

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

NOV 27 2013

Honorable Judith T. Won Pat, Ed.D
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

32-13-1014
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date: 11-27-13
Time: 5:08 PM
Received by: [Signature]

2013 NOV 29 AM 8:29
[Signature]

Dear Madame Speaker:

Attached is Bill No. 94-32 (COR), entitled, ***“AN ACT TO AMEND SUBSECTIONS (b), (d) AND (g) OF § 9902 OF ARTICLE 9, CHAPTER 9 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROMPT PAYMENT REQUIREMENTS FOR HEALTH CARE AND HEALTH INSURANCE REQUIREMENTS,”*** which I have vetoed.

There is no question that health care providers are entitled to be paid promptly. However, reducing the length of the payment timeframe from 45 days to 21 calendar days to process a “clean” claim in paper format is not in line with the majority of jurisdictions absent a corresponding requirement that the clean claim be submitted electronically. Shortening the time frame for processing a payment without improving the claim submittal process will not speed payments to providers nor will it improve the processing of disputed claims.

Senseramente,

EDDIE BAZA CALVO
Governor of Guam

1014

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

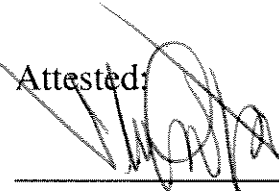
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Substitute Bill No. 94-32 (COR)**, "AN ACT TO AMEND SUBSECTIONS (b), (d) AND (g) of § 9902 OF ARTICLE 9, CHAPTER 9 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO PROMPT PAYMENT REQUIREMENTS FOR HEALTH CARE AND HEALTH INSURANCE REQUIREMENTS", was on the 12th day of November 2013, duly and regularly passed.

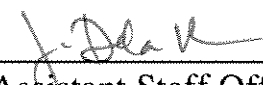


Judith T. Won Pat, Ed.D.
Speaker

Attested:


Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 15th 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'lahaen Guåhan

Date:

NOV 27 2013

Public Law No. _____

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

Bill No. 94-32 (COR)

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

Introduced by:

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

**AN ACT TO AMEND SUBSECTIONS (b), (d) AND (g) of §
9902 OF ARTICLE 9, CHAPTER 9 OF TITLE 10, GUAM
CODE ANNOTATED, RELATIVE TO PROMPT
PAYMENT REQUIREMENTS FOR HEALTH CARE
AND HEALTH INSURANCE REQUIREMENTS.**

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

2 **Section 1.** §9902(b) of Article 9, Chapter 9 of Title 10, Guam Code
3 Annotated, "Prompt Payment for Health Care and Health Insurance Benefits," is
4 *amended* to read:

1 “(b) Health Plan Administrators *shall* reimburse a Clean Claim, or
2 any portion thereof, submitted by a patient or Health Care Provider, that is
3 eligible for payment and *not* contested or denied, *not more than* (30)
4 calendar days after receiving the Clean Claim filed in writing.”

5 **Section 2.** §9902(d) of Article 9, Chapter 9 of Title 10, Guam Code
6 Annotated, “Prompt Payment for Health Care and Health Insurance Benefits,” is
7 *amended* to read:

8 “(d) If information received pursuant to a request for additional
9 information is satisfactory to warrant paying the Clean Claim, the Clean
10 Claim *shall* be paid *not more than* thirty (30) calendar days after receiving
11 the additional information in writing.”

12 **Section 3.** §9902(g) of Article 9, Chapter 9 of Title 10, Guam Code
13 Annotated, “Prompt Payment for Health Care and Health Insurance Benefits,” is
14 *amended* to read:

15 “(g) Notwithstanding any provisions to the contrary, interest *shall* be
16 allowed to accrue at a rate of sixteen percent (16%) per annum as damages
17 for money owed by a Health Plan Administrator for payment of a Clean
18 Claim, or portion thereof, that *exceeds* the applicable reimbursement time
19 limitations under this Section, including applicable costs for collecting past
20 due payments as provided in §9905 of this Article, as follows:

21 (1) for an uncontested Clean Claim:

22 (A) filed in writing, interest from the first calendar day
23 after the thirty (30) day period in §9902(b);

24 (2) for a contested claim, or portion thereof, filed in writing:

25 (A) for which notice was provided under §9902(c),
26 interest from the first calendar day after the thirty (30) days
27 after the date the additional information is received; or

1 (B) for which notice was not provided, but not within
2 the time specified under §9902(c), interest from the first
3 calendar day after the claim is received.”