

1 record of birth. This order shall include the birth data to be
2 registered, a description of the evidence presented in the
3 manner prescribed by Section 3212 of this Chapter, and the
4 date of the Court's action.
5

6 (f) The clerk of the Superior Court shall forward each such
7 order to the Territorial Registrar of Vital Statistics not later
8 than the tenth (10th) day of the calendar month following the
9 month in which it was entered. Such order shall be registered
10 by the Territorial Registrar of Vital Statistics and shall
11 constitute the record of birth, from which copies may be
12 issued in accordance with Section 3225 of this Chapter.
13

14 SOURCE: Section 9312 GC.
15

16 Section 3214. Court Reports of Adoption.
17

18 (a) For each adoption decreed by a court of competent
19 jurisdiction, the court shall require the preparation of a
20 certificate of adoption on a form prescribed and furnished by
21 the Territorial Registrar of Vital Statistics. The certificate
22 shall include such facts as are necessary to locate and identify
23 the certificate of birth of the person adopted; provide
24 information necessary to establish a new certificate of birth
25 of the person adopted, and shall identify the order of adoption
26 and be certified by the clerk of court.
27

28 (b) The certificate of adoption shall be filed with the original
29 record of birth, which shall remain as a part of the permanent
30 records of the Office of Vital Statistics.
31

32 (c) Whenever an adoption decree is amended or annulled, the
33 clerk of the court shall prepare a certificate thereof, which
34 shall include such facts as are necessary to identify the
35 original adoption report, and the facts amended in the adoption
36 decree as shall be necessary to properly amend the birth
37 record.
38

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

1
2 SOURCE: Section 9313 GC.
3

4 Section 3215. New Certification of Birth Following Adoption,
5 Legitimation and Paternity Determination.
6

7 (a) The Territorial Registrar of Vital Statistics shall establish
8 a new certificate of birth for a person born in the Territory of
9 Guam when he receives one (1) of the following:
10

11 (1) An adoption report as provided in section 3214, or a
12 certified copy of the decree of adoption, together with the
13 information necessary to identify the original certificate of
14 birth and to establish a new certificate of birth; (except that a
15 new certificate of birth shall not be established, if so
16 requested by the court decreeing the adoption, the adoptive
17 parents or the adopted person).
18

19 (2) An affidavit of acknowledgment of paternity signed by both
20 parents; or
21

22 (3) A court order determining paternity.
23

24 (b) When a new certificate of birth is established, the actual
25 place and date of birth shall be shown. It shall be substituted
26 for the original certificate of birth:
27

28 (1) Thereafter, the original certificate and the evidence of
29 adoption, paternity or legitimation shall not be subject to
30 inspection, except upon court order or as provided by
31 regulations.
32

33 (2) Upon receipt of notice of annulment of adoption, the
34 original certificate of birth shall be restored to its place in
35 the files and the new certificate and evidence shall not be
36 subject to inspection, except upon court order.
37

38 (c) If no certificate of birth is on file for the person for whom
39 a new certificate is to be established under this section, a
40 delayed certificate of birth shall be filed with the Office of
41 Vital Statistics as provided in Subsection 3212 or 3213 of
42 this Chapter. Before a new certificate of birth is established,
43 exception that when the date and place of birth and parentage

1 have been established in the adoption proceeding, a delayed
2 certificate shall not be required.

3
4 (d) When a new certificate of birth is established by the
5 Territorial Registrar of Vital Statistics, all copies of the
6 original certificate of birth in the custody of the Office of Vital
7 Statistics, will be sealed from inspection and opened only upon
8 court order or as provided by regulation.
9

10 SOURCE: Section 9314 GC, as amended by P.L. 15-90.

11
12 COMMENT: The language of Subsection (3), as amended by P.L.
13 15-90, is very obscure. One supposes by deleting "that" from
14 the second sentence it might convey more clearly, though still
15 imprecisely, the intended meaning.
16

17 Section 3216. Death Registration.

18
19 (a) A death certificate for each death which occurs on Guam
20 shall be filed with the Office of Vital Statistics.
21

22 (b) The Mayor, upon receiving information of any death within
23 his district, shall report the same immediately to the Office
24 of Vital Statistics, on a prescribed form, provided:
25

26 a. If the place of death is unknown, a death report shall be
27 filed by the Mayor of the district in which a dead body is found
28 and the place where the body is found shall be shown as the
29 place of death; further
30

31 b. That if death occurs in a moving conveyance, a death report
32 shall be filed by the Mayor of the district in which the dead
33 body was first removed from such conveyance and the location
34 where the body is removed from the conveyance shall be
35 shown as the place of death or if taken to an institution, the
36 death certificate shall be filed by the person in charge of that
37 institution.
38

39 c. Death in an institution shall be reported to the Office of
40 Vital Statistics by the person in charge of that institution.
41

42 d. Any person who first assumes custody of a dead human
43 body shall report same and file a death certificate with the

1 Office of Vital Statistics. He shall obtain the personal data from
2 the next of kin or the best qualified person or source available
3 and shall obtain the medical certification of cause of death
4 from the person responsible therefor.
5

6 e. The medical certification shall be completed and signed
7 within twenty-four (24) hours after death by the physician in
8 charge of the patient's care for the illness or condition which
9 resulted in death, except when the patient has received no
10 medical attention within seventy-two (72) hours prior to
11 death or when inquiry is required in accordance with the Chief
12 Medical Examiner's Act, Article 2 of Chapter 12 of this Title.
13

14 f. When death occurred without medical attendance as set
15 forth in Paragraph (e) of this Section, or when inquiry is
16 required by the Chief Medical Examiner Act, the Medical
17 Examiner or his duly authorized representative shall
18 investigate the cause of death and shall complete and sign the
19 medical certification within twenty-four (24) hours after
20 taking charge of the case.
21

22 g. Upon request, the Director shall accept, for purposes of
23 recording deaths, certified copies of death certificates of
24 resident's of Guam who died outside the territory of Guam.
25

26 h. When a death is presumed to have occurred within the
27 Territory but the body cannot be located, a death certificate
28 may be prepared by the Territorial Registrar upon receipt of an
29 order from the court of competent jurisdiction, which shall
30 include the finding of facts required to complete the death
31 certificate. Such a death certificate shall be marked
32 "presumptive" and shall show on its face the date of
33 registration and shall identify the court and date of decree.
34

35 SOURCE: Section 9315 GC, as amended by P.L. 15-90.
36

37 Section 3217. Fetal Death Registration.
38

39 (a) A fetal death certificate for each fetal death which occurs
40 in Guam after twenty (20) complete weeks of
41 gestation or more or when a fetus weighs three hundred fifty
42 (350) grams or more, shall be filed with the Office of Vital
43 Statistics within twenty-four (24) hours after such delivery

1 and prior to the removal of the disposition of said fetus;
2 provided:

3
4 (1) that if the place of fetal death is unknown, a fetal death
5 certificate shall be filed by the Mayor of the village in which
6 the dead fetus was found; or

7
8 (2) that if a fetal death occurs in a moving conveyance, a fetal
9 death certificate shall be filed by the Mayor of the district in
10 which the dead fetus was first removed or if to an institution,
11 the fetal death certificate shall be filed by the person in
12 charge of that institution.

13
14 (b) Any physician, midwife or other person in attendance at or
15 after the deliver of a dead fetus shall file a certificate of fetal
16 death. He shall obtain the personal data from the next of kin
17 or the best qualified person or source available.

18
19 (c) The medical certification shall be completed and signed
20 within twenty-four (24) hours after delivery by the physician
21 in attendance at or after delivery, except when inquiry is
22 required by the Chief Medical Examiner Act, Chapter II, Title
23 XVII of the Government Code of Guam.

