



Territory of Guam
Territorio de Guam

OFFICE OF THE GOVERNOR
L FINNAN I MAGA LAHI
AGANA, GUAM 96910 U.S.A

**REFER TO
LEGISLATIVE SECRETARY**

MAY 31 1994

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

RECEIVED
OFFICE OF THE SPEAKER
DATE: 5/31/94
TIME: 5:15
RECD BY: [Signature]

Transmitted herewith is Bill No. 436, which I have signed into law this date as
Public Law 22-130.

Sincerely yours,

FRANK F. BLAS
Governor,
Acting

220723

Attachment

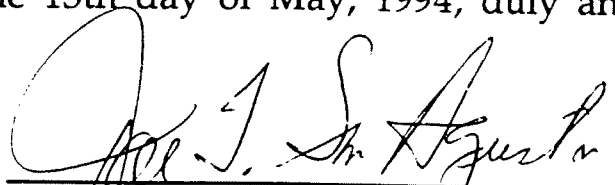


Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

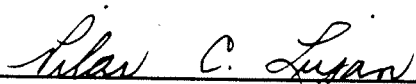
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 436 (LS), "AN ACT TO REPEAL CHAPTERS 3 AND 4; ARTICLES 6, 7 AND 8 OF CHAPTER 9; AND CHAPTER 16, ALL OF TITLE 10, GUAM CODE ANNOTATED, AND TO ADD A NEW CHAPTER 3 TO SAID TITLE TO ESTABLISH A DIVISION OF PUBLIC HEALTH WITHIN THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES," was on the 13th day of May, 1994, duly and regularly passed.



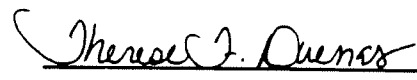
JOE T. SAN AGUSTIN
Speaker

Attested:



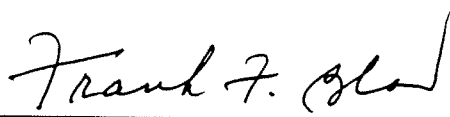
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 19th day of May, 1994, at
3:01 o'clock P.M.



Theresa J. Duenas
Assistant Staff Officer
Governor's Office

APPROVED:



FRANK F. BLAS
Governor of Guam
Acting

Date: May 31, 1994

Public Law No. 22-130

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

Bill No. 436 (LS)

As substituted by the Committee
on Health, Ecology and Welfare
and further substituted by the
Committee on Rules

Introduced by:

D.L.G. Shimizu
M.D.A. Manibusan

T. C. Ada

J. P. Aguon

E. P. Arriola

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H. D. Dierking

C. T. C. Gutierrez

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T. S. Nelson

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E. D. Reyes

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F. E. Santos

J. G. Bamba

A. C. Blaz

D. F. Brooks

F. P. Camacho

T. V. C. Tanaka

A. R. Unpingco

AN ACT TO REPEAL CHAPTERS 3 AND 4; ARTICLES 6, 7 AND 8
OF CHAPTER 9; AND CHAPTER 16, ALL OF TITLE 10, GUAM
CODE ANNOTATED, AND TO ADD A NEW CHAPTER 3 TO SAID
TITLE TO ESTABLISH A DIVISION OF PUBLIC HEALTH WITHIN
THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL
SERVICES.

1 (a) Formulate plans and policies to address the health needs of
2 the community.

3 (b) Implement health programs and services to meet identified
4 health needs of the community.

5 (c) Conduct research and studies to identify community health
6 problems.

7 (d) Provide health services to individuals who are medically and
8 financially in need.

9 (e) Administer grants-in-aid for health programs and services.

10 (f) Conduct disease surveillance and monitor activities to
11 prevent and/or identify health problems.

12 (g) Conduct health promotion and education programs.

13 (h) Serve as the "State Public Health Agency" for Guam.

14 (i) Establish standards and regulations necessary to ensure
15 quality health care and the prevention and control of diseases.

16 **§3104. Chief Administrative Officer.** The Chief Public Health Officer
17 shall be the Chief Administrative Officer of the Division.

18 **§3105. Federal grants.** The Division shall comply with all federal
19 requirements and procedures necessary for administration of grants-in-aid
20 and cooperative agreements.

21 **§3106. Rule-making.** The Director shall, in accordance with the
22 Administrative Adjudication Law, adopt, amend and repeal rules and
23 regulations necessary to fulfill the duties of the Division.

24 **§3107. Authority to set fees.** (a) The Director is authorized to establish
25 fees for health services in accordance with the Administrative Adjudication
26 Law and as may be required to qualify for grants-in-aid.

1 (b) Fees established by the Department of Public Health and Social
2 Services shall not be a deterrent to receiving health care and shall be based on
3 ability to pay.

4 **Article 2**

5 **Vital Statistics**

6 **§3201. Establishment of office.**

7 **§3202. Supervision.**

8 **§3203. Personnel.**

9 **§3204. Mayors to aid.**

10 **§3205. Report.**

11 **§3206. Regulations.**

12 **§3207. Definitions.**

13 **§3208. Duties of the Registrar.**

14 **§3209. Forms of certificates.**

15 **§3210. Birth registration.**

16 **§3211. Foundling registration; infants of unknown parentage.**

17 **§3212. Delayed registration.**

18 **§3213. Judicial procedure to establish facts of birth.**

19 **§3214. Court reports of adoption.**

20 **§3215. New certification of birth following adoption,**
21 **legitimation and paternity determination.**

22 **§3216. Death registration.**

23 **§3217. Fetal death registration.**

24 **§3218. Abortion report.**

25 **§3219. Extension of time.**

26 **§3220. Marriage registration.**

27 **§3221. Court reports of divorce and annulment of marriage.**

1 **§3222. Correction and amendment of vital records.**

2 **§3223. Reproduction of records.**

3 **§3224. Same: microfilm.**

4 **§3225. Disclosure of records.**

5 **§3226. Copies of data from vital records.**

6 **§3227. Fees for copies.**

7 **§3228. Duty to furnish information relative to vital events.**

8 **§3229. Penalties.**

9 **§3230. Burial-transit permits.**

10 **§3231. Disposition.**

11 **§3201. Establishment of office.** There is hereby established within the
12 Department of Public Health and Social Services an Office of Vital Statistics
13 which shall install, maintain and operate the system of vital statistics for
14 Guam.

15 **§3202. Supervision.** The Director of Public Health and Social Services
16 (the "Director") has general supervision of vital statistics and is responsible
17 for the implementation of the provisions of this article.

18 **§3203. Personnel.** The Director shall appoint a Territorial Registrar of
19 Vital Statistics, and such other officers and personnel as may be required to
20 carry out the provisions of this article. Such employees shall be members of
21 the classified services of the government of Guam.

22 **§3204. Mayors to aid.** Mayors, under the direction of the President of
23 the Mayors' Council, shall assist in the implementation of this article and in
24 doing so shall be governed by this article and by regulation issued by the
25 Director under the provisions of this Chapter.

