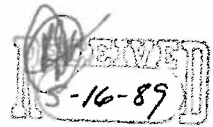




Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UPESINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.



April 26, 1989

The Honorable Ted S. Nelson
Acting Speaker
Twentieth Guam Legislature
Post Office Box CB-1
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 537, which I have signed into law this date as Public Law 20-11.

Sincerely yours,

A handwritten signature in cursive script that reads 'Joseph F. Ada'.

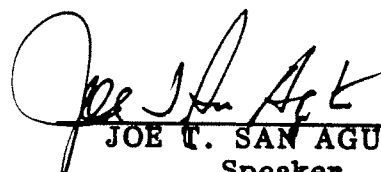
JOSEPH F. ADA
Governor

Enclosure

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 537 (LS), "AN ACT TO AMEND SUBSECTION (a) OF §4101, TITLE 10, GUAM CODE ANNOTATED, TO LIST ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) AND HIV-SEROPOSITIVE CASES AS COMMUNICABLE DISEASES OR CONDITIONS," was on the 11th day of April, 1989, duly and regularly passed.



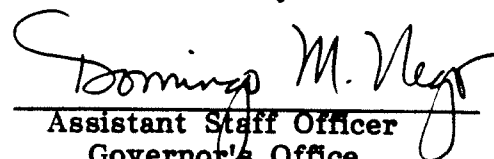
JOE T. SAN AGUSTIN
Speaker

Attested:



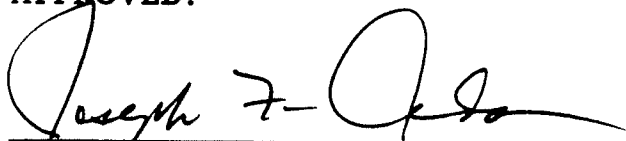
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 14th day of April, 1989,
at 6:05 o'clock p.m.



Domingo M. Negre
Assistant Staff Officer
Governor's Office

APPROVED:



JOSEPH F. ADA
Governor of Guam

Date: APRIL 26, 1989

Public Law No. 20-11

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

Bill No. 537 (LS)
As Substituted by the
Committee on Rules

Introduced by:

M. Z. Bordallo
H. D. Dierking
T. S. Nelson

A. R. Unpingco
M. D. A. Manibusan
J. P. Aguon
E. P. Arriola
J. G. Bamba
D. F. Brooks
E. R. Duenas
E. M. Espaldon
C. T. C. Gutierrez
P. C. Lujan
G. Mailloux
D. Parkinson
F. J. A. Quitugua
E. D. Reyes
M. C. Ruth
J. T. San Agustin
F. R. Santos
T. V. C. Tanaka

AN ACT TO AMEND SUBSECTION (a) OF
§4101, TITLE 10, GUAM CODE ANNOTATED,
TO LIST ACQUIRED IMMUNE DEFICIENCY
SYNDROME (AIDS) AND HIV-SEROPOSITIVE
CASES AS COMMUNICABLE DISEASES OR
CONDITIONS.

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

2 Section 1. Subsection (a) of §4101, Title 10, Guam Code Annotated is
3 amended by inserting in the list of communicable diseases, in alphabetic
4 order, the following with the following numbers, the numbers of the other
5 diseases to be renumbered accordingly:

6 "1. Acquired Immune Deficiency Syndrome (AIDS);

7 * * *

8 24. HIV-seropositive condition;"

9 * * *

TWENTIETH GUAM LEGISLATURE
 1989 (FIRST) Regular Session

ROLL CALL SHEET

Bill No. 537
 Res. No. _____

Date: 4-11-89

QUESTION: _____

	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
AGUON, J. P.	✓			
ARRIOLA, E. P.				✓
BAMBA, J. G.	✓			
BORDALLO, M. Z.	✓			
BROOKS, D. F.	✓			
DIERKING, H. D.	✓			
DUENAS, E. R.	✓			
ESPALDON, E. M.	✓			
GUTIERREZ, C. T.C.	✓			
LUJAN, P. C.	✓			
MAILLOUX, G.	✓			
MANIBUSAN, M.D.A.	✓			
NELSON, T. S.	✓			
PARKINSON, D.	✓			
QUITUGUA, F. J.A.	✓			
REYES, E. R.	✓			
RUTH, M. C.	✓			
SAN AGUSTIN, J. T.	✓			
SANTOS, F. R.	✓			
TANAKA, T. V.C.	✓			
UNPINGCO, A. R.	✓			