24
25 (d) When a fetal death occurs without medical attendance upon
26 the mother at or after deliver, or when inquiry is required by
27 the Medical Examiner Act, the Medical Examiner shall
28 investigate the cause of fetal death, and shall complete and
29 sign the medical certification within twenty-four (24) hours
30 after taking charge of the case.

31
32 SOURCE: Section 9316 GC, as amended by P.L. 15-90.

33
34 Section 3218. Abortion Report.

35
36 (a) An individual abortion report for each abortion shall be
37 completed by her attending physician. The report shall be
38 confidential and it shall not contain the name of the woman
39 involved. This report shall include:

- 40
41 (1) the patient number;
42 (2) the name and address of the abortion facility or hospital;
43 (3) the date of the abortion;

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

25
26 (b) An individual complication report for any post-abortion
27 care performed upon a woman shall be completed by the
28 physician providing such post-abortion care. This report shall
29 include:

- 30
- 31 (1) the date of the abortion;
- 32 (2) the name and the address of the abortion facility or
- 33 hospital where the abortion was performed; and
- 34 (3) the nature of the abortion complication diagnosed or
- 35 treated.

36
37 (c) All abortion reports shall be signed by the attending
38 physician and shall be submitted to the Guam Memorial
39 Hospital Medical Records Section within thirty (30) days from
40 the date of the abortion. All complication reports shall be
41 signed by the physician providing the post abortion care and
42 submitted to the Guam Memorial Hospital Medical Records
43 Section within thirty (30) days from the date of the post-

1 abortion care.

2
3 (d) A copy of the abortion report shall be made a part of the
4 medical record of the patient of the facility or hospital in
5 which the abortion was performed.

6
7 (e) The Guam Memorial Hospital Medical Records Section shall
8 be responsible for collecting all abortion reports and
9 complication reports, and collating and evaluating all data
10 gathered therefrom, and shall annually publish a statistical
11 report based on such data, from abortions performed in the
12 previous calendar year.

13
14 (f) The Guam Memorial Hospital Medical Records Section shall
15 make available to physicians performing abortions in the
16 territory of Guam, forms for both abortion reports and post-
17 abortion care reports, as provided in Subsection (a) and (b) in
18 this Section.

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

26
27 (h) Any person who releases confidential information in
28 violation of Subsection (g) of this Section shall be guilty of a
29 misdemeanor.

30
31 (i) Any person may bring an action against an individual who
32 has willfully and knowingly released confidential information
33 about such person in violation of Subsection (g) of this Section
34 for the greater of the following amounts:

- 35
36 (1) Five Hundred Dollars (\$500.00); or
37 (2) Three (3) times the amount of actual damages, if any,
38 sustained by the plaintiff; reasonable attorney's fees and the
39 costs of the action. It is not a prerequisite to an action under
40 this Subsection that the plaintiff suffer or be threatened with
41 actual damages.

42
43 SOURCE: Section 9316.1 GC, added by P.L. 15-112.

1
2 Section 3219. Extension of Time.
3

4 The Office of Vital Statistics may, by regulations, and upon
5 such conditions as it may prescribe to assure compliance with
6 the purposes of this Chapter, provide for the extension of the
7 periods prescribe in Subsection 3216 and 3217 for the filing
8 of death certificates, fetal death certificates and medical
9 certificates of cause of death in cases in which compliance
10 with the applicable prescribed period would result in undue
11 hardship.
12

13 SOURCE: Section 9317 GC.
14

15 Section 3220. Marriage Registration.
16

17 (a) A record of each marriage performed on Guam shall be filed
18 with the Territorial Registrar of Vital Statistics as provided
19 in this Section.
20

21 (b) The officer who issues the marriage license shall prepare
22 the license the certificate on the form prescribed and
23 furnished by the Office of Vital Statistics upon the basis of
24 information obtained from the parties to be married, who
25 shall attest to the information by their signatures.
26

27 (c) Every person authorized by the laws of Guam to perform a
28 marriage shall certify the fact of marriage and file the record
29 of such marriage with the Office of Vital Statistics within ten
30 (10) days after the ceremony. This certificate shall be signed
31 by the witnesses, and another signed copy shall be given to the
32 parties marrying.
33

34 (d) The officer issuing marriage licenses shall complete and
35 forward to the Territorial Registrar of Vital Statistics, on or
36 before the fifteenth (15th) day of each month, copies of the
37 applications and licenses filed with him during the preceding
38 calendar month.
39

40 (e) The Director shall accept, for the purpose of recordation,
41 certified copies of records of marriages performed outside the
42 territory of Guam in which one or both parties are residents of
43 Guam.

1
2 SOURCE: Section 9318 GC.
3

4 Section 3221. Court Reports of Divorce and Annulment of
5 Marriage.
6

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

11 (b) On or before the fifteenth (15th) day of each month, the
12 clerk of court shall forward to the Office of Vital Statistics
13 the report of each divorce and annulment of marriage granted
14 during the preceding calendar month and such related reports
15 as may be required by regulations issued under this Chapter.
16

17 (c) The information necessary to prepare the report shall be
18 furnished with the petition to the clerk of court by the parties,
19 petitioner or their legal representative on forms prescribed
20 and furnished by the Territorial Registrar of Vital Statistics.
21

22 SOURCE: Section 9319 GC.
23

24 Section 3222. Correction and Amendment of Vital Records.
25

26 (a) A certificate and record registered under this Chapter may
27 be amended only in accordance with this Chapter and
28 regulations thereunder, adopted by the Department of Public
29 Health and Social Services to protect the integrity and
30 accuracy of vital statistics records.
31

32 (b) A certificate that is amended under this Section shall be
33 marked "Amended," except as provided in Paragraph (a) in this
34 Section. The date of amendment and a summary description of
35 the evidence submitted in support of the amendment shall be
36 endorsed on or made a part of the record. The Office of Vital
37 Statistics shall prescribe by regulation the conditions under
38 which additions or minor corrections shall be made to birth
39 certificates within one (1) year after the date of birth without
40 the certificates being considered as amended.
41

42 (c) Upon receipt of a certified copy of a court order changing
43 the name of a person born in Guam, and upon request of such

1 person or his parent, guardian or legal representative, the
2 Office of Vital Statistics shall amend the certificate of birth
3 to reflect the new name.
4

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

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

21 SOURCE: Section 9320 GC, as amended by P.L. 15-90.s
22

23 Section 3223. Reproduction of Records.
24

25 To preserve original documents, the Territorial Registrar of
26 Vital Statistics is authorized to prepare typewritten,
27 photographic or other reproductions of original records and
28 files in his office. Such reproductions, when certified by him
29 and sealed with official government seal, shall be accepted as
30 the original and official record.
31

32 SOURCE: Section 9321 GC.
33

34 Section 3224. Same: Microfilm.
35

36 To preserve original records, the Territorial Registrar is
37 authorized and directed to microfilm all vital records. All such
38 reproductions shall be equally admissible as competent
39 evidence in all courts of the Territory or in any administrative
40 proceeding as the original itself whether the original is in
41 existence or not.
42

43 SOURCE: Section 9321.1 GC, added by P.L. 15-90.

1
2 Section 3225. Disclosure of Records.
3

4 (a) To protect the integrity, the confidentiality, the validity
5 and the evidentiary value of Vital Statistics Records, to insure
6 their proper use and to insure the efficient and proper
7 administration of the Vital Statistics system, it shall be
8 unlawful for any person to permit inspection of, or disclose
9 information contained in Vital Statistics Records, or to copy
10 or issue a copy of all or part of any such record, except as
11 authorized by regulation or as provided for by this Chapter.
12

13 (b) The Office of Vital Statistics may authorize the disclosure
14 of data contained in Vital Statistics Records for research
15 purposes, provided that request for such be approved
16 beforehand by the Director.
17

18 (c) Information in Vital Statistics Records, such as birth
19 occurring out of wedlock or length of pregnancy, may not be
20 disclosed except as provided for in this Chapter, by regulation
21 or upon court order.
22

23 (d) Appeals from decisions of the Territorial Registrar
24 refusing to disclose information, or to permit inspection of or
25 copying of records under the authority of this Section and
26 regulations issued hereunder shall be made to the Director,
27 whose decisions shall be binding upon the Territorial
28 Registrar.
29

30 SOURCE: Section 9322 GC.
31

32 Section 3226. Copies of Data from Vital Records.
33

34 In accordance with Section 3225 of this Chapter, and the
35 regulations adopted pursuant thereto:
36

37 (a) The Office of Vital Statistics shall upon request, issue a
38 certified copy of any certificate or record in his custody or of
39 a part thereof. Each copy issued shall show the date of
40 registration; and copies issued from records marked "Delayed,"
41 "Amended" or "Court Order" shall be similarly marked and
42 show the effective date.
43

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

10
11 (c) The National Center for Health Statistics shall be furnished
12 such copies or data as it may require for national statistics;
13 provided that the government of Guam shall be reimbursed for
14 the cost of furnishing such data; and provided further that such
15 data shall not be used for other than statistical purposes by
16 the National Center for Health Statistics unless so authorized
17 by the Office of Vital Statistics.