26 **§3205. Report.** The Director shall make an annual report to the
27 Governor concerning vital statistics and the enforcement of this article,

1 which report shall contain a summary on a municipal district basis of such
2 statistics.

3 **§3206. Regulations.** The Director is authorized to adopt, amend and
4 repeal rules and regulations as may be necessary in his judgment, for the
5 purpose of carrying out the provisions of this article. Such rules and
6 regulations, and any other rules and regulations authorized or required to be
7 issued under this article, shall be adopted and promulgated in accordance
8 with the Administrative Adjudication Law.

9 **§3207. Definitions.** Unless the context clearly requires otherwise, the
10 following definitions shall apply to this article:

11 1. "Vital Statistics" means records of birth, death, fetal death,
12 adoption, marriage, divorce and data related thereto.

13 2. "System of vital statistics" includes the registration,
14 collection, preservation, amendment and certification of vital
15 statistics records and activities related thereto, including the
16 tabulation, analysis and publication of statistical data derived from
17 such records.

18 3. "Filing" means the presentation of a certificate, report or
19 other record provided for in this article of a birth, death, fetal death,
20 adoption, legitimation, marriage or divorce for registration by the
21 Office of Vital Statistics.

22 4. "Registration" means the acceptance by the Office of Vital
23 Statistics and the incorporation in its official records of certificates,
24 reports or other records provided for in this article, of births, deaths,
25 fetal deaths, adoptions, legitimations, marriages or divorces.

26 5. "Live birth" means the complete expulsion or extraction
27 from its mother of a product of human conception, irrespective of the

1 duration of pregnancy, which, after such expulsion or extraction,
2 breathes or shows any other evidence of life such as beating of
3 umbilical cord [heart] or definite movement of the voluntary muscles,
4 whether or not the umbilical cord has been cut or the placenta is
5 attached.

6 6. "Fetal death" means death prior to the complete expulsion
7 or extraction from its mother of a product of human conception,
8 irrespective of the duration of pregnancy; the death is indicated by
9 the fact that after such expulsion or extraction the fetus does not
10 breathe or show any other evidence of life such as beating of the
11 heart, pulsation of the umbilical cord or definite movement of
12 voluntary muscles.

13 7. "Dead body" means a lifeless human body or parts of such
14 body or bones thereof from the state of which it reasonably may be
15 concluded that death recently occurred.

16 8. "Marriage" means the legal union of persons of opposite
17 sex. The legality of the union may be established by civil or religious
18 regulations, as recognized by the laws of Guam.

19 9. "Divorce" or "annulment" means the final legal dissolution
20 of a marriage, void or otherwise, that is, the separation of husband
21 and wife by a judicial decree which confers on the parties the right to
22 remarriage, according to the laws of Guam.

23 10. "Physician" means a person authorized or licensed to
24 practice the healing art, pursuant to the laws of Guam.

25 11. "Attendant at birth" means the physician, midwife, nurse
26 or other person present and assisting in the delivery of a newborn.

1 12. "Institution" means any establishment, public or private,
2 which provides in-patient medical, surgical or diagnostic care or
3 treatment or nursing, custodial or domiciliary care to two (2) or more
4 unrelated individuals, or to which persons are committed by law.

5 13. "Delayed registration of birth" means the registration of a
6 person's non-recorded birth after the sixth (6th) year following
7 birth.

8 14. "Abortion" means the purposeful termination of a human
9 pregnancy after implantation of a fertilized ovum, by any person,
10 including the pregnant woman herself, with the intention other than
11 to necessarily produce a live birth or to remove a dead unborn fetus.

12 **§3208. Duties of the Registrar.** (a) The Territorial Registrar of Vital
13 Statistics shall:

14 1. Administer and enforce this article and the rules and
15 regulations issued hereunder, and issue instructions for the efficient
16 administration of the territorial system of vital statistics.

17 2. Direct and supervise the territorial-wide system of vital
18 statistics and the Office of Vital Statistics and be custodian of its
19 records.

20 3. Prescribe, with the approval of the Director, and distribute
21 such forms as are required by this article, and the rules and
22 regulations issued hereunder.

23 4. Prepare and publish annual reports of vital statistics of
24 Guam, and such other reports as may be required by the Director.

25 (b) The Territorial Registrar of Vital Statistics may delegate such
26 functions and duties vested in him to other employees of the Office of Vital
27 Statistics as he may deem necessary and expedient.

1 **§3209. Forms of certificates.** (a) In order to promote and maintain
2 uniformity in the system of vital statistics, the forms of certificates, reports
3 and other returns required by this article, or by regulations adopted
4 hereunder, shall include as a minimum the items recommended by the Federal
5 agency responsible for national vital statistics, **subject** to approval of and
6 modification by the Director.

7 (b) Each certificate, report and form required to be filed under this
8 article shall have entered upon its face the date of registration, duly attested.

9 **§3210. Birth registration.** (a) The birth of each and every child born in
10 Guam shall be registered within ten (10) days after birth, as hereinafter
11 provided.

12 (b) When a birth occurs in an institution, the person in charge of the
13 institution shall obtain the personal data, prepare the certificate and file it
14 with the Office of Vital Statistics. The physician in attendance shall certify to
15 the facts of birth and provide all medical information required by the
16 certificate within five (5) days after the birth.

17 (c) When a birth occurs outside an institution, the certificate shall be
18 prepared and filed by one (1) of the following in the indicated order of
19 priority:

20 (1) The physician in attendance at or immediately after the
21 birth, or in the absence of such a person:

22 (2) The midwife in attendance at or immediately after the
23 birth, or in the absence of such a person:

24 (3) Any other person in attendance at or immediately after the
25 birth, or in the absence of such a person:

1 (4) The father, the mother, or in the absence of the father or
2 the inability of the mother, the Mayor of the municipal district where
3 the birth occurred.

4 (d) The certificate of live birth for any live birth occurring on or after
5 forty-five (45) days from the effective date of this section, as amended, shall
6 contain those items necessary to establish the fact of the birth and shall
7 contain at least the following information (if known):

8 (1) Full name and sex of newborn child;

9 (2) Date of birth, including month, day, hour and year;

10 (3) Planned place of birth and actual place of birth;

11 (4) Full birth name of father, his social security number,
12 birthplace, and date of birth of, if the child is legitimate. If the child is
13 illegitimate, for so long as the child has not been legitimated, the
14 father's name on the birth certificate shall be footnoted as follows:

15 "The above named father is **not** the presumptive father of the child
16 and no presumption exists as to any father-child relationship."

17 (5) Full birth name of mother, her social security number,
18 birthplace, and date of birth.

19 (6) If multiple birth, the birth order of the newborn children.

20 (7) Signature, and relationship to child, of a parent or other
21 informant, and the date signed.

