



OFFICE OF THE GOVERNOR
TERRITORY OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY

ACKNOWLEDGMENT RECEIVED

Received By M. Bordallo

Time 3:08 p.m.

Date 6/28/96

JUN 26 1996

The Honorable Ted S. Nelson
Acting Speaker
Twenty-Third Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

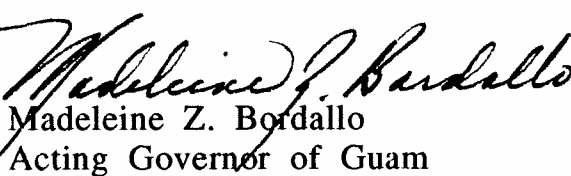
Dear Speaker Nelson:

Enclosed please find a copy of Bill No. 426 (LS), "AN ACT TO REPEAL AND REENACT SUBSECTION (b) AND (c) OF 10 GCA §18128, RELATIVE TO SCHOOLS OF COSMETOLOGY AND ELECTROLOGY", which I have **signed** into law today as **Public Law No. 23-104**.

This legislation removes the requirement for schools of cosmetology to have a physician **on their staff** to provide services for health related instruction or injuries, and replaces this requirement by mandating that schools of cosmetology institute procedures for physicians **to consult** with schools of cosmetology on these matters. The requirement to institute procedures for physicians to consult with schools of electrology are also put into place.

A copy of this legislation and the message has also been delivered to the Office of the Legislative Secretary.

Very truly yours,


Madeleine Z. Bordallo
Acting Governor of Guam


Attachment
231209



OFFICE OF THE GOVERNOR
TERRITORY OF GUAM

JUN 26 1996

The Honorable Judith Won-Pat Borja
Legislative Secretary
Twenty-Third Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910


OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	
Time	3:40
Date	6/26/96

Dear Madame Legislative Secretary:

Enclosed please find a copy of Bill No. 426 (LS), "AN ACT TO REPEAL AND REENACT SUBSECTION (b) AND (c) OF 10 GCA §18128, RELATIVE TO SCHOOLS OF COSMETOLOGY AND ELECTROLOGY", which I have **signed** into law today as **Public Law No. 23-104**.

A copy of this legislation and the message have also been delivered to the Office of the Speaker.

Very truly yours,


Madeleine Z. Bordallo
Acting Governor of Guam

Attachment

231198

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

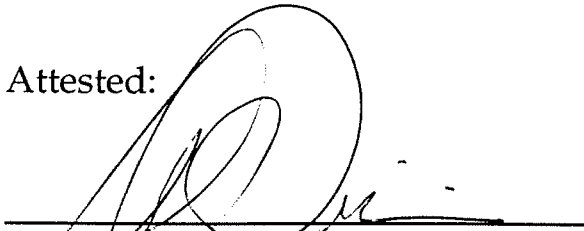
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 426 (LS), "AN ACT TO REPEAL AND REENACT SUBSECTIONS (b) AND (c) OF 10 GCA §18128, RELATIVE TO SCHOOLS OF COSMETOLOGY AND ELECTROLOGY," was on the 11th day of June, 1996, duly and regularly passed.



DON PARKINSON
Speaker

Attested:



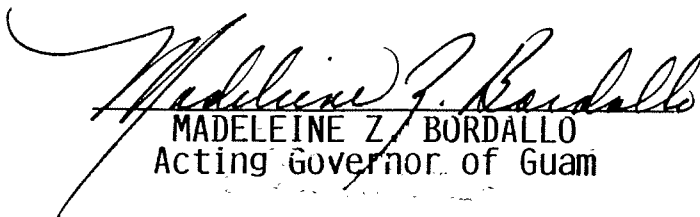
SONNY LUJAN ORSINI
Senator and Acting Legislative Secretary

This Act was received by the Governor this 14th day of June,
1996, at 10:45 o'clock A.M.



Assistant Staff Officer
Governor's Office

APPROVED:



MADELEINE Z. BORDALLO
Acting Governor of Guam

Date: 6/26/96

Public Law No. 23-104

TWENTY THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 426 (LS)

Introduced by:

L. Leon Guerrero
T. C. Ada
J. P. Aguon
E. Barrett-Anderson
A. C. Blaz
J. S. Brown
F. P. Camacho
M. C. Charfauros
H. A. Cristobal
M. Forbes
A. C. Lamorena V
C. Leon Guerrero
T. S. Nelson
S. L. Orsini
V. C. Pangelinan
D. Parkinson
J. T. San Agustin
A. L. G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

AN ACT TO REPEAL AND REENACT SUBSECTIONS
(b) AND (c) OF 10 GCA §18128, RELATIVE TO
SCHOOLS OF COSMETOLOGY AND
ELECTROLOGY.