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

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

28
29 SOURCE: Section 9323 GC.

30
31 Section 3227. Fees for Copies.

32
33 (a) The Director shall, by regulation, establish fees for
34 certified copies of certificates or records issued; for search
35 of the files or records when no copy or information is
36 available; for processing a change of name by court order and
37 other means; for amending records and filing a delayed
38 certificate of birth or marriage.

39
40 (b) Fees collected under this Section by the Office of Vital
41 Statistics shall be deposited in the General Fund of the
42 government of Guam according to procedures established by
43 law governing collections.

1
2 SOURCE: Section 9324 GC, as amended by P.L. 15-90.

3
4 Section 3228. Duty to Furnish Information Relative to Vital
5 Events.

6
7 Any person having knowledge of the facts, shall furnish such i
8 Information as he may possess regarding any birth, death, fetal
9 death, marriage or divorce, upon demand of the Territorial
10 Registrar of Vital Statistics.

11
12 SOURCE: Section 9325 GC.

13
14 Section 3229. Penalties.

15
16 (a)

17 (1) Any person who willfully and knowingly makes any false
18 statement in a report, record or certificate required to be
19 filed under this Chapter or in an application for amendment
20 thereof or who willfully and knowingly supplies false
21 information intending that such information be used in the
22 preparation of any such report, record or certificate, or
23 amendment thereof; or

24
25 (2) Any person who without lawful authority and with intent
26 to deceive, makes, alters, amends or mutilates any report,
27 record or certificate required to be filed under this Chapter or
28 certified copy of such report, record or certificate; or

29
30 (3) Any person who willfully and knowingly uses or attempts
31 to use or furnish to another for use, for any purpose of
32 deception, any certificate, record, report or certified copy
33 thereof so made, altered, amended or mutilated; or

34
35 (4) Any person who, with the intention to deceive, willfully
36 uses or attempts to use any certificate or birth or certified
37 copy of a record of birth, knowing that such certificate or
38 certified copy was issued upon a record which is false in
39 whole or in part, or which relates to the birth of another
40 person; or

41
42 (5) Any person who willfully and knowingly furnishes a
43 certificate of birth or certified copy of a record of birth with

1 the intention that it be used by a person other than the person
2 to whom the record of birth relates, shall be guilty of a
3 misdemeanor.

4
5 (b)

6 (1) Any person who refuses to provide information required by
7 this Chapter; or

8
9 (2) Any person who willfully and knowingly transports or
10 accepts for transportation; interment or other disposition a
11 dead body without an accompanying permit as required by this
12 Chapter; or

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

18
19 SOURCE: Section 9326 GC, as amended by P.L.'s 13-187 and 15-
20 90.

21
22 Section 3230. Severability.

23
24 If any provision of this Act or the application thereof, to any
25 person or circumstances if held invalid, such invalidity shall
26 not affect other provisions or applications of the Act which
27 can be given effect without the invalid provision or
28 application, and to this end the provisions of the Act are
29 declared to be severable.

30
31 SOURCE: Section 9327 GC.

32
33 Section 3231. Effective Date.

34
35 This Act shall be effective the first day of the third month
36 following its approval by the Governor.

37
38 SOURCE: Section 9328 GC.

39
40 Section 3232. Burial-Transit Permits.

41
42 (a) No dead human body or fetus attaining twenty (20) weeks
43 of gestation or more shall be buried, deposited in a crypt,

1 mausoleum or vault, cremated, removed from Guam or
2 otherwise disposed of, unless a burial-transit permit has first
3 been issued therefore by the Office of Vital Statistics. Such
4 permit shall be presented to the person in charge of the
5 cemetery, crematory or other place of disposition, and shall be
6 promptly returned by him to the Office of Vital Statistics
7 after such burial, cremation or other disposition with a
8 certification that the body was disposed of in accordance with
9 the burial-transit permit.

10
11 (b) The Territorial Registrar shall not issue a burial transit
12 permit for the disposition of any dead body in any place other
13 than in a cemetery, crematorium, crypt or mausoleum which is
14 in compliance with the regulations for cemeteries,
15 crematoriums, crypts or mausoleums established by the
16 Director. Each burial-transit permit shall include the cemetery
17 plot number, crypt number or other information which will
18 designate the exact location where the body has been
19 dispositioned.

20
21 (c) The Territorial Registrar shall issue burial-transit permits
22 for disposition of bodies outside the territory of Guam or for
23 burial at sea only when such disposition complies with
24 regulations established by the Director for this purpose.

25
26 (d) Any person first assuming custody of a dead body or fetus
27 shall obtain a burial-transit prior to final disposition or
28 removal from Guam within seventy-two (72) hours after death.

29
30 (e) Burial-transit permit shall be issued provided that first a
31 certificate of death or fetal death has been filed with the
32 Office in accordance with Subsection 3216 and 3217 of this
33 Chapter.

34
35 (f) A permit issued under the law of any state which
36 accompanies a dead human body or fetus brought into Guam
37 for final disposition shall be the authority to dispose of said
38 body or fetus; provided, that the Director, in the protection of
39 the public health, having consideration of the cause of death or
40 other special conditions, may, in his discretion, order such form
41 of burial or disposition of a dead body or fetus as he deems
42 necessary.
43

1 (g) No dead human, body or remains shall be disinterred for
2 reburial or other purpose from any cemetery, crypt,
3 mausoleum or vault without a permit from the Office of Vital
4 Statistics. Such disinterments must comply with regulations
5 established by the Director of the disinterment of human
6 bodies or remains.

7
8 SOURCE: Section 9329, as amended by P.L. 15-90.

9
10 Section 3233. Disposition.

11
12 (a) The right to control the disposition of a dead human body
13 and the duty of burial or other disposition and the liability for
14 the reasonable cost thereof devolves upon the following in the
15 order named:

16
17 (1) the surviving spouse of the decedent;

18
19 (2) the surviving child or children of the decedent;

20
21 (3) the surviving parent or parents of the decedent; and

22
23 (4) the person or persons, respectively, in the next degrees of
24 kindred, in the order named by the laws of Guam as entitled to
25 succeed the estate of the decedent; provided that the liability
26 for the cost of burial or other disposition shall be primarily
27 upon the estate of the decedent.

28
29 (b) Where the duty of burial or other disposition of the dead
30 human body does not devolve upon any other person in Guam,
31 or if such person cannot after reasonable diligence be found
32 within Guam, the Director shall arrange for the burial or other
33 disposition of such body.

34
35 SOURCE: Section 9330 GC, as amended by P.L. 15-90.

36
37 Article 3
38 Disease Control

39
40 Section 3301. Definitions.