22 (8) Name, title, mailing address of attending physician and
23 surgeon or principal attendant, signature and certification of live birth
24 by attending physician and surgeon or principal attendant or certifier,
25 the date signed, and name and title of certifier of other than attending
26 physician and surgeon or principal attendant.

27 (9) Date accepted for registration and signature of registrar.

1 (e) **Informational notice advising mother of newborn of right to**
2 **support and to have birth certificate mailed to father: distribution.** The
3 Territorial Registrar of Vital Statistics, the Department of Law, and the
4 Guam Memorial Hospital Authority shall cooperatively develop an
5 informational notice which advises the single mother of a newborn child of
6 her right to child support. The notice shall also advise the mother of her right
7 to have an original certificate of birth mailed to the father free of charge.

8 (f) **Legitimation of child.** If both the father and mother acknowledge
9 paternity as herein provided, the child shall thereupon be legitimized. Forms
10 for such acknowledgment shall be available to all hospitals on Guam and
11 shall be made available at the time of birth to the parents to be filled out at the
12 hospital at no cost to the parents. The child may be legitimized by both
13 parents if both sign the birth certificate or the request for issuance of birth
14 certificate, or if both sign a joint affidavit stating the names, birthdates,
15 addresses, and social security numbers of the parents and a statement that
16 they are the natural parents of the child. The hospital shall advise the parents
17 as to the procedures for legitimation at the time the child is born.

18 (g) **Affidavit of paternity.** When a child is born out of wedlock, and is
19 not legitimized, and before a birth certificate is issued, the hospital shall
20 request an affidavit of paternity to be executed by the mother stating the
21 name of the person who is the father of the child, his birthdate (if known), his
22 social security number (if known), his address (if known), and the names and
23 birthdates of his parents (if known). If the father of the child is unknown it
24 shall be so stated on the affidavit. The affidavit shall be kept on file by the
25 Director of Public Health and Social Services in the Office of Vital Statistics,
26 and shall be available only to the personnel of Public Health, the Attorney
27 General, the mother, the named father, attorneys therefor, or pursuant to

1 court order, which court order may be obtained by any interested person upon
2 *ex parte* application to the Superior Court of Guam.

3 If the mother notes the name of the father upon such affidavit, such
4 affidavit shall not give rise to any presumption, **except** it shall require that the
5 alleged father named therein be given notice of all proceedings involving the
6 welfare of the child, and may be used as a basis for requiring a blood test to
7 determine whether the alleged father is in fact the natural father of the child.

8 (h) Each hospital shall provide notaries public free of charge at the
9 hospital for the purpose of notarizing affidavits relating to paternity, or the
10 affidavits may be executed in conformance with §4308 of Title 6, Guam Code
11 Annotated, as an unsworn declaration under penalty of perjury and be
12 witnessed by an employee of the hospital or an employee of the Office of Vital
13 Statistics not related to either parent.

14 (i) It shall be the duty of the parent(s) in every case to provide all
15 information required on the birth certificate and one or the other parent shall
16 sign said certificate to attest to the accuracy of the personal data entered
17 thereon.

18 (j) Upon request, the Director shall accept, for the purpose of
19 recording births, certified copies of birth certificates of children born outside
20 Guam to residents of Guam.

21 (k) When a birth occurs on a moving conveyance and the child is first
22 removed from the conveyance in Guam, the birth shall be registered in Guam
23 and the location where the child is removed from the conveyance shall be
24 considered as the place of birth.

25 **§3211. Foundling registration; infants of unknown parentage.** (a)
26 Whoever assumes custody of a living infant of unknown parentage shall

1 report on a form and in the manner prescribed by the Territorial Registrar of
2 Vital Statistics, within seven (7) days, the following information:

3 (1) The date and place of finding the child;

4 (2) Sex, color or race, and approximate age of the child;

5 (3) Name and address of the person or institution with whom
6 the child has been placed for care;

7 (4) Name given to the child by the custodian; and

8 (5) Other data as may be required by the Territorial Registrar
9 of Vital Statistics.

10 (b) The place where the child was found shall be entered as the place of
11 birth, and the date of birth shall be determined by approximation.

12 (c) A report registered under this Section shall constitute the certificate
13 of birth for the infant.

14 (d) If the child is identified and a certificate of birth is found or
15 obtained, any report registered under this Section shall be sealed and filed
16 and may be opened only by order of a court of competent jurisdiction.

17 **§3212. Delayed registration. (a) Birth:**

18 (1) When a birth of a person born in Guam has not been
19 registered, a certificate may be filed in accordance with the
20 regulations of the Office of Vital Statistics. Such certificate shall be
21 registered subject to such evidentiary requirements as the Office of
22 Vital Statistics shall by regulation prescribe to substantiate the
23 alleged facts of birth.

24 (2) Certificates of birth registered seven (7) years or more
25 after the date of occurrence shall be marked "Delayed" and show on
26 their face the date of delayed registration.

1 (3) In all instances of delayed birth registration, the following
2 facts concerning the person whose birth is to be registered are
3 required and must be established: Date of birth; place of birth; and
4 parentage.

5 (4) When an applicant does not submit the minimum
6 documentation required in the regulation for delayed registration, or
7 when the Territorial Registrar of Vital Statistics finds reason to
8 question the validity or adequacy of the certificate or the
9 documentary evidence, the Territorial Registrar shall not register
10 the delayed certificate and shall advise the applicant of the reasons
11 for this action.

12 (5) If the person whose birth is to be recorded be a child under
13 the age of eighteen (18), the birth certificate shall be signed by one of
14 the following in the indicated order of priority:

- 15 a. The attendant at birth;
 - 16 b. By either parent;
 - 17 c. By the child's guardian; or
 - 18 d. By relatives in the next immediate degree of kindred;
- 19 **provided**, that each person signing a certificate shall attest
20 under oath to his belief in the truth of the statements made
21 concerning the age, birthplace, and parentage of the person
22 whose birth is being recorded.

23 (6) If the person whose birth is to be recorded be of legal age,
24 the date of birth and place of birth shall be supported by at least two
25 (2) documents of which only one (1) may be an affidavit; the facts of
26 parentage must be supported by at least one (1) document which may
27 be one (1) of the two (2) submitted as evidence of the other facts.

1 (b) Death and marriage:

2 (1) When a death or marriage in Guam has not been
3 registered, a certificate may be filed in accordance with regulations
4 of the Office of Vital Statistics. Such certificate shall be registered
5 subject to such evidentiary requirements as the Office shall by
6 regulation prescribe to substantiate the alleged facts of death or
7 marriage.

8 (2) Certificates of death and marriage registered one (1) year
9 or more after the date of occurrence shall be marked "Delayed" and
10 shall show on their face the date of the delayed registration.