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

2 **Section 1.** §18128(b) of Title 10, Guam Code Annotated, is hereby
3 repealed and reenacted to read as follows:

4 "§18128(b). No school of cosmetology shall be granted a
5 certificate of registration and license unless it provides a procedure to

1 consult with a Guam licensed physician for health related instructions
2 or injuries and employs and maintains a sufficient number of licensed
3 instructors and requires courses of instruction in cosmetology of not less
4 than sixteen hundred (1600) hours extending over a period of not less
5 than nine (9) months and maintains such courses in both practical and
6 technical instruction, including instruction in sanitary sterilization and
7 the use of antiseptics, necessary to meet the requirements for
8 examination for certificate, registration and license as a cosmetologist."

9 **Section 2.** §18128(c) of Title 10, Guam Code Annotated, is repealed and
10 reenacted to read as follows:

11 "§18128(c). No school of electrology shall be granted a certificate
12 of registration and license unless it provides a procedure to consult with
13 a Guam licensed physician for health related instructions or injuries and
14 employs and maintains a sufficient number of licensed instructors and
15 requires a course of instruction in electrology of not less than five
16 hundred (500) hours over a period of not less than four (4) months and
17 maintains such courses in both practical and technical instruction,
18 including instruction in sanitary sterilization and the use of antiseptics,
19 necessary to meet the requirements for examination for certificate,
20 registration and license as an electrologist. Any school of cosmetology
21 providing a course of electrology shall meet the requirements of this
22 subsection."

6
Date: 6/11/96

VOTING SHEET

Bill No. 426
Resolution No. _____
Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.				✓
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C	✓			
CRISTOBAL, Hope A.	✓			
FORBES, -MARK	✓			
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta				✓
LEON GUERRERO, Lou				✓
NELSON, Ted S.	✓			
ORSINI, Sonny L.	✓			
PANGELINAN, Vicente C	✓			
PARKINSON, Don	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith	✓			

TOTAL 18 0 3

CERTIFIED TRUE AND CORRECT:

Recording Secretary

23-104



TWENTY-THIRD
GUAM LEGISLATURE

324 W. SOLEDAD AVENUE
AGANA, GUAM 96910

TEL: (671) 472-3543/44/45
FAX: (671) 472-3832

SENATOR LOU LEON GUERRERO, RN, MPH

CHAIRPERSON

COMMITTEE ON HEALTH, WELFARE, AND SENIOR CITIZENS

12 April 1996

The Honorable
Don Parkinson
Speaker, 23rd Guam Legislature
Agana, Guam

via: Committee on Rules

Dear Mr. Speaker:

The Committee on Health, Welfare & Senior Citizens to which was referred Bill 426, AN ACT TO AMEND SECTION 18128 (b) AND (c) OF TITLE 10, CHAPTER 18 OF THE GUAM CODE ANNOTATED, has had the same under consideration and reports, **To Do Pass.**

Votes of committee members are as follows:

- 10 To Pass
- ~~0~~ Not To Pass
- ~~0~~ To The Inactive File
- ~~0~~ Abstained
- ~~0~~ Off-Island
- 2 Not Available



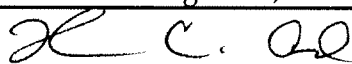
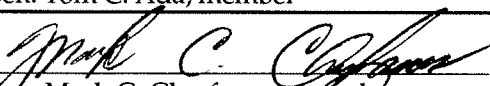
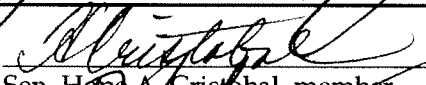


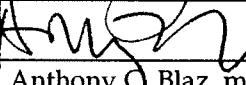
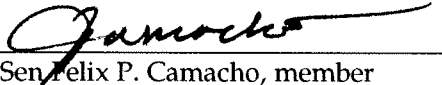
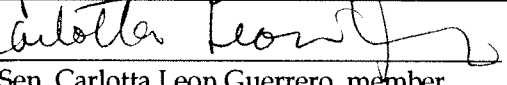
Sincerely,

Lou Leon Guerrero RN MPH

Lou Leon Guerrero, RN, MPH
attachments

**Committee On Health, Welfare, And Senior Citizens
VOTE SHEET**

on
**Bill 426, AN ACT TO AMEND SECTION 18128(b) AND (c) OF TITLE 10 CHAPTER
18 OF THE GUAM CODE ANNOTATED.**

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 Sen. Lou Leon Guerrero, RN, MPH, Chair	✓			
 Sen. Ben C. Pangelinan, Vice Chair	✓			
 Sen. Tom C. Ada, member	✓			
 Sen. Mark C. Charfauros, member	✓			
 Sen. Hope A. Cristobal, member	✓			
 Vice Speaker Ted S. Nelson, member	✓			
 Sen. Angel L.G. Santos, member				
 Sen. Judith Won Pat-Borja, member	✓			
 Sen. Anthony C. Blaz, member	✓			
 Sen. Felix P. Camacho, member	✓			
 Sen. Alberto Lamorena V, member				
 Sen. Carlotta Leon Guerrero, member	✓			