41 Section 3302. Duty to Report.

42 Section 3303. Same: Dispensaries, Hospitals, Etc.

43 Section 3304. Same: Laboratories.

- 1 Section 3305. Same: Keeper of Boarding or Lodging Houses.
- 2 Section 3306. Same: Master of Vessels; Captain of Aircraft.
- 3 Section 3307. Investigation.
- 4 Section 3308. Same: Access to Records, Reports, Etc.
- 5 Section 3309. Isolation and Quarantine: Regulations.
- 6 Section 3310. Same: Authority of Director.
- 7 Section 3311. Placarding.
- 8 Section 3312. Violation of Isolation or Quarantine.
- 9 Section 3314. Disinfection of Premises.
- 10 Section 3315. Destruction of Property.
- 11 Section 3316. Compensation.
- 12 Section 3317. Closing of Schools.
- 13 Section 3318. Disposal of Bodies.
- 14 Section 3319. Responsibility or Person in Charge of Minor.
- 15 Section 3320. Willful Exposure.
- 16 Section 3321. Concealing Disease.
- 17 Section 3322. Vaccination and Immunization.
- 18 Section 3323. Prenatal Test.
- 19 Section 3324. Reports as to Prenatal Test.
- 20 Section 3325. Prevention of Blindness at Childbirth.
- 21 Section 3326. Immunization Audit.
- 22 Section 3327. Same: Confidentiality.
- 23 Section 3328. Autopsy.
- 24 Section 3329. Testing for Tuberculosis.
- 25 Section 3330. Failure to Report.
- 26
- 27 Section 3301. Definitions.
- 28 As used in this Chapter:
- 29 (a) Communicable Disease includes any of the following
- 30 diseases or conditions which are dangerous to public health:
- 31
- 32 1. Acquired Immune Deficiency Syndrome (AIDS)
- 33 2. Amebiasis (amoebic dysentery);
- 34 3. Anthrax;
- 35 4. Brucellosis (Undulant fever);
- 36 5. Chancroid;
- 37 6. Chickenpox;
- 38 7. Cholera;
- 39 8. Clonorchiasis (liver-fluke);
- 40 9. Conjunctivitis, acute infectious (pink eye);
- 41 10. Dengue;
- 42 11. Diarrhea of newborn (epidemic infantile);
- 43 12. Diphtheria;

- 1 13. Encephalitis, primary (infectious);
- 2 14. Erysipelas;
- 3 15. Favus;
- 4 16. Filariasis;
- 5 17. Fish (ciguatera) poisoning;
- 6 18. Fish (scombroid) poisoning;
- 7 19. Glanders (Farcy);
- 8 20. Gonorrhea;
- 9 21. Gonorrheal Ophtalmia;
- 10 22. Granuloma inguinale;
- 11 23. Hepatitis A (Infectious)
- 12 24. HIV-seropositive condition;
- 13 25. Hepatitis B (Serum);
- 14 26. Hookworm Disease;
- 15 27. Impetigo Contagious (in institution);
- 16 28. Influenza;
- 17 29. Kerato-Conjunctivitis (Infectious);
- 18 30. Leprosy (Hansen's Disease);
- 19 31. Leptospirosis (Weil's disease or Hemorrhagic Jaundice);
- 20 32. Malaria;
- 21 33. Measles (Rubeola);
- 22 34. Melioidosis;
- 23 35. Meningitis, aseptic;
- 24 36. Meningitis, cerebrospinal (Meningococcic);
- 25 37. Meningitis, other infectious;
- 26 38. Mononucleosis, infectious;
- 27 39. Mumps;
- 28 40. Paratyphoid Fever;
- 29 41. Pertussis (Whooping cough);
- 30 42. Plague;
- 31 43. Poliomyelitis, acute anterior (Infantile paralysis);
- 32 44. Psittacosis-ornithosis;
- 33 45. Puerperal septicemia;
- 34 46. Rabies;
- 35 47. Relapsing Fever;
- 36 48. Rheumatic Fever (active);
- 37 49. Rickettsial Disease;
- 38 50. Ringworm of the scalp (Tinea Capitis);
- 39 51. Rubella (German Measles);
- 40 52. Salmonellosis;
- 41 53. Scabies;
- 42 54. Scarlet Fever;
- 43 55. Septic sore throat (streptococcus);

1 56. Shigellosis (Bacillary dysentery);
2 57. Smallpox;
3 58. Syphilis;
4 59. Tetanus;
5 60. Trachoma;
6 61. Trichinosis;
7 62. Tuberculosis (Pulmonary);
8 63. Tuberculosis (other than Pulmonary);
9 64. Tularemia;
10 65. Typhoid Fever;
11 66. Typhus Fever;
12 67. Yaws;
13 68. Yellow Fever
14 69. Any other disease deemed by the Director to be dangerous
15 to the public health may be added by regulation.
16

17 (b) Chronic Disease includes any of the following diseases or
18 conditions:

- 19 1. Amyotrophic lateral sclerosis
- 20 2. Parkinsonism dementia
- 21 3. Parkinson's disease
- 22 4. Any other disease deemed by the Director to be dangerlus
23 to the public health may be added by regulation;
24

25 (c) Isolation means the separation of persons suffering a
26 communicable disease or carriers of such a disease from other
27 persons for the period of communicability in such places and
28 under such conditions as will prevent the transmission of the
29 causative agent; and
30

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

36 SOURCE: Section 9400 GC; Amended by P.L. 20-11:1.
37

38 Section 3302. Duty to Report.
39

40 Any person licensed or registered to practice any healing art
41 under Chapter 12 of this Title who has knowledge of or
42 suspects the presence of any communicable or chronic disease
43 or any other disease dangerous to the public health, shall

1 report the same to the Director within forty-eight (48) hours
2 after diagnosis, unless a different time is prescribed by
3 regulation, together with the name, age, village of residence
4 and sex of the person afflicted, the house or other place in
5 which such person may be found, and such other information
6 as may be required by regulation.
7

8 SOURCE: Section 9400.1 GC.
9

10 Section 3303. Same: Dispensaries, Hospitals, Etc.
11

12 The superintendent, chief medical officer, nurse in charge or
13 other person in charge of any hospital, clinic, dispensary,
14 infirmary, medical aid station or other establishment
15 providing medical care, either to the general public or
16 otherwise, who has knowledge of the presence of any
17 communicable or chronic disease or any other disease
18 dangerous to the public health shall report the same to the
19 Director in accordance with Section 3302. When the patient is
20 hospitalized, the person in charge of the hospital in which he
21 is hospitalized shall make the report.
22

23 SOURCE: Section 9400.2 GC.
24

25 Section 3304. Same: Laboratories.
26

27 The Director, administrator, chief officer or other person in
28 charge of any laboratory, public or private, performing any test
29 or examinations upon persons or their blood, urine, feces or
30 any other body products shall, upon identification or suspected
31 identification of an etiologic agent, antigen, antibody or any
32 other substance or combination of substances generally
33 accepted as being diagnostic of the presence of a
34 communicable disease, shall report same to the Director in
35 accordance with Section 3302.
36

37 SOURCE: Section 9400.3 GC.
38

39 Section 3305. Same: Keeper of Boarding or Lodging Houses.
40

41 Any owner, keeper or other person in charge of the operation
42 of a hotel, boarding house or dormitory shall immediately
43 report to the Director the presence therein of any person he

1 has reason to believe to be sick of, or to have died of any
2 contagious, infectious, communicable or other disease
3 dangerous to the public health.

4
5 SOURCE: Section 9400.4 GC.

6
7 Section 3306. Same: Master of Vessels; Captain of Aircraft.

8
9 Any master of a vessel or captain of an aircraft, shall
10 immediately report to the Director or his representative the
11 presence aboard such vessel or aircraft of any person he has
12 reason to believe to be sick of or to have died of any
13 communicable disease.

14
15 SOURCE: Section 9400. GC.

16
17 Section 3307. Investigation.