11 **§3213. Judicial procedure to establish facts of birth.** (a) If a delayed
12 certificate of birth is rejected under the provisions of §3212 of this article, a
13 petition may be filed with the Superior Court of Guam for an order
14 establishing a record of the date and place of birth and the parentage of the
15 person whose birth is to be registered.

16 (b) Such petition shall allege:

17 (1) That the person for whom delayed certificate of birth is
18 sought was born in the Guam;

19 (2) That no record of birth can be found in the Office of Vital
20 Statistics;

21 (3) That diligent efforts by the petitioner have failed to obtain
22 the evidence required in accordance with §3212 of this article.

23 (4) That the Territorial Registrar of Vital Statistics has
24 refused to register a delayed certificate of birth; and

25 (5) Such other allegations as may be required.

26 (c) The petition shall be accompanied by a statement of the registration
27 official made in accordance with subsection (a)(4) of said §3212 and all

1 documentary evidence which was submitted to the registration official in
2 support of such registration. The petition shall be sworn to by the petitioner.

3 (d) The court shall fix a time and place for hearing the petition and
4 shall give the registration official who refused to register the petitioner's
5 delayed certificate of birth (5) days' notice of said hearing. Such official or his
6 authorized representative, may appear and testify in the proceedings.

7 (e) If the Court from the evidence presented finds that the person for
8 whom a delayed certificate of birth is sought was born on Guam, it shall make
9 findings as to place and date of birth, parentage and such other findings as
10 the case may require, and shall issue an order on a form prescribed and
11 furnished by the Registrar of Vital Statistics to establish a record of birth. This
12 order shall include the birth data to be registered, a description of the
13 evidence presented in the manner prescribed by said §3212, and the date of the
14 Court's action.

15 (f) The clerk of the Superior Court shall forward each such order to
16 the Territorial Registrar of Vital Statistics not later than the tenth (10th) day
17 of the calendar month following the month in which it was entered. Such
18 order shall be registered by the Territorial Registrar of Vital Statistics and
19 shall constitute the record of birth, from which copies may be issued in
20 accordance with §3226 of this article.

21 (g) Any person who objects to the accuracy of any of the information on
22 a certificate of birth may petition the Superior Court to correct the certificate,
23 using the same procedures as for obtaining a change of name.

24 **§3214. Court reports of adoption.** (a) For each adoption decreed by a
25 court of competent jurisdiction, the court shall require the preparation of a
26 certificate of adoption on a form prescribed and furnished by the Territorial
27 Registrar of Vital Statistics. The certificate shall include such facts as are

1 necessary to locate and identify the certificate of birth of the person adopted;
2 provide information necessary to establish a new certificate of birth of the
3 person adopted, and shall identify the order of adoption and be certified by
4 the clerk of court.

5 (b) The certificate of adoption shall be filed with the original record of
6 birth, which shall remain as a part of the permanent records of the Office of
7 Vital Statistics.

8 (c) Whenever an adoption decree is amended or annulled, the clerk of
9 the court shall prepare a certificate thereof, which shall include such facts as
10 are necessary to identify the original adoption report, and the facts amended
11 in the adoption decree as shall be necessary to properly amend the birth
12 record.

13 (d) When the Territorial Registrar of Vital Statistics receives a record
14 of adoption or annulment of adoption or amendment thereof from a court for
15 a person born elsewhere, such record shall be forwarded to the appropriate
16 registration authority in the place of birth of the child adopted.

17 **§3215. New certification of birth following adoption, legitimation and**
18 **paternity determination.** (a) The Territorial Registrar of Vital Statistics
19 shall establish a new certificate of birth for a person born in the Guam when
20 he receives one (1) of the following:

21 (1) An adoption report as provided in §3214 of this article, or a
22 certified copy of the decree of adoption, together with the
23 information necessary to identify the original certificate of birth and
24 to establish a new certificate of birth; (except that a new certificate of
25 birth shall not be established if so requested by the court decreeing
26 the adoption, the adoptive parents or the adopted person).

1 (2) An affidavit of acknowledgment of paternity signed by
2 both parents; or

3 (3) A court order determining paternity.

4 (b) When a new certificate of birth is established, the actual place and
5 date of birth shall be shown. It shall be substituted for the original certificate
6 of birth, and thereafter,

7 (1) The original certificate and the evidence of adoption,
8 paternity or legitimation shall not be subject to inspection, except
9 upon court order or as provided by regulations.

10 (2) Upon receipt of notice of annulment of adoption, the
11 original certificate of birth shall be restored to its place in the files
12 and the new certificate and evidence shall not be subject to
13 inspection, except upon court order.

14 (c) If no certificate of birth is on file for the person for whom a new
15 certificate is to be established under this section, a delayed certificate of birth
16 shall be filed with the Office of Vital Statistics as provided in §§3212 or 3213 of
17 this article. Before a new certificate of birth is established, except that when
18 the date and place of birth and parentage have been established in the
19 adoption proceeding, a delayed certificate shall not be required.

20 (d) When a new certificate of birth is established by the Territorial
21 Registrar of Vital Statistics, all copies of the original certificate of birth in the
22 custody of the Office of Vital Statistics, will be sealed from inspection and
23 opened only upon court order or as provided by regulation.

24 **§3216. Death registration.** (a) A death certificate for each death which
25 occurs on Guam shall be filed with the Office of Vital Statistics.

1 (b) The Mayor, upon receiving information of any death within his
2 municipal district, shall report the same immediately to the Office of Vital
3 Statistics, on a prescribed form; **provided**, that:

4 (1) If the place of death is unknown, a death report shall be
5 filed by the Mayor of the municipal district in which a dead body is
6 found and the place where the body is found shall be shown as the
7 place of death; **provided**, further

8 (2) That if death occurs in a moving conveyance, a death
9 report shall be filed by the Mayor of the municipal district in which
10 the dead body was first removed from such conveyance and the
11 location where the body is removed from the conveyance shall be
12 shown as the place of death or if taken to an institution, the death
13 certificate shall be filed by the person in charge of that institution.

14 (c) Death in an institution shall be reported to the Office of Vital
15 Statistics by the person in charge of that institution.

16 (d) Any person who first assumes custody of a dead human body shall
17 report same and file a death certificate with the Office of Vital Statistics. He
18 shall obtain the personal data from the next of kin or the best qualified person
19 or source available and shall obtain the medical certification of cause of death
20 from the person responsible therefor.

21 (e) The medical certification shall be completed and signed within
22 twenty-four (24) hours after death by the physician in charge of the patient's
23 care for the illness or condition which resulted in death, **except** when the
24 patient has received no medical attention within seventy-two (72) hours prior
25 to death or when inquiry is required in accordance with the Post-Mortem
26 Examination Act (Chapter 81, Title 10, Guam Code Annotated).

1 (f) When death occurred without medical attendance as set forth in
2 paragraph (e) of this section, or when inquiry is required by the Post-Mortem
3 Examination Act, the Medical Examiner or his duly authorized
4 representative shall investigate the cause of death and shall complete and
5 sign the medical certification within twenty-four (24) hours after taking
6 charge of the case.