20

1



TWENTIETH GUAM LEGISLATURE

163 Chalan Santo Papa
Agana, Guam 96910
Tel: 472-3425/3426/3427

Senator
Madeleine Z. Bordallo

April 10, 1989

CHAIRPERSON

COMMITTEE ON
HEALTH, WELFARE
& ECOLOGY

VICE CHAIRPERSON:

COMMITTEE ON
HOUSING & COMMUNITY
DEVELOPMENT

COMMITTEE ON
ECONOMIC DEVELOPMENT

MEMBER:

Committee on Energy,
Utilities & Consumer
Protection

Committee on
General Governmental
Operations

Committee on
Justice, Judiciary &
Criminal Justice

Committee on
Youth, Human Resources,
Senior Citizens &
Cultural Affairs

Committee on Rules

Legislative Member
Commission on
Self-Determination

Honorable Joe T. San Agustin
Speaker, Twentieth Guam Legislature
163 Chalan Santo Papa
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Health, Welfare and Ecology, to which was referred Bill No. 537, "AN ACT TO AMEND 10 GCA SUBSECTION 4101(a) LISTING THE ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) AS A COMMUNICABLE DISEASE" does recommend that the bill, as Substituted, be Passed by the Twentieth Guam Legislature.

Votes of the Committee members are as follow:

To Pass	<u>12</u>
To Not Pass	<u>0</u>
To Report Out Only	<u>0</u>
To Place in The Inactive File	<u>0</u>
Abstained	<u>0</u>
Off-Island	<u>0</u>
Not Available	<u>0</u>

Respectfully submitted,

Madeleine Z. Bordallo
MADELEINE Z. BORDALLO

Enclosures

COMMITTEE ON HEALTH, WELFARE AND ECOLOGY

COMMITTEE REPORT ON BILL NO. 537

AN ACT TO AMEND 10 GCA SUBSECTION 4101(a)
LISTING THE ACQUIRED IMMUNITY DEFICIENCY SYNDROME (AIDS)
AS A COMMUNICABLE DISEASE

PREFACE

A Public Hearing on Bill No. 537 was conducted by the Committee on Health, Welfare and Ecology on April 6, 1989 at 9:00 a.m. in the Legislative Session Hall.

Members Present: Chairperson Senator Madeleine Z. Bordallo; Senators Pilar C. Lujan, Ernesto Espaldon, Marilyn D.A. Manibusan, Martha C. Ruth, and Tony R. Umpingco.

Witnesses Heard: Mr. Joe Flores, representing the Director of Public Health and Social Services; Dr. Olivia Cruz, GMHA.

Written Testimonies Submitted: Dr. Eduardo J. Cruz, GMHA; Dr. Leticia V. Espaldon, Director, Department of Public Health and Social Services (DPHSS).

SUMMARY OF TESTIMONY

All witnesses testified in favor of Bill No. 537, with recommended amendments.

Bill No. 537 will add AIDS to the list of communicable diseases that must be reported to the Director of Public Health and Social Services within 48 hours, according to 10 GCA §4102. The Director of Public Health requested that the bill be amended to include HIV-seropositive cases. HIV-seropositive cases are persons whose blood indicates the presence of HIV antibodies, but who do not display the symptoms of so-called "opportunistic diseases," such as pneumonia, tuberculosis, or common parasites, characteristic of persons suffering from the effects of HIV infection. Mandatory reporting will improve infection control and counseling efforts of PHSS.

COMMITTEE FINDINGS/RECOMMENDATIONS

The comments of witnesses have been taken into account in a substitute version.

The Committee was not informed by witnesses as to why the items were not added by regulation, as provided in 10 GCA §4101(a)(67).

The Committee recommends that Bill No. 537, as Substituted by the Committee on Health, Welfare and Ecology, be Passed by the 20th Guam Legislature.