18
19 When a complaint is made or a reasonable belief exists that a
20 communicable disease or other disease dangerous to the public
21 health prevails in any house or elsewhere which has not been
22 reported, the Director shall make an inspection for the purpose
23 of discovering whether any such disease exists.

24
25 SOURCE: Section 9400.6 GC.

26
27 Section 3308. Same: Access to Records, Reports, Etc.

28
29 When the Director has reason to believe that a communicable
30 disease exists but that full and complete information as
31 required by Section 3302 of this Chapter has not been
32 provided, the Director or his representative may examine any
33 and all records or reports deemed necessary to fully
34 investigate the disease.

35
36 SOURCE: Section 9400.7 GC.

37
38 Section 3309. Isolation and Quarantine: Regulations.

39
40 Isolation and quarantine shall be imposed in accordance with
41 regulations. Such regulations shall designate the disease for
42 which isolation or quarantine is necessary, and such other
43 requirements concerning diagnosis, treatment, release and

1 other pertinent matters as may be necessary.

2
3 SOURCE: Section 9400.8 GC.

4
5 Section 3310. Same: Authority of Director.

6
7 (a) Notwithstanding Section 3309, when a person has or is
8 suspected of having or is suspected of being a carrier of any
9 communicable disease or any other disease dangerous to the
10 public health, the Director may impose isolation of such person
11 and may impose quarantine on anyone who has had contact
12 with such person. The extent and duration of isolation and
13 quarantine imposed in a given case and release therefrom shall
14 be within the discretion of the Director depending upon the
15 disease. The Director may, in his discretion, determine the
16 persons subject to isolation and quarantine, specify the places
17 or areas to which or in which they are restricted in their
18 movements, prescribe other conditions and requirements to be
19 observed, decide the duration of isolation and quarantine and
20 release therefrom and issue other necessary instructions. He
21 shall insure that provisions are made for medical observation
22 of such persons as frequently as necessary during isolation and
23 quarantine or amend the degree thereof and other restrictions
24 imposed in connection therewith at any time.

25
26 (b) When a person has or is suspected of having or is suspected
27 of being a carrier of any communicable disease or any other
28 disease dangerous to the public health, the Director may, in his
29 discretion and for the safety of the public, remove such
30 person, with or without his consent, to a licensed hospital or
31 other designated premises for the purpose of isolation and
32 treatment until the disease is no longer communicable by such
33 person. If the Director should determine that removal of such
34 person is not practicable, such person may be allowed to
35 remain where he is and the Director may take such measures
36 as he may deem advisable to provide for his care for the public
37 health by way of isolation and quarantine.

38
39 SOURCE: Section 9400.9 GC.

40
41 Section 3311. Placarding.

42
43 When a person has been isolated or quarantined and is

1 restricted thereby to his residence or other building, the
2 Director may place in a conspicuous position on the exterior of
3 the premises where such person is isolated or quarantined a
4 placard having printed on it in large letters the name of the
5 disease and warning all unauthorized persons to remain off the
6 premises. Such placard shall be in both English and Chamorro
7 and in any other languages the Director deems appropriate. No
8 person shall remove, deface or destroy such placard until
9 authorized by the Director. Except as authorized by the
10 Director or regulation, no person shall enter or leave any
11 premises which has been placarded.

12
13 SOURCE: Section 9400.10 GC.

14
15 Section 3312. Violation of Isolation or Quarantine.

16
17 No person who has been isolated or quarantined shall leave the
18 premises or area to which he has been restricted without the
19 written permission of the Director until he has been released
20 from such isolation or quarantine.

21
22 SOURCE: Section 9400.11 GC.

23
24 Section 3313. Chief of Police.

25
26 Upon the request of the Director, it shall be the duty of the
27 Chief of Police to act and assist in the enforcement of
28 isolation and quarantine, using such force as may be
29 reasonably necessary.

30
31 SOURCE: Section 9400.12 GC.

32
33 Section 3314. Disinfection of Premises.

34
35 The Director may, if he deems it advisable, order the premises
36 and contents thereof in which any person has been ill or has
37 died of a communicable disease or any other room, building,
38 premises or area, any contents thereof, which may be infective
39 by contact with any communicable disease, to be disinfected
40 and purified in such manner as he may direct. It shall be the
41 duty of the owner or occupant of such premises to comply with
42 any such order.

1 SOURCE: Section 9400.13 GC.

2
3 Section 3315. Destruction of Property.

4
5 The Director may destroy any infective clothing, bedding or
6 other article which cannot be made safe by disinfection. He
7 shall furnish to the owner thereof a receipt showing the
8 number, character, condition and estimated value of the article
9 so destroyed. A copy of such receipt shall be retained by the
10 Director.

11
12 SOURCE: Section 9400.14 GC.

13
14 Section 3316. Compensation.

15
16 Upon the presentation of the original receipt for articles
17 destroyed under section 3315 and approval by the Attorney
18 General, the Director shall pay to the owner of such property,
19 out of such appropriations of the Department of Public Health
20 and Social Services as may be available, the value of such
21 destroyed articles.

22
23 SOURCE: Section 9400.15 GC.

24
25 Section 3317. Closing of School.

26
27 During an epidemic or threatening epidemic or when a
28 dangerous communicable disease is unusually prevalent, the
29 Director may close any public or private school and prohibit
30 any public or private gathering for such time as may be
31 necessary in the interest of the public health.

32
33 SOURCE: Section 9400.16 GC.

34
35 Section 3318. Disposal of Bodies.

36
37 The Director, in his discretion, may require that the body of a
38 person, who has died of a communicable disease or any other
39 disease dangerous to the public health, be buried or cremated
40 immediately or within such period of time and in conformity
41 with such procedures for the protection of the public health,
42 as he may designate.
43

1 SOURCE: Section 9400.17 GC.

2
3 Section 3319. Responsibility of Person in Charge of Minor.

4
5 Where any person suffering from a communicable disease is
6 required to remain isolated or quarantined or to do or refrain
7 from doing any act or thing whereby spread of the disease may
8 be enhanced or such person because of his tender age or of
9 physical or mental disability is unable to comprehend or
10 comply with such requirements, it shall be the duty of the
11 parent, guardian or other person, including any attendant
12 having such patient under his care, custody or control to
13 comply or cause compliance with the isolation or quarantine so
14 imposed and pertinent provisions of this Chapter.

15
16 SOURCE: Section 9400.18 GC.

17
18 Section 3320. Willful Exposure.

19
20 No person having a communicable disease or any other disease
21 dangerous to the public health or being in charge of any other
22 person afflicted with such a disease, shall willfully expose
23 himself or such person in any public place, street or highway
24 except as may be authorized by the Director.

25
26 SOURCE: Section 9400.19 GC.

27
28 Section 3321. Concealing Disease.

29
30 No person shall conceal any person having any communicable
31 disease or any other disease dangerous to the public health,
32 including any venereal disease. No parent, guardian or other
33 person having custody or care of a minor child shall conceal
34 the fact of a minor child having any such disease.

35
36 SOURCE: Section 9400.20 GC.

37
38 Section 3322. Vaccination and Immunization

39
40 No student shall be permitted to attend any public or private
41 school, college, or university within the Territory unless
42 evidence is presented to the enrolling officer of such school,
43 college or university that the student has had all required

1 vaccinations or immunizations. Required vaccinations and
2 immunizations include but are not limited to Diphtheria,
3 Pertussis, Tetanus, Polio, Measles (Rubeola), Mumps and
4 Rubella (German Measles) or against any other communicable
5 disease as the Director shall, by regulation, require, except
6 that exemption may be granted to the student in a case when
7 the vaccination or immunization would be against his/her
8 religious beliefs or upon certification by a parent or
9 guardian of a student who is a minor that such vaccination or
10 immunization would be against their religious belief or a
11 student that has been certified by a licensed medical doctor
12 that said student shall be exempt from this section where
13 medical contraindication to receiving a specific vaccine
14 exists. The Director may require vaccination and immunization
15 of any person or persons suspected as carriers of a
16 communicable disease upon entering or leaving the Territory
17 which the Director believes may present a risk to the public
18 health of the Territory. The Director, in case of an epidemic or
19 to control a possible epidemic of a communicable disease, may
20 direct that the general population be vaccinated and
21 immunized against said disease. A child may not be enrolled in
22 kindergarten or first grade unless that child has been
23 administered the measles, mumps, or rubella (MMR) vaccine
24 twice or that child is exempt on religious grounds or because
25 medically contraindicated.