7 (g) Upon request, the Director shall accept, for purposes of recording
8 deaths, certified copies of death certificates of residents of Guam who died
9 outside Guam.

10 (h) When a death is presumed to have occurred within Guam but the
11 body cannot be located, a death certificate may be prepared by the Territorial
12 Registrar upon receipt of an order from a court of competent jurisdiction,
13 which shall include the finding of facts required to complete the death
14 certificate. Such a death certificate shall be marked "presumptive" and shall
15 show on its face the date of registration and shall identify the court and date
16 of decree.

17 **§3217. Fetal death registration.** (a) A fetal death report for each fetal
18 death which occurs in Guam after twenty (20) complete weeks of gestation or
19 more or when a fetus weighs three hundred fifty (350) grams or more, shall be
20 filed with the Office of Vital Statistics within twenty-four (24) hours after
21 such delivery and prior to the removal of the disposition of said fetus;
22 **provided, that:**

23 (1) If the place of fetal death is unknown, a fetal death
24 certificate shall be filed by the Mayor of the municipal district in
25 which the dead fetus was found; or

26 (2) If a fetal death occurs in a moving conveyance, a fetal
27 death report shall be filed by the Mayor of the municipal district in

1 which the dead fetus was first removed or if to an institution, the
2 fetal death report shall be filed by the person in charge of that
3 institution.

4 (b) Any physician, midwife or other person in attendance at or after the
5 delivery of a dead fetus shall file a fetal death report. He shall obtain the
6 personal data from the next of kin or the best qualified person or source
7 available.

8 (c) The medical certification shall be completed and signed within
9 twenty-four (24) hours after delivery by the physician in attendance at or
10 after delivery, except when inquiry is required by the Post-Mortem
11 Examination Act.

12 (d) When a fetal death occurs without medical attendance upon the
13 mother at or after deliver, or when inquiry is required by the Post-Mortem
14 Examination Act, the Medical Examiner shall investigate the cause of fetal
15 death, and shall complete and sign the medical certification within twenty-
16 four (24) hours after taking charge of the case.

17 **§3218. Abortion report.** (a) An individual abortion report for each
18 abortion shall be completed by the mother's attending physician. The report
19 shall be confidential and it shall not contain the name of the mother involved.
20 This report shall include:

- 21 (1) Patient number;
- 22 (2) Name and address of the abortion facility or hospital;
- 23 (3) Date of the abortion;
- 24 (4) Zip code or other residential identification of the
25 pregnant woman;
- 26 (5) Age of the pregnant woman;
- 27 (6) Ethnic origin of the pregnant woman;

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

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

- 24 (1) Date of the abortion;
- 25 (2) Name and the address of the abortion facility or hospital
26 where the abortion was performed; and
- 27 (3) Nature of the abortion complication diagnosed or treated.

1 (c) All abortion reports shall be signed by the attending physician and
2 shall be submitted to the Guam Memorial Hospital Medical Records Section
3 within thirty (30) days from the date of the abortion. All complication reports
4 shall be signed by the physician providing the post abortion care and
5 submitted to the Guam Memorial Hospital Medical Records Section within
6 thirty (30) days from the date of the post-abortion care.

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

10 (e) The Guam Memorial Hospital Medical Records Section shall be
11 responsible for collecting all abortion reports and complication reports, and
12 collating and evaluating all data gathered therefrom, and shall annually
13 publish a statistical report based on such data from abortions performed in
14 the previous calendar year.

15 (f) The Guam Memorial Hospital Medical Records Section shall make
16 available to physicians performing abortions in Guam, forms for both
17 abortion reports and post-abortion care reports, as provided in subsections
18 (a) and (b) of this section.

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

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

26 (i) Any person may bring an action against an individual who has
27 willfully and knowingly released confidential information about such person

1 in violation of subsection (g) of this section for the greater of the following
2 amounts:

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

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

8 **§3219. Extension of time.** The Office of Vital Statistics may, by
9 regulation, and upon such conditions as it may prescribe to assure compliance
10 with the purposes of this article, provide for the extension of the periods
11 prescribed in §§3216 and 3217 of this article for the filing of death certificates,
12 fetal death reports and medical certifications of cause of death in cases in
13 which compliance with the applicable prescribed period would result in undue
14 hardship.

15 **§3220. Marriage registration.** (a) A record of each marriage
16 performed on Guam shall be filed with the Territorial Registrar of Vital
17 Statistics as provided in this section.

18 (b) The officer who issues the marriage license shall prepare the license
19 and certificate on the form prescribed and furnished by the Office of Vital
20 Statistics upon the basis of information obtained from the parties to be
21 married, who shall attest to the information by their signatures.

22 (c) Every person authorized by the laws of Guam to perform a
23 marriage shall certify the fact of marriage and file the record of such
24 marriage with the Office of Vital Statistics within ten (10) days after the
25 ceremony. This certificate shall be signed by the witnesses, and another
26 signed copy shall be given to the parties marrying.

1 (d) The officer issuing marriage licenses shall complete and forward to
2 the Territorial Registrar of Vital Statistics, on or before the fifteenth (15th)
3 day of each month, copies of the applications and licenses filed with him
4 during the preceding calendar month.

5 (e) The Director shall accept, for the purpose of recordation, certified
6 copies of records of marriages performed outside Guam in which one (1) or
7 both parties are residents of Guam.

8 **§3221. Court reports of divorce and annulment of marriage.** (a) For
9 each divorce and annulment of marriage granted by the courts of Guam, a
10 report shall be filed with the Office of Vital Statistics by the clerk of court.

11 (b) On or before the fifteenth (15th) day of each month, the clerk of
12 court shall forward to the Office of Vital Statistics the report of each divorce
13 and annulment of marriage granted during the preceding calendar month
14 and such related reports as may be required by regulations issued under this
15 article.

16 (c) The information necessary to prepare the report shall be furnished
17 with the petition to the clerk of court by the parties, petitioner or their legal
18 representative on forms prescribed and furnished by the Territorial Registrar
19 of Vital Statistics.

20 **§3222. Correction and amendment of Vital Records.** (a) A certificate
21 or record registered under this article may be amended only in accordance
22 with this article and regulations thereunder, adopted by the Department to
23 protect the integrity and accuracy of vital statistics records.

24 (b) A certificate that is amended under this section shall be marked
25 "Amended," except as provided in paragraphs (b) and (d) of this section. The
26 date of amendment and a summary description of the evidence submitted in
27 support of the amendment shall be endorsed on or made a part of the record.

1 The Office of Vital Statistics shall prescribe by regulation the conditions under
2 which additions or minor corrections shall be made to birth certificates within
3 one (1) year after the date of birth without the certificates being considered as
4 amended.