ATTACHMENTS

1. Committee Voting Sheet on Bill No. 537, as Substituted.
2. Bill No. 537, as Substituted.
3. Bill No. 537, as referred to the Committee.
3. Testimony of Dr. Eduardo J. Cruz and Dr. Olivia Cruz, GMHA.
4. Testimony of Dr. Leticia V. Espaldon, DPHSS Director.
5. 10 GCA Chapter 4 - Communicable Diseases, §4101 and 4102.
6. Committee Members Attendance Sheet.
7. Witnesses Attendance Sheet.

VOTING SHEET

BILL NO. 537

AN ACT TO AMEND 10 GCA SUBSECTION 4101(a)
LISTING THE ACQUIRED IMMUNITY DEFICIENCY SYNDROME (AIDS)
AS A COMMUNICABLE DISEASE

<u>COMMITTEE MEMBER</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>TO REPORT OUT ONLY</u>	<u>TO PLACE IN INACTIVE FILE</u>
<i>M. Z. Bordallo</i> MARCELINE Z. BORDALLO Chairperson	✓			
<i>G. Mailloux</i> GORDON MAILLOUX Vice-Chairperson	✓			
<i>E. Arriola</i> ELIZABETH P. ARRIOLA Member	✓			
<i>H. Dierking</i> HERMINIA D. DIERKING Member	✓			
<i>P. C. Lejan</i> PILAR C. LEJAN Member	✓			
<i>T. S. Nelson</i> TED S. NELSON Member	✓			
<i>E. D. Reyes</i> EDWARD D. REYES Member	✓			
<i>E. Espaldon</i> ERNESTO ESPALDON Member	✓			
<i>M. D. Manibusan</i> MARILYN D.A. MANIBUSAN Member	✓			
<i>M. C. Ruth</i> MARTHA C. RUTH Member	MS 4/10/89			
<i>T. Tanaka</i> TOMMY TANAKA Member	✓			
<i>A. R. Orpingco</i> ANTONIO R. ORPINGCO Member	4-10-89 ✓			

TWENTIETH GUAM LEGISLATURE
1989 (First) Regular Session

BILL NO. 537 (LS)
As Substituted by the
Committee on Health, Welfare and Ecology

INTRODUCED BY:

M. Z. BORDALLO


A. R. Unpingco

AN ACT TO AMEND 10 GCA SUBSECTION 4101(a) LISTING THE
ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)
AS A COMMUNICABLE DISEASE

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

2 Section 1. 10 GCA Subsection 4101(a) is amended to read
3 as follows:

4 "67. Acquired Immunity Deficiency Syndrome (AIDS);

5 68. HIV-seropositive cases;

6 69. any other disease deemed by the Director to be
7 dangerous to the public health may be added by
8 regulation;"

9

10

MAR 17 '89

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

Bill No. 537(LS)

Introduced by:

M. Z. BORDALLO 

AN ACT TO AMEND 10 GCA SUBSECTION 4101(a) LISTING THE
ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)
AS A COMMUNICABLE DISEASE.

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

3 Section 1. 10 GCA Subsection 4101(a) is
4 amended to read:

5 "(a) 'Communicable disease' includes any
6 of the following diseases or conditions which are
7 dangerous to the public health:

8 67. Acquired Immune Deficiency
9 Syndrome (AIDS);

10 68. any other disease deemed by the
11 Director to be dangerous to the
12 public health may be added by
13 regulation;"



GUAM MEMORIAL HOSPITAL AUTHORITY

850 GOV. CARLOS G. CAMACHO ROAD
OKA, TAMUNING, GUAM 96911
TEL: 646-5801; 646-6876; 646-6711 thru 18
TELEX 671-6227, FAX 671-649-0145



APRIL 6, 1989

TESTIMONY FOR PUBLIC HEARING
APRIL 6, 1989
REGARDING BILL #537

The hospital supports this bill as it would help us in coping with the prevention of the spread of HIV infections.

EDUARDO CRUZ, M.D.
Acting Hospital Administrator

Olivia Cruz, MD
medical director

TESTIMONY ON BILL No. 537

Good morning Madame Chairperson and members of the Committee. My name is Dr. Leticia V. Espaldon, Director for the Department of Public Health and Social Services. My presence before you is to testify in favor of Bill 537 to amend Section 4101 of Public Law 15-96 to include AIDS in the list of communicable and reportable diseases.

