

FIFTEENTH GUAM LEGISLATURE  
1980 (SECOND) Regular Session

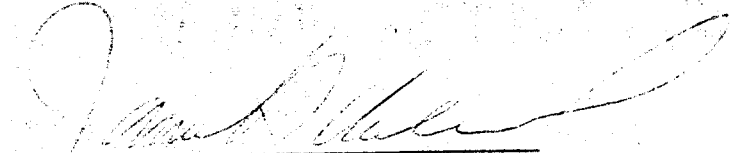
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 5, "An Act to add Subsection (14) to Section 9306 and to add a new Section 9316.1 to the Government Code relative to reporting an abortion", was on the 14th day of February 1980, duly and regularly passed.



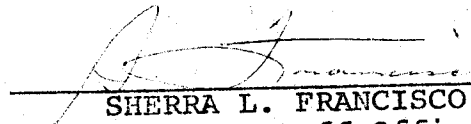
THOMAS V. C. TANAKA  
Speaker

ATTESTED:



JAMES H. UNDERWOOD  
Legislative Secretary

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This Act was received by the Governor this 7<sup>th</sup> day of  
March, 1980, at 4:45 o'clock P.M.



SHERRA L. FRANCISCO  
Assistant Staff Officer  
Governor's Staff

APPROVED:



PAUL M. CALVO  
Governor of Guam

DATED: 3/14/80 10:55 a.m.

P.L. 15-112

FIFTEENTH GUAM LEGISLATURE  
1980 (SECOND) Regular Session

Bill No. 5

Introduced by

F. F. Blas  
K. B. Aguon

AN ACT TO ADD SUBSECTION (14) TO SECTION  
9306 AND TO ADD A NEW SECTION 9316.1 TO  
THE GOVERNMENT CODE RELATIVE TO REPORTING  
AN ABORTION.

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

2 Section 1. A new Subsection (14) is added to Section 9306  
3 of the Government Code to read:

4 "(14). 'Abortion' means the purposeful termination of  
5 a human pregnancy after implantation of a fertilized  
6 ovum, by any person, including the pregnant woman  
7 herself, with an intention other than to necessarily  
8 produce a live birth or to remove a dead unborn fetus."

9 Section 2. A new Section 9316.1 is added to the Government  
10 Code to read:

11 "Section 9316.1 Abortion Report. (a) An individual  
12 abortion report for each abortion shall be completed by  
13 her attending physician. The report shall be confidential  
14 and it shall not contain the name of the woman involved.

15 This report shall include:

- 16 (1) the patient number;  
17 (2) the name and address of the abortion  
18 facility or hospital;  
19 (3) the date of the abortion;  
20 (4) the zip code or other residential identifi-  
21 cation of the pregnant woman;  
22 (5) the age of the pregnant woman;

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- (6) the ethnic origin of the pregnant woman;
- (7) the marital status of the pregnant woman;
- (8) the number of previous pregnancies;
- (9) the number of years of education of the pregnant woman;
- (10) the number of living children;
- (11) the number of previous induced abortions;
- (12) the date of the last induced abortion;
- (13) the date of the last live birth;
- (14) the method of contraception used, if any, at the time of conception;
- (15) the date of the beginning of the last menstrual period;
- (16) the medical condition of the woman at the time of abortion;
- (17) the RH type of pregnant woman;
- (18) the type of abortion procedure used;
- (19) the complications, if any;
- (20) the type of procedure done after the abortion;
- (21) the type of family planning recommended;
- (22) the type of additional counseling given, if any;
- (23) the signature of attending physician; and
- (24) the 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:

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- (1) the date of the abortion;
- (2) the name and address of the abortion facility or hospital where the abortion was performed; and
- (3) the 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 Guam Memorial Hospital Medical Records Section 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 Guam Memorial Hospital Medical Records Section 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 of the facility or hospital in which the abortion was performed.

(e) The Guam Memorial Hospital Medical Records Section 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 Guam Memorial Hospital Medical Records Section shall make available to physicians performing abortions in the territory of 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

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

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

9 (i) Any person may bring an action against an  
10 individual who has wilfully and knowingly released  
11 confidential information about such person in violation  
12 of Subsection (g) of this Section for the greater of  
13 the following amounts:

14 (1) Five Hundred Dollars (\$500.00); or

15 (2) Three times the amount of actual damages,  
16 if any, sustained by the plaintiff; reasonable  
17 attorney's fees and the costs of the action. It is  
18 not a prerequisite to an action under this Subsection  
19 that the plaintiff suffer or be threatened with  
20 actual damages."

21 Section 3. Item (9) is added to Subsection (b) of Section  
22 49005 of the Government Code to read:

23 "(9) to arrange for the burial of any fetus not  
24 claimed by its mother or father within thirty (30)  
25 days".

15TH GUAM LEGISLATURE

VOTING RECORD

BILL/RESOLUTION NO. 5, as amended

MAIN SPONSOR F Blas

SENATOR	AYE	NAY	MAIN SPONSOR NOT VOTING	ABSENT
<del>AGUON, Katherine B.</del>				
BAMBA, Cecilia C.	✓			
BLAS, Frank F.	✓			
CHARFAUROS, Edward T.	✓			
CRISOSTOMO, Thomas C.	✓			
DUENAS, Edward R.	✓			
ESPALDON, Ernesto M.	✓			
KASPERBAUER, Carmen A.	✓			
LAMORENA, Alberto C., III	✓			
PALOMO, Antonio M.	✓			
PALOMO, Benigno M.	✓			
PEREZ, Peter, Jr.	✓			
QUAN, John F.	✓			
QUITUGUA, Franklin J.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francisco R.	✓			
SUDO, Ramon Q.	✓			
TAITANO, Richard F.	✓			
TANAKA, Thomas V. C.	✓			
UNDERWOOD, James H.	out			
UNPINGCO, Antonio R.	✓			
TOTAL	19	-	-	1