5 (c) Upon receipt of a certified copy of a court order changing the name
6 of a person born in Guam, and upon request of such person or his parent,
7 guardian or legal representative, the Office of Vital Statistics shall amend the
8 certificate of birth to reflect the new name.

9 (d) Upon request and receipt of a sworn acknowledgment of paternity
10 of a child born out of wedlock, signed by both parents, the Territorial
11 Registrar of Vital Statistics shall amend a certificate of birth to show such
12 paternity, if paternity is not shown on the certificate. The surname of the child
13 shall then be changed to that of the father, but the certificate shall not be
14 marked "Amended".

15 (e) Upon receipt of a sworn statement from the physician performing
16 the surgery certifying the sex of an individual has been changed by surgical
17 procedure, and upon written request of an individual born in Guam, the sex
18 of the individual shall be amended on the birth certificate to reflect such
19 change. The name of the individual may be changed as provided in
20 paragraph (c) of this section.

21 **§3223. Reproduction of records.** To preserve original documents, the
22 Territorial Registrar of Vital Statistics is authorized to prepare typewritten,
23 photographic or other reproductions of original records and files in his office.
24 Such a reproduction, when certified by him and sealed with an official
25 government seal, shall be accepted as the original and official record.

26 **§3224. Same: microfilm.** To preserve original records, the Territorial
27 Registrar is authorized and directed to microfilm all vital records. All such

1 reproductions shall be equally admissible as competent evidence in all courts
2 of Guam or in any administrative proceeding as the original itself whether
3 the original is in existence or not.

4 **§3225. Disclosure of records.** (a) To protect the integrity, the
5 confidentiality, the validity and the evidentiary value of Vital Statistics
6 Records, to insure their proper use and to insure the efficient and proper
7 administration of the Vital Statistics system, it shall be unlawful for any
8 person to permit inspection of, or to disclose information contained in Vital
9 Statistics Records, or to copy or issue a copy of all or part of any such record,
10 **except** as authorized by regulation or as provided for by this article.

11 (b) The Office of Vital Statistics may authorize the disclosure of data
12 contained in Vital Statistics Records for research purposes; **provided**, that
13 request for such be first approved by the Director.

14 (c) Information in Vital Statistics Records, such as birth occurring out
15 of wedlock or length of pregnancy, may not be disclosed **except** as provided
16 for in this article, by regulation or upon court order.

17 (d) Appeals from decisions of the Territorial Registrar refusing to
18 disclose information, or to permit inspection of or copying of records under
19 the authority of this section and regulations issued hereunder shall be made
20 to the Director, whose decisions shall be binding upon the Territorial
21 Registrar.

22 **§3226. Copies of Data from Vital Records.** In accordance with §3225 of
23 this article, and the regulations adopted pursuant thereto:

24 (a) The Office of Vital Statistics shall upon request, issue a
25 certified copy of any certificate or record in his custody or of a part
26 thereof. Each copy issued shall show the date of registration; and

1 copies issued from records marked "Delayed," "Amended" or "Court
2 Order" shall be similarly marked and show the effective date.

3 (b) A certified copy of a certificate or any part thereof, issued
4 in accordance with paragraph (a) of this section, shall be considered
5 for all purposes the same as the original, and shall be *prima facie*
6 evidence of the facts therein stated; **provided**, that the evidentiary
7 value of the certificate or record filed more than one (1) year after the
8 event, or a record which has been amended shall be determined by
9 the judicial or administrative body or official before whom the
10 certificate is offered as evidence.

11 (c) The National Center for Health Statistics shall be
12 furnished such copies or data as it may require for national statistics;
13 **provided**, that the government of Guam shall be reimbursed for the
14 cost of furnishing such data; and **provided**, further, that such data
15 shall not be used for other than statistical purposes by the National
16 Center for Health Statistics unless so authorized by the Office of
17 Vital Statistics.

18 (d) Federal, state or other territorial governmental branches
19 and other public or private agencies may, upon request, be furnished
20 copies of data for statistical purposes upon such terms or conditions
21 as may be prescribed by the Office of Vital Statistics.

22 (e) No person shall prepare or issue any certificate which
23 purports to be an original, certified copy or copy of a certificate of
24 birth, death or fetal death, **except** as authorized in this article or
25 regulations adopted hereunder.

26 **§3227. Fees for copies.** (a) The Director shall, by regulation, establish
27 fees for certified copies of certificates or records issued; for the search of the

1 files or records when no copy or information is available; for processing a
2 change of name by court order and other means; for amending records; and
3 for filing a delayed certificate of birth or marriage.

4 (b) Fees collected under this section by the Office of Vital Statistics
5 shall be deposited in the General Fund of the government of Guam according
6 to procedures established by law governing collections.

7 **§3228. Duty to furnish information relative to vital events.** Any person
8 having knowledge of the facts, shall furnish such information as he may
9 possess regarding any birth, death, fetal death, marriage or divorce, upon
10 demand of the Territorial Registrar of Vital Statistics.

11 **§3229. Penalties.** (a) (1) Any person who willfully and knowingly
12 makes any false statement in a report, record or certificate required to be filed
13 under this article or in an application for amendment thereof or who willfully
14 and knowingly supplies false information intending that such information be
15 used in the preparation of any such report, record or certificate, or
16 amendment thereof; or

17 (2) Any person who without lawful authority and with intent
18 to deceive, makes, alters, amends or mutilates any report, record or
19 certificate required to be filed under this article or certified copy of
20 such report, record or certificate; or

21 (3) Any person who willfully and knowingly uses or attempts
22 to use or furnish to another for use, for any purpose of deception,
23 any certificate, record, report or certified copy thereof so made,
24 altered, amended or mutilated; or

25 (4) Any person who, with the intention to deceive, willfully
26 uses or attempts to use any certificate of birth or certified copy of a
27 record of birth, knowing that such certificate or certified copy was

1 issued upon a record which is false in whole or in part, or which
2 relates to the birth of another person; or

3 (5) Any person who willfully and knowingly furnishes a
4 certificate of birth or certified copy of a record of birth with the
5 intention that it be used by a person other than the person to whom
6 the record of birth relates, shall be guilty of a misdemeanor.

7 (b) (1) Any person who refuses to provide information required by this
8 article; or

9 (2) Any person who willfully and knowingly transports or
10 accepts for transportation; interment or other disposition a dead
11 body without an accompanying permit as required by this article; or

12 (3) Any person who willfully neglects or violates any of the
13 provisions of this article, or refuses to perform any of the duties
14 imposed upon him by this article, shall be guilty of a petty
15 misdemeanor.