In my testimony, I feel it is important to begin by addressing the global extent of the AIDS problem. The AIDS disease is pandemic that it has become an international health priority. More than 150,000 AIDS cases have been reported worldwide to the World Health Organization. Of this total, the U.S. alone reported over 87,000 cases of which half had already died. In Guam, we are very fortunate with only five AIDS cases reported (only one living at present), and eight who are carriers of the AIDS virus called HIV. Although Guam's incidence is low, it's simply a matter of time as local health officials anticipate further increase of cases in the future.

The introduction of Bill 537 to require AIDS as a reportable disease is greatly supported by the Department of Public Health. However, such reporting should further include HIV seropositive cases.

The reporting of both AIDS and HIV seropositive cases plays an important role in addressing several areas of concern. The first concern is to more accurately determine the prevalence of Guam's AIDS and HIV positive status as per confirmatory laboratory testing. This Bill if passed will enable us to develop effective strategies in the prevention and control of this disease. Another benefit of the passage of this Bill is the opportunity for AIDS and HIV positive cases to receive counseling and education services. Counseling conducted in a voluntary and confidential manner plays a vital role in control efforts. Through counseling, clients are given education, psycho-social support and to stimulate modification of their sexual behavior and the notification of partners.

In closing, Bill 537 with the inclusion of HIV seropositives as a reportable infection is in support of the Department of Public Health in the prevention and control of this disease in our community. At present, with neither an effective vaccine nor drug to prevent or cure AIDS, the only viable control efforts are through education and counseling/testing services.


Leticia V. Espaldon, M.D.

10 GCA Chapter 4 - Communicable Diseases

CHAPTER 4

COMMUNICABLE DISEASES

Note: Except as otherwise noted, this Chapter is taken from Section 1 of P.L. 15-96, which repealed and reenacted Chapter V, Title X of the Government Code.

- §4101. Definitions.
- §4102. Duty to Report.
- §4103. Same: Dispensaries, Hospitals, Etc.
- §4104. Same: Laboratories.
- §4105. Same: Keeper of Boarding or Lodging Houses.
- §4106. Same: Master of Vessel; Captain of Aircraft.
- §4107. Investigation.
- §4108. Same: Access to Records, Reports, Etc.
- §4109. Isolation and Quarantine: Regulations.
- §4110. Same: Authority of Director.
- §4111. Placarding.
- §4112. Violation of Isolation or Quarantine.
- §4113. Chief of Police.
- §4114. Disinfection of Premises.
- §4115. Destruction of Property.
- §4116. Compensation.
- §4117. Closing of Schools.
- §4118. Disposal of Bodies.
- §4119. Responsibility of Person in Charge of Minor.
- §4120. Wilful Exposure.
- §4121. Concealing Disease.
- §4122. Vaccination and Immunization.
- §4123. Prenatal Test.
- §4124. Report as to Prenatal Test.
- §4125. Prevention of Blindness at Childbirth.
- §4126. Immunization Audit.
- §4127. Same: Confidentiality.
- §4128. Autopsy.

10 GCA Chapter 4 - Communicable Diseases

§4101. Definitions.

As used in this Chapter:

(a) "Communicable disease" includes any of the following diseases or conditions which are dangerous to public health:

1. Amebiasis (amoebic dysentery);
2. Anthrax;
3. Brucellosis (Undulant fever);
4. Chancroid;
5. Chickenpox;
6. Cholera;
7. Cholangiohepatitis (liver-fluke);
8. Conjunctivitis, acute infectious (pink eye);
9. Dengue;
10. Diarrhea of newborn (epidemic infantile);
11. Diphtheria;
12. Encephalitis, primary (infectious);
13. Erysipelas;
14. Favus;
15. Filariasis;
16. Fish (ciguatera) poisoning;
17. Food Poisoning (Bacterial);
18. Glanders (Farcy);
19. Gonorrhoea;
20. Gonorrhoeal Ophthalmia;
21. Granuloma inguinale;
22. Hepatitis A (Infectious);
23. Hepatitis B (Serum);
24. Hookworm Disease;
25. Impetigo Contagious (in institution);
26. Influenza;
27. Kerato-Conjunctivitis (Infectious);
28. Leprosy (Hansen's Disease);
29. Leptospirosis (Wells disease or Hemorrhagic Jaundice);
30. Malaria;
31. Measles (Rubella);
32. Melioidosis;
33. Meningitis, aseptic;
34. Meningitis, cerebrospinal (Meningococcic);