26
27 SOURCE: Section 9400.21 GC.

28
29 Section 3323. Prenatal Test.

30
31 Any licensed physician attending a pregnant woman for
32 condition relating to her pregnancy during the period of
33 gestation or at delivery shall take or cause to be taken a
34 sample of the blood of such woman and submit such sample to
35 the Department of Public Health and Social Services laboratory
36 or other laboratory approved by the Director for a standard
37 serologic test for syphilis. Any other person permitted by law
38 to attend pregnant women, but not permitted by law to take
39 blood samples, shall cause a sample of blood of every pregnant
40 woman attended by him to be taken by a duly licensed
41 physician or at a lab approved by the Director of the
42 Department of Public Health and Social Services for a standard
43 serologic test for syphilis. Such samples of blood shall be

1 taken at the time of the first visit of the pregnant woman or
2 within fourteen (14) days thereafter. Every pregnant woman
3 shall permit such samples of her blood to be taken as in this
4 Section.

5
6 SOURCE: Section 9400.23 GC.

7
8 Section 3324. Report as to Prenatal Test.

9
10 In reporting any birth or stillbirth, any physician or other
11 person required to make such reports shall state in a report
12 accompanying the certificate whether, according to his
13 knowledge or information, a blood test for syphilis has been
14 made upon a specimen of blood taken from the woman who
15 bore the child for which the birth or stillbirth certificate is filed
16 and the approximate date when the specimen was taken. The
17 Director is authorized to investigate the circumstances
18 surrounding the birth of any baby on whose mother no
19 serologic test, as required by the provisions of this Subchapter,
20 appears to have been taken.

21
22 SOURCE: Section 9400.23 GC.

23
24 Section 3325. Prevention of Blindness at Childbirth.

25
26 Any physician, midwife, or any other person in attendance at
27 childbirth immediately after birth shall administer the one
28 percent (1%) silver nitrate solution to both eyes of the
29 newborn child. Preparations other than one percent (1%) silver
30 nitrate may be used only on approval of the Director and
31 subject to such conditions and restrictions as the Director
32 may impose.

33
34 SOURCE: Section 9400.24 GC.

35
36 Section 3326. Immunization Audit.

37
38 Annually, the Director shall conduct an immunization audit.
39 The sample audits shall be conducted on public health clinic
40 records, private clinic records and private physicians' record
41 to determine if:

42
43 (a) One (1) consolidated immunization record is posted on the

1 inside front cover of the patient's medical record if the
2 patient is under the age of eighteen (18); and
3

4 (b) That the record of any child found to be deficient in
5 immunizations indicates:
6

- 7 (1) that progress towards immunization is being made;
8 (2) a record of scheduled return appointment for the child; or
9 (3) a reason for the lack of immunization.

10
11 SOURCE: Section 9400.25 GC.

12
13 Section 3327. Same: Confidentiality.

14
15 The immunization audit shall be done by the Director who may
16 delegate his duty. The Director shall be responsible for
17 assuring that the confidentiality of individual patient records
18 is preserved. The Department of Public Health and Social
19 Services shall be responsible for compiling a statistical
20 report of the audit.
21

22 SOURCE: Section 9400.26 GC.

23
24 Section 3328. Autopsy

25
26 The Director may order an autopsy to determine if the
27 deceased died of a communicable disease or whenever, in his
28 direction, the public interest justifies it.
29

30 SOURCE: Section 9400.27 GC.

31
32 Section 3329. Testing for Tuberculosis.

33
34 No student shall be permitted to attend any public or private
35 school, college, or university within the Territory of Guam
36 unless they have on file with the enrolling officer of such
37 school, college or university a report of a Tuberculosis (TB)
38 skin test result.
39

40 (a) If the student is entering from the United States or its
41 territories, such test must have been conducted within one
42 year prior to enrollment. If the student is entering from an
43 area other than the United States or its territories, such test

1 must have been conducted within six months prior to
2 enrollment.

3
4 (b) If a student has had a positive TB skin test, a Certificate of
5 Tuberculosis Evaluation must be obtained from the Department
6 of Public Health and Social Services. If this certificate
7 indicates that the student is TB contagious the student shall
8 be permitted entrance to school only after he/she is certified
9 as non-contagious by the Department of Public Health and
10 Social Services.

11
12 Section 3330. Failure to Report.

13
14 Any person licensed or registered to practice any healing art
15 under Chapter 12 of this Title who refuses or neglects to
16 report to the Director the presence of a known or suspected
17 disease dangerous to the public health shall be liable for a fine
18 of not more than \$500.00, except that for a second or
19 subsequent offense, such person shall be guilty of a
20 misdemeanor.

21
22 Article 4

23 Maternal and Child Health and Children with Special
24 Health Needs

25
26 Section 3401. Designation of Department of Public Health and
27 Social Services as Cooperative Agency.

28
29 The Department of Public Health and Social Services is hereby
30 designated as the agency to cooperate with the duly
31 constituted Federal authorities in the administration of these
32 parts of the Social Security Act which relate to the maternal
33 and child health services and the care and treatment of
34 children with special health needs and is authorized to receive
35 and expend all funds made available by the Federal
36 Government or from any other source for the purpose provided
37 in this Chapter, provided that all plans, rules and regulations,
38 or agreements adopted in connection therewith shall be subject
39 to the approval of the Governor.

40
41 SOURCE: Section 9900 GC.

42
43 Article 5

1 Maternal and Child Health Services

2
3 Section 3501. Maternal and Child Health Programs:

4 Administration:

5 Purposes.

6 Section 3502. Guam Plan for Maternal and Child Health
7 Services:

8 Formulation, Adoption and Approval.

9 Section 3503. Provision to be Included in Guam Plan.

10 Section 3504. Duties of Director of Public Health and Social
11 Services.

12 Section 3505. Maternal and Child Health Service Funds:
13 Custody: Expenditures.

14
15 Section 3501. Maternal and Child Health Programs:

16 Administration: Purposes.

17
18 (a) The Department of Public Health and Social Services is
19 hereby designated as the agency to administer a maternal and
20 child health program in Guam.

21
22 (b) The purpose of such program shall be to develop, extend
23 and improve health services, and to provide for development
24 of demonstration services.

25
26 SOURCE: Section 9901.1 GC.

27
28 Section 3502. Guam Plan for Maternal and Child Health
29 Services: Formulation, Adoption and Approval.

30
31 (a) The Department of Public Health and Social Services is
32 hereby empowered and authorized:

33
34 (1) To formulate, adopt and administer a detailed plan or plans
35 for the purposes specified in 3501.

36
37 (2) To make and adopt all such rules and regulations not
38 inconsistent with the provisions of Section 3501-3505,
39 inclusive, or of the Social Security Act, as are or may be
40 necessary for the administration of such plan or plans and the
41 administration of this Article.

42
43 (b) Such plan or plans and the rules and regulations when

1 formulated shall be submitted to the Secretary of Health and
2 Human Services for approval, and when approved by the
3 Secretary shall thereupon be made effective by the Department
4 of Public Health and Social Services in accordance with the
5 Administration Adjudication Act for the purposes of this
6 Article.

7
8 SOURCE: Section 9900.2 GC.

9
10 Section 3503. Provision to be Included in Guam Plan.