16 **§3230. Burial-transit permits.** (a) No dead human body or fetus
17 attaining twenty (20) weeks of gestation or more shall be buried, deposited in
18 a crypt, mausoleum or vault, cremated, removed from Guam or otherwise
19 disposed of, unless a burial-transit permit has first been issued therefor by the
20 Office of Vital Statistics. Such permit shall be presented to the person in
21 charge of the cemetery, crematorium or other place of disposition, and shall
22 be promptly returned by him to the Office of Vital Statistics after such burial,
23 cremation or other disposition with a certification that the body was disposed
24 of in accordance with the burial-transit permit.

25 (b) The Territorial Registrar shall not issue a burial-transit permit for
26 the disposition of any dead body in any place other than in a cemetery,
27 crematorium, crypt or mausoleum which is in compliance with the

1 regulations for cemeteries, crematoriums, crypts or mausoleums established
2 by the Director. Each burial-transit permit shall include the cemetery plot
3 number, crypt number or other information which will designate the exact
4 location to which the body will be taken.

5 (c) The Territorial Registrar shall issue burial-transit permits for
6 disposition of bodies outside Guam or for burial at sea only when such
7 disposition complies with regulations established by the Director for this
8 purpose.

9 (d) Any person first assuming custody of a dead body or fetus shall
10 obtain a burial-transit prior to final disposition or removal from Guam
11 within seventy-two (72) hours after death.

12 (e) Burial-transit permits shall be issued provided that first a certificate
13 of death or fetal death has been filed with the Office in accordance with
14 §§3216 and 3217 of this article.

15 (f) A permit issued under the law of any state which accompanies a
16 dead human body or fetus brought into Guam for final disposition shall be the
17 authority to dispose of said body or fetus; **provided**, that the Director, in the
18 protection of the public health, having consideration of the cause of death or
19 other special conditions, may, in his discretion, order such form of burial or
20 disposition of a dead body or fetus as he deems necessary.

21 (g) No dead human body or remains shall be disinterred for reburial or
22 other purpose from any cemetery, crypt, mausoleum or vault without a
23 permit from the Office of Vital Statistics. Such disinterments must comply
24 with regulations established by the Director of the disinterment of human
25 bodies or remains.

- 1 §3311. Placarding.
- 2 §3312. Violation of isolation or quarantine.
- 3 §3314. Disinfection of premises.
- 4 §3315. Destruction of property.
- 5 §3316. Compensation.
- 6 §3317. Closing of schools.
- 7 §3318. Disposal of bodies.
- 8 §3319. Responsibility of person in charge of minor.
- 9 §3320. Willful exposure.
- 10 §3321. Concealing disease.
- 11 §3322. Vaccination and immunization.
- 12 §3323. Prenatal test.
- 13 §3324. Reports as to prenatal test.
- 14 §3325. Prevention of blindness at childbirth.
- 15 §3326. Immunization audit.
- 16 §3327. Same: confidentiality.
- 17 §3328. Autopsy.
- 18 §3329. Testing for tuberculosis.
- 19 §3330. Failure to report.
- 20 §3301. Definitions. As used in this article:
- 21 (a) "Communicable Disease" includes any of the following diseases or
- 22 conditions which are dangerous to public health:
- 23 1. Acquired Immune Deficiency Syndrome (AIDS)
- 24 2. Amebiasis (amoebic dysentery);
- 25 3. Anthrax;
- 26 4. Brucellosis (undulant fever);
- 27 5. Chancroid;

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6. Chickenpox;
 7. Cholera;
 8. Clonorchiasis (liver-fluke);
 9. Conjunctivitis, acute infectious (pink eye);
 10. Dengue;
 11. Diarrhea of newborn (epidemic infantile);
 12. Diphtheria;
 13. Encephalitis, primary (infectious);
 14. Erysipelas;
 15. Favus;
 16. Filariasis;
 17. Fish (ciguatera) poisoning;
 18. Fish (scombroid) poisoning;
 19. Glanders (farcy);
 20. Gonorrhoea;
 21. Gonorrhoeal ophthalmia;
 22. Granuloma inguinale;
 23. Hepatitis A (Infectious)
 24. HIV-seropositive condition;
 25. Hepatitis B (Serum);
 26. Hookworm disease;
 27. Impetigo contagious (in institution);
 28. Influenza;
 29. Kerato-Conjunctivitis (Infectious);
 30. Leprosy (Hansen's Disease);
 31. Leptospirosis (Weil's disease or haemorrhagic jaundice);

- 1 32. Malaria;
- 2 33. Measles (rubeola);
- 3 34. Melioidosis
- 4 35. Meningitis, aseptic;
- 5 36. Meningitis, cerebrospinal (meningococcic);
- 6 37. Meningitis, other infectious;
- 7 38. Mononucleosis, infectious;
- 8 39. Mumps;
- 9 40. Paratyphoid fever;
- 10 41. Pertussis (whooping cough);
- 11 42. Plague;
- 12 43. Poliomyelitis, acute anterior (infantile paralysis);
- 13 44. Psittacosis-ornithosis;
- 14 45. Puerperal septicemia;
- 15 46. Rabies;
- 16 47. Relapsing fever;
- 17 48. Rheumatic fever (active);
- 18 49. Rickettsial disease;
- 19 50. Ringworm of the scalp (tinea capitis);
- 20 51. Rubella (German measles);
- 21 52. Salmonellosis;
- 22 53. Scabies;
- 23 54. Scarlet Fever;
- 24 55. Septic sore throat (streptococcus);
- 25 56. Shigellosis (bacillary dysentery);
- 26 57. Smallpox;
- 27 58. Syphilis;

- 1 59. Tetanus;
- 2 60. Trachoma;
- 3 61. Trichinosis;
- 4 62. Tuberculosis (pulmonary);
- 5 63. Tuberculosis (other than pulmonary);
- 6 64. Tularemia;
- 7 65. Typhoid fever;
- 8 66. Typhus fever;
- 9 67. Yaws;
- 10 68. Yellow fever
- 11 69. Any other disease deemed by the Director to be

12 dangerous to the public health may be added by regulation.

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

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

22 **§3302. Duty to report.** Any person licensed or registered to practice any
23 healing art under Chapter 12 of this Title who has knowledge of or suspects
24 the presence of any communicable disease or any other disease dangerous to
25 the public health, shall report the same to the Director within forty-eight (48)
26 hours after diagnosis, unless a different time is prescribed by regulation,
27 together with the name, age, village of residence and sex of the person

1 afflicted, the house or other place in which such person may be found, and
2 such other information as may be required by regulation.

3 **§3303. Same: dispensaries, hospitals, etc.** The superintendent, chief
4 medical officer, nurse in charge or other person in charge of any hospital,
5 clinic, dispensary, infirmary, medical aid station or other establishment
6 providing medical care, either to the general public or otherwise, who has
7 knowledge of the presence of any communicable disease or any other disease
8 dangerous to the public health shall report the same to the Director in
9 accordance with §3302 of this article. When the patient is hospitalized, the
10 person in charge of the hospital in which he is hospitalized shall make the
11 report.