10 GCA Chapter 4 - Communicable Diseases

35. Meningitis, other infectious;
36. Mononucleosis, infectious;
37. Mumps;
38. Paratyphoid Fever;
39. Pertussis (Whooping cough);
40. Plague;
41. Poliomyelitis, acute anterior (Infantile paralysis);
42. Psittacosis-ornithosis;
43. Puerperal septicemia;
44. Rabies;
45. Relapsing Fever;
46. Rheumatic Fever (active);
47. Rickettsial Disease;
48. Ringworm of the scalp (Tinea Capitis);
49. Rubella (German Measles);
50. Salmonellosis;
51. Scabies;
52. Scarlet Fever;

10 GCA Chapter 4 - Communicable Diseases

53. Septic sore throat (streptococcus);
54. Shigellosis (Bacillary dysentery);
55. Smallpox;
56. Syphilis;
57. Tetanus;
58. Trachoma;
59. Trichinosis;
60. Tuberculosis (Pulmonary);
61. Tuberculosis (other than Pulmonary);
62. Tularemia;
63. Typhoid Fever;
64. Typhus Fever;
65. Yaws;
66. Yellow Fever;
67. any other disease deemed by the Director to be dangerous to the public health may be added by regulation;

(b) "Isolation" means the separation of persons suffering from a communicable disease or carriers of such a disease from other persons for the period of communicability in such places and under such conditions as will prevent the transmission of the causative agent; and

(c) "Quarantine" means the limitation of freedom of movement of those who have been exposed to a communicable disease, whether a person or animal, for a period of time equal to the longest usual incubation period of the disease, in such manner as to prevent effective contacts with those not so exposed.

SOURCE: §9400 GC.

§4102. Duty to Report.

Any person licensed or registered to practice any healing art under Chapter 12 of this Title who has knowledge of or suspects the presence of any communicable disease or any other disease dangerous to the public health, shall report the same to the Director within forty-eight (48) hours after diagnosis, unless a different time is prescribed by regulation, together with the name, age and sex of the person afflicted, the house or other place in which such person may be found, and such other information as may be required by regulation.

SOURCE: §9400.1 GC.

§4103. Same: Dispensaries, Hospitals, Etc.

The superintendent, chief medical officer, nurse in charge or other person in charge of any hospital, clinic, dispensary, infirmary, medical aid station or other establishment providing

ATTENDANCE SHEET

TWENTIETH GUAM LEGISLATURE
COMMITTEE ON HEALTH, WELFARE, AND ECOLOGY

PUBLIC HEARING DATE: 6 APRIL 1989 ON BILL 537

INITIAL

1. SPEAKER SAN AGUSTIN, JOE T
2. SENATOR AGUON, JOHN P.
3. SENATOR ARRIOLA, ELIZABETH P. (M)
4. SENATOR DIERKING, HERMINIA D. (M)
5. SENATOR GUTIERREZ, CARL T.C.
6. SENATOR LUJAN, PILAR C. (M)
7. SENATOR MAILLOUX, GORDON (M)
8. SENATOR NELSON, TED S. (M)
9. SENATOR PARKINSON, DON
10. SENATOR QUITUGUA, FRANKLIN J.A.
11. SENATOR REYES, EDWARD D. (M)
12. SENATOR SANTOS, FRANK R.

13. SENATOR BAMBA, GEORGE J.
14. SENATOR BROOKS, DORIS F.
15. SENATOR DUENAS, EDDIE R.
16. SENATOR ESPALDON, ERNESTO (M)
17. SENATOR MANIBUSAN, MARILYN D.A. (M)
18. SENATOR RUTH, MARTHA C. (M)
19. SENATOR TANAKA, TOMMY (M)
20. SENATOR UNPINGCO, TONY R. (M)

PL

Antonio Espaldon

M. Manibusan

M. Ruth

R. Unpingco

MAR 17 '89

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

Bill No. 537(LS)

Introduced by:

M. Z. BORDALLO 

AN ACT TO AMEND 10 GCA SUBSECTION 4101(a) LISTING THE
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