11
12 Such plan or plans shall include therein provisions for:

13
14 (a) Financial participation by Guam.

15
16 (b) Administration of such plans or plans by the Department of
17 Public Health and Social Services.

18
19 (c) Such methods of administration as are necessary for
20 efficient operation of such plan or plans.

21
22 (d) Maintenance of records and preparation as are necessary
23 for efficient operation of such plan or plans.

24
25 (e) Cooperation with medical, health, nursing and welfare
26 groups and organizations for the purpose of extending and
27 improving maternal and child health.

28
29 (f) Receiving and expending in the manner provided herein in
30 accordance with such plan or plans, all funds made available by
31 the Federal Government or from any other source for such
32 purposes.

33
34 (g) Cooperating with the Federal Government, through its
35 appropriate agency or instrumentality, in developing,
36 extending and improving such services, and in the
37 administration of such plan or plans and development of
38 demonstration services among groups in special need.

39
40 (h) Carrying out the purposes specified in 3501.

41
42 SOURCE: Section 9900.3 GC.

43

1 Section 3504. Duties of Director of Public Health and Social
2 Services.

3
4 (a) The Director of Public Health and Social Services shall be
5 the administrative officer of the agency with respect to the
6 administration and enforcement of the provisions of this
7 Article, and of the plan or plans formulated and adopted in
8 accordance therewith and all such rules and regulations
9 necessary thereto.

10
11 (b) The Director of Public Health and Social Services is hereby
12 empowered and directed to administer and enforce all rules
13 and regulations adopted for the efficient operations of the plan
14 or plans formulated for the purposes of this Article.

15
16 (c) The Director of Public Health and Social Services, shall,
17 from time to time as directed by the Secretary of Health and
18 Human Services make such reports, in such form and
19 containing such information as the Secretary of Health and
20 Human Services shall require.

21
22 (d) The Director of Public Health and Social Services shall
23 from time to time, pursuant to the rules and regulations of the
24 Secretary of Health and Human Services and of the Secretary
25 of the Treasury requisition and cause to be deposited with the
26 Treasurer of Guam all moneys allotted to Guam by the Federal
27 Government for the purposes of this Article, and shall cause to
28 be paid out of the
29 treasury the moneys therein deposited for such purposes.

30
31 SOURCE: Section 9900.4 GC.

32
33 Section 3505. Maternal and Child Health Service Funds:
34 Custody:
35 Expenditures.

36
37 (a) The Treasurer of Guam is hereby made custodian of all
38 moneys allotted to Guam by the Federal Government, or
39 received from other sources, for the purposes of maternal and
40 child health services.

41
42 (b) The Treasure shall receive and provide for the proper
43 custody of such moneys and is authorized to deposit such

1 moneys in the same manner as other public moneys are
2 deposited.

3
4 (c) Such moneys shall be disbursed only upon certification by
5 the Director of Public Health and Social Services.

6
7 SOURCE: Section 9900.5 GC.

8
9 Article 6

10 Services for Children with Special Health Needs

11
12 Section 3601. Program for Services for Children with Special
13 Health Needs: Administration: Purposes.

14 Section 3602. Guam Plan for Services for Children with Special
15 Health Needs: Formulation, Adoption and Approval.

16 Section 3603. Provision to be Included in Plan.

17 Section 3604. Duties of Director of Public Health and Social
18 Services.

19 Section 3605. Services for Children with Special Health Needs:
20 Custody: Expenditure.

21 Section 3606. Department of Public Health and Social Services
22 Authorized to Enter into Cooperative Agreements with
23 Federal Government.

24
25 Section 3601. Program for Services for Children with Special
26 Health Needs: Administration: Purposes.

27
28 (a) The Department of Public Health and Social Services is
29 hereby designated as the agency to administer a program of
30 service for children with a disability(ies) or special health
31 need(s).

32
33 (b) The purpose of such program shall be to develop, extend,
34 and improve services for locating such children, and for
35 providing for medical, surgical, corrective and other services
36 and care, and providing facilities for diagnosis, hospitalization
37 and aftercare.

38
39 SOURCE: Section 9901 GC.

40
41 Section 3602. Guam Plan for Services for Children with
42 Special
43 Health Needs: Formulation, Adoption and Approval.

1
2 (a) The Department of Public Health and Social Services is
3 hereby empowered and authorized:
4

5 (1) To formulate, adopt and administer a detailed plan or plans
6 for the purposes specified in 3601.
7

8 (2) To make and adopt all such rules and regulations, not
9 inconsistent with the provisions of Section 3601-3605
10 inclusive, or of the Social Security Act, as are or may be
11 necessary for the administration of such plan or plans and the
12 administration of this Article.
13

14 (b) Such plan or plans and the rules and regulations, when
15 formulated, shall be submitted to the Secretary of Health and
16 Human Services for approval, and when approved by the
17 Secretary shall thereupon be made effective in accordance
18 with the Administration Adjudication Act for the purposes of
19 this Article.
20

21 SOURCE: Section 9901.1 GC.
22

23 Section 3603. Provision to be Included in Plan.
24

25 Such plan or plans shall include therein provisions for:
26

27 (a) Financial participation by Guam.
28

29 (b) Administration of such plan or plans by the Department of
30 Public Health and Social Services.
31

32 (c) Such methods of administration as are necessary for
33 efficient operation of such plan or plans.
34

35 (d) Maintenance of records and preparation, submission and
36 filing of reports of services rendered.
37

38 (e) Cooperation with medical, health, nursing and welfare
39 groups and organizations, and with any agency charged with
40 administration of laws providing for vocational rehabilitation
41 of physically handicapped children.
42

43 (f) Receiving and expending in the manner provided herein in

1 accordance with such plan or plans, all funds made available by
2 the Federal Government, or from any other source for such
3 purposes.
4

5 (g) Cooperating with the Federal Government, through its
6 appropriate agency or instrumentality, in developing,
7 extending and improving such services and in the
8 administration of such plan or plans.
9

10 (h) Carrying out the purposes specified in 3601.
11

12 SOURCE: Section 9901.2 GC.
13

14 Section 3604. Duties of Director of Public Health and Social
15 Services.
16

17 (a) The Director of Public Health and Social Services shall be
18 the administrative office of the agency with respect to the
19 administration and enforcement of the provision of this
20 Article, and of the plan or plans formulated and adopted in
21 accordance therewith, and all such rules and regulations
22 necessary thereto.
23

24 (b) The Director of Public Health and Social Services is hereby
25 empowered and directed to administer and enforce all rules
26 and regulations adopted for the efficient operations of the plan
27 or plans formulated for the purposes of this Article.
28

29 (c) The Director of Public Health and Social Services shall,
30 from time to time as directed by the Secretary of Health and
31 Human Services make such reports, in such form and
32 containing such information as the Secretary of Health and
33 Human Services shall require.
34

35 (d) The Director of Public Health and Social Services shall
36 from time to time, pursuant to the rules and regulations of the
37 Secretary of Health and Human Services and of the Secretary
38 of the Treasury, requisition and cause to be deposited with the
39 Treasurer of Guam all moneys allotted to Guam by the Federal
40 Government for the purposes of this Article, and shall cause to
41 be paid out of the treasury the moneys therein deposited for
42 such purposes.
43

1 SOURCE: Section 9901.3 GC.
2

3 Section 3605. Services for Children With Special Health Needs:
4 Custody: Expenditure.
5

6 (a) The Treasurer of Guam is hereby made custodian of all
7 moneys allotted to Guam by the Federal Government, or
8 received from other sources, for the purposes of services for
9 children with special health needs.
10

11 (b) The Treasurer of Guam shall receive and provide for the
12 proper custody of such moneys and is authorized to deposit
13 such moneys in the same manner as other public moneys are
14 deposited.
15

16 (c) Such moneys shall be disbursed only upon certification by
17 the Director of Public Health and Social Services.
18

