall* be guilty of a misdemeanor.”

21 **Section 4: Severability.** *If* any provision of this Law or its application to  
22 any person or circumstance is found to be invalid or contrary to law, such  
23 invalidity shall *not* affect other provisions or applications of this Law which can be  
24 given effect without the invalid provisions or applications, and to this end the  
25 provisions of this Law are severable.

26 **Section 5: Effective Date.** This act *shall* be immediately effective upon  
27 enactment.