12 **§3304. Same: laboratories.** The director, administrator, chief officer
13 or other person in charge of any laboratory, public or private, performing any
14 test or examinations upon persons or their blood, urine, feces or any other
15 body products shall, upon identification or suspected identification of an
16 etiologic agent, antigen, antibody or any other substance or combination of
17 substances generally accepted as being diagnostic of the presence of a
18 communicable disease, shall report same to the Director in accordance with
19 §3302 of this article.

20 **§3305. Same: keeper of boarding or lodging houses.** Any owner,
21 keeper or other person in charge of the operation of a hotel, boarding house
22 or dormitory shall immediately report to the Director the presence therein of
23 any person he has reason to believe to be sick of, or to have died of any
24 contagious, infectious, communicable or other disease dangerous to the public
25 health.

26 **§3306. Same: master of vessels; captain of aircraft.** Any master of a
27 vessel or captain of an aircraft shall immediately report to the Director or his

1 representative the presence aboard such vessel or aircraft of any person such
2 master or captain has reason to believe to be sick of or to have died of any
3 communicable disease.

4 **§3307. Investigation.** When a complaint is made or a reasonable belief
5 exists that a communicable disease or other disease dangerous to the public
6 health prevails in any house or elsewhere which has not been reported, the
7 Director shall make an inspection for the purpose of discovering whether any
8 such disease exists.

9 **§3308. Same: access to records, reports, etc.** When the Director has
10 reason to believe that a communicable disease exists but that full and
11 complete information as required by §3302 of this article has not been
12 provided, the Director or his representative may examine any and all records
13 or reports deemed necessary to fully investigate the disease.

14 **§3309. Isolation and quarantine: regulations.** Isolation and quarantine
15 shall be imposed in accordance with regulations. Such regulations shall
16 designate the disease for which isolation or quarantine is necessary, and such
17 other requirements concerning diagnosis, treatment, release and other
18 pertinent matters as may be necessary.

19 **§3310. Same: authority of Director.** (a) Notwithstanding §3309 of
20 this article, when a person has or is reasonably suspected of having or is
21 reasonably suspected of being a carrier of any communicable disease or any
22 other disease dangerous to the public health, the Director may impose
23 isolation of such person and may impose quarantine on anyone who has had
24 contact with such person. The extent and duration of isolation and
25 quarantine imposed in a given case and release therefrom shall be within the
26 discretion of the Director, depending upon the disease. The Director may, in
27 his discretion, determine the persons subject to isolation and quarantine,

1 specify the places or areas to which or in which they are restricted in their
2 movements, prescribe other conditions and requirements to be observed,
3 decide the duration of isolation and quarantine and release therefrom and
4 issue other necessary instructions. He shall insure that provisions are made
5 for medical observation of such persons as frequently as necessary during
6 isolation and quarantine or amend the degree thereof and other restrictions
7 imposed in connection therewith at any time.

8 (b) When a person has or is reasonably suspected of having or is
9 reasonably suspected of being a carrier of any communicable disease or any
10 other disease dangerous to the public health, the Director may, in his
11 discretion and for the safety of the public, remove such person, with or
12 without his consent, to a licensed hospital or other designated premises for
13 the purpose of isolation and treatment until the disease is no longer
14 communicable by such person. If the Director should determine that removal
15 of such person is not practicable, such person may be allowed to remain
16 where he is and the Director may take such measures as he may deem
17 advisable to provide for his care for the public health by way of isolation and
18 quarantine.

19 **§3311. Placarding.** When a person has been isolated or quarantined
20 and is restricted thereby to his residence or other building, the Director may
21 place in a conspicuous position on the exterior of the premises where such
22 person is isolated or quarantined a placard having printed on it in large
23 letters the name of the disease and warning all unauthorized persons to
24 remain off the premises. Such placard shall be in both English and Chamorro
25 and in any other languages the Director deems appropriate. No person shall
26 remove, deface or destroy such placard until authorized by the Director.

1 **Except** as authorized by the Director or by regulation, no person shall enter
2 or leave any premises which has been placarded.

3 **§3312. Violation of isolation or quarantine.** No person who has been
4 isolated or quarantined shall leave the premises or area to which he has been
5 restricted **without** the written permission of the Director until he has been
6 released from such isolation or quarantine.

7 **§3313. Chief of Police.** Upon the request of the Director, it shall be the
8 duty of the Chief of Police to act and assist in the enforcement of isolation and
9 quarantine, using such force as may be reasonably necessary.

10 **§3314. Disinfection of premises.** The Director may, if he deems it
11 advisable, order the premises and contents thereof in which any person has
12 been ill or has died of a communicable disease or any other room, building,
13 premises or area, any contents thereof, which may be infective by contact
14 with any communicable disease, to be disinfected and purified in such manner
15 as he may direct. It shall be the duty of the owner or occupant of such
16 premises to comply with any such order.

17 **§3315. Destruction of property.** The Director may destroy any infective
18 clothing, bedding or other article which cannot be made safe by disinfection.
19 He shall furnish to the owner thereof a receipt showing the number,
20 character, condition and estimated value of the article so destroyed. A copy of
21 such receipt shall be retained by the Director.

22 **§3316. Compensation.** Upon the presentation of the original receipt
23 for articles destroyed under §3315 of this article and approval by the Attorney
24 General, the Director shall pay to the owner of such property, out of such
25 appropriations of the Department as may be available, the value of such
26 destroyed articles.

1 **§3317. Closing of school.** During an epidemic or threatening epidemic
2 or when a dangerous communicable disease is unusually prevalent, the
3 Director may close any public or private school and prohibit any public or
4 private gathering for such time as may be necessary in the interest of the
5 public health.

6 **§3318. Disposal of bodies.** The Director, in his discretion, may require
7 that the body of a person, who has died of a communicable disease or any
8 other disease dangerous to the public health, be buried or cremated
9 immediately or within such period of time and in conformity with such
10 procedures for the protection of the public health, as he may designate.

11 **§3319. Responsibility of person in charge of minor.** Where any person
12 suffering from a communicable disease is required to remain isolated or
13 quarantined or to do or refrain from doing any act or thing whereby spread of
14 the disease may be enhanced or such person because of his tender age or of
15 physical or mental disability is unable to comprehend or comply with such
16 requirements, it shall be the duty of the parent, guardian or other person,
17 including any attendant having such patient under his care, custody or control
18 to comply or cause compliance with the isolation or quarantine so imposed
19 and pertinent provisions of this article.

20 **§3320. Willful exposure.** No person having a communicable disease or
21 any other disease dangerous to the public health or being in charge of any
22 other person afflicted with such a disease, shall willfully expose himself or
23 such person in any public place, street or highway **except** as may be
24 authorized by the Director.

25 **§3321. Concealing disease.** No person shall conceal any person having
26 any communicable disease or any other disease dangerous to the public
27 health, including any venereal disease. No parent, guardian or other person