19 SOURCE: Section 9901.4 GC.
20

21 Section 3606. Department of Public Health and Social Services
22 Authorized to Enter into Agreements with Federal Government.
23

24 The Department of Public Health and Social Services is hereby
25 authorized to enter into a cooperative agreement or
26 agreements with the Department of Health and Human Services
27 prescribing the manner, terms and conditions of cooperation
28 with the Department of Health and Human Services in
29 providing for the identification, diagnosis and treatment of
30 children with special health needs. Such agreements may
31 define the amounts which the Territory of Guam and the
32 Federal Government will contribute under the agreement and
33 the Department of Public Health and Social Services shall be
34 bound and governed by such agreement or agreements.
35

36 SOURCE: Section 9901.5 GC.
37

38 Article 7
39 U.S. Public Health Services
40

41 Section 3701. Designation of the Department of Public Health
42 and Social Services as Cooperative Agency.
43

Section 3702. Public Health and Social Services Programs:

1 Administration: Purposes.

2 Section 3703. Guam Plan for Public Health Services.

3 Section 3704. Provisions to be Included in Guam Plan.

4 Section 3705. Duties of Director of Public Health and Social
5 Services.

6 Section 3706. Public Health Service Funds: Custody:

7 Expenditures. Section 3707. References.

8 Section 3708. Transfer.

9 Section 3709. Appropriations.

10
11 Section 3701. Designation of Department of Public Health and
12 Social Services as Cooperative Agency.

13
14 The Department of Public Health and Social Services is hereby
15 designated as the agency to cooperate with the United States
16 Public Health Service in the administration of those parts of
17 the Public Health Service Act, as amended, which relate to
18 grants and services for public health purposes, and is
19 authorized to apply for, receive and expend all funds made
20 available by the Federal Government, or from any other source
21 for the purposes provided in this Chapter.

22
23 SOURCE: Section 9925 GC.

24
25 Section 3702. Public Health Services Programs:
26 Administration: Purposes.

27
28 (a) The Department of Public Health and Social Services is
29 hereby designated as the agency to administer U.S. Public
30 Health Services programs in the Territory of Guam.

31
32 (b) The purpose of such programs shall be to develop, extend
33 and improve public health services.

34
35 SOURCE: Section 9925.1 GC.

36
37 Section 3703. Guam Plan for Public Health Services.

38
39 (a) The Department of Public Health and Social Services is
40 hereby empowered and authorized:

41
42 (1) To formulate, adopt, subject to the approval of the
43 Governor, and administer a detailed plan or plans for the

1 purpose specified in section 3702.
2

3 (2) To make and adopt such rules and regulations, subject to
4 the approval of the Governor, not inconsistent with the
5 provisions of section 3702 and section 3706, inclusive, or of
6 the Public Health Service Act, as are or may be necessary for
7 the administration of this Chapter.
8

9 (b) Such plan or plans and the rules and regulations when
10 formulated shall be submitted to the Secretary of Health and
11 Human Services, and when approved by the Secretary shall
12 thereupon be made effective by the Department of Public
13 Health and Social Services for the purposes of this Chapter.
14

15 SOURCE: Section 9925.2 GC.
16

17 Section 3704. Provisions to be Included in Guam Plan.
18

19 Such plan or plans shall include herein provisions for:
20

21 (a) Financial participation by Guam.
22

23 (b) Administration of such plan or plans by the Department of
24 Public Health and Social Services.
25

26 (c) Such methods of administration as are necessary for
27 efficient operation of such plan or plans.
28

29 (d) Maintenance of records and preparation, submission and
30 filing of reports of services rendered.
31

32 (e) Cooperation with medical, health, nursing and welfare
33 groups and organizations for the purpose of extending and
34 improving public health.
35

36 (f) Receiving and expending in the manner provided herein in
37 accordance with such plan or plans, all funds made available
38 by the Federal Government or from any other source for such
39 purposes.
40

41 (g) Cooperating with the Federal Government, through its
42 appropriate agency or instrumentality, in developing,
43 extending and improving such services and in the

1 administration of such plan or plans, and development of
2 demonstration services.

3
4 (h) Carrying out the purposes specified in Section 3702.
5 [Subsection (2) amended by P.L. 7-101, approved February 26,
6 1964, effective July 11, 1964.]
7

8 SOURCE: Section 9925.3 GC.
9

10 Section 3705. Duties of Director of Public Health and Social
11 Services.

12
13 (a) The Director of Public Health and Social Services shall be
14 the administrative officer of the agency with respect to the
15 administration and enforcement of the provisions of this
16 Chapter, and of the plan or plans formulated and adopted in
17 accordance therewith and all such rules and regulations
18 necessary thereto.
19

20 (b) The Director of Public Health and Social Services is hereby
21 empowered and directed to administer and enforce all rules
22 and regulations adopted for the efficient operations of the plan
23 or plans formulated for the purposes of this Chapter.
24

25 (c) The Director of Public Health and Social Services shall
26 from time to time, as directed by the Secretary of Health and
27 Human Services, make such reports, in such form and
28 containing such information as the Secretary shall require.
29

30 (d) The Director of Public Health and Social Services shall
31 from time to time, pursuant to the rules and regulations of the
32 Secretary of Health and Human Services requisition and cause
33 to be deposited with the Treasurer of Guam all moneys allotted
34 to the Territory of Guam by the Federal Government for the
35 purposes of this Chapter, and shall cause to be paid out of the
36 treasury the moneys therein deposited for such purposes.
37

38 SOURCE: Section 9925.4 GC.
39

40 Section 3706. Public Health Service Funds: Custody and
41 Expenditures.

42
43 (a) The Treasurer of Guam is hereby made custodian of all

1 moneys, allotted to Guam by the Federal Government, or
2 received from other sources, for the purposes of public health
3 services.

4
5 (b) The Treasurer of Guam shall receive and provide for the
6 proper custody of such moneys and is authorized to deposit
7 such moneys in the same manner as other public moneys are
8 deposited.

9
10 (c) Such moneys shall be disbursed only upon certification by
11 the Director of Public Health and Social Services.

12
13 SOURCE: Section 9925.5 GC.

14
15 Section 3707. Reference.

16
17 Unless otherwise specifically provided, every reference in
18 law, order or regulation to the Director of Medical Services or
19 the Department of Medical Services concerning a public health
20 or welfare function, duty or subject shall mean the Director of
21 Public Health and Social Services or the Department of Public
22 Health and Social Services, respectively, any such reference to
23 the Director of Medical Services or the Department of Medical
24 Services concerning a Guam Memorial Hospital function, duty
25 or subject shall mean the administrator of the Guam Memorial
26 Hospital or Guam Memorial Hospital respectively.

27
28 SOURCE: Section 9925.6 GC.

29
30 Section 3708. Transfer.

31
32 All property, facilities, equipment, supplies, records and files
33 pertaining to and used in connection with the operation and
34 administration of public health and welfare, and all personnel
35 used in the administration and operation of public health and
36 welfare, are transferred and assigned to the Department of
37 Public Health and Social Services. All property, facilities,
38 equipment, supplies, records and files pertaining to and used in
39 connection with operation and administration of Guam
40 Memorial Hospital and all personnel used in the administration
41 and operation of Guam Memorial Hospital are transferred to
42 that instrumentality.
43

1 SOURCE: Section 9925.7 GC.

2
3 Section 3709. Appropriations.

4
5 Any appropriation made for the fiscal year ending June 30,
6 1965, for the operation of the Department of Medical Services
7 shall be apportioned so that moneys allocated for public health
8 and welfare operations shall be transferred to the Department
9 of Public Health and Social Services and all moneys allocated
10 for the operation of Guam Memorial Hospital shall be
11 transferred to that instrumentality."

12
13 SOURCE: Section 9925.8 GC."

14
15 4/16/93
16