**COMMITTEE ON HEALTH, WELFARE & SENIOR CITIZENS
COMMITTEE REPORT
ON**

**BILL #426 AN ACT TO AMEND SECTION 18128(b) AND (c) OF
TITLE 10 CHAPTER 18 OF THE GUAM CODE ANNOTATED.**

PREFACE

The Committee on Health, Welfare & Senior Citizens held a public hearing to hear testimonies on Bill #426 An Act To Amend Section 18128(b) and (c) of Title 10 Chapter 18 of the Guam Code Annotated. The public hearing was held on Thursday, November 30, 1995 at 9:45 am in the public hearing room at the Guam Legislature. Those present at the hearing were Senator Lou Leon Guerrero, Chairperson, Senator Ben Pangelinan, Vice-Chairperson, Senator Judith Won-Pat Borja and Senator Hope Cristobal.

PURPOSE

Senator Lou Leon Guerrero gave a brief history of the Cosmetology Board. This bill would amend the present law that grants certificates of registration and license for any school of cosmetology that "attaches its staff a regularly licensed physician". Presently, this provision is an obstacle to cosmetology schools because there is a lack of physicians to do this type of work. This bill "provides the mechanism to CONSULT with a Guam licensed physician for health related instructions of injuries". This bill does not remove the overseeing of a licensed physician, but makes it easier for a school to be recognized by the Board of Cosmetology by having a physician consult rather than on staff.

DISCUSSION

Teofila Cruz, Administrator of the Commission on Licensure had verbal testimony on behalf of the Board of Cosmetology. She expressed her appreciation to the Committee that this bill was introduced.

In 1986, the Board of Cosmetology was under the Department of Revenue and Taxation. Two years later, it was moved to the Department of Public Health & Social Services under the Environmental Health Division. In 1989, it moved to the Health Professional Licensing Office. Presently, the Board has very active members who wish to make appropriate changes with regard to cosmetology.

The School of Cosmetology at the Guam Community College (GCC) has not been functioning because of the present statute which "attaches to its staff a regularly licensed physician" and not been recognized by the Board.

Historically, it was difficult for GCC to actually have a physician on staff. Once this bill is passed into law, GCC would be able to "consult" with a physician and this would be the first step in recognizing a licensed School of Cosmetology.

Presently, cosmetologists licensed on Guam have had training off-island or on the job training with local salon facilities. The Board of Cosmetology wishes to make courses available for certification and licensure on Guam so that those persons interested in cosmetology will not have to go off-island and to ensure that proper instruction and training is of a professional nature. This would further ensure the protection of those receiving the service.

Senator Judith Won-Pat Borja wanted to ensure that the monitoring of the physician consultation be clear in the rules and regulations. This may include, but not be limited to yearly monitoring. Teofila Cruz said that it would.

Senator Hope Cristobal wanted to know if the Board knew why the present law was implemented. Teofila Cruz stated that it was probably for educational purposes. She further stated that according to the Attorney General's opinion, "attaches itself" means that a physician would be on staff. This bill would make it clearer that a physician would be on consultation only. She also wanted to state that five of the six members of the Board are licensed cosmetologists. The other one is a Guam licensed physician, which is required by law.

COMMITTEE RECOMMENDATION

The Committee on Health, Welfare & Senior Citizens recommends TO DO PASS.



Kulehon Kumunida' Guahan

Accredited by the
Western Association of
Schools and Colleges



TESTIMONY

BILL NO. 426: "AN ACT TO AMEND SECTION 18128(b) AND (c) OF TITLE 10 CHAPTER 18 OF THE GUAM CODE ANNOTATED."

Guam Community College offers the following testimony to the Committee on Health, Welfare, and Senior Citizens, March 22, 1996.

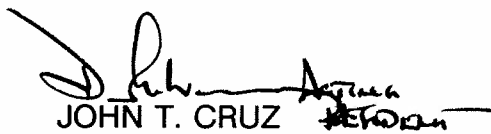
Guam Community College supports the passage of Bill No. 426, "An Act To Amend Section 18128(b) and (c) of Title 10 Chapter 18 of the Guam Code Annotated."

As written, the law requires each school of cosmetology or electrology to attach to its staff a regularly licensed physician; the role of this physician is unclear at present.

Bill No. 426 adds clarity and practicality to this requirement. The Bill clarifies the role of the physician; the physician is to serve as a consultant "for health related instructions or injuries." By "providing a mechanism to consult", a school may ensure that a physician's services are available without adding a physician to its permanent staff. It is practical for a school to hire a physician for consultation; it may be impossible for a school to add a physician to its permanent staff.

The College supports the improvement of industry standards and the licensure of schools of cosmetology and electrology. Through appropriate regulation of schools and businesses, the health and safety of the Territory's residents can be protected.

Bill No. 426 adds clarity to and makes practical the intent of the law. The College supports the passage of Bill No. 426.


JOHN T. CRUZ
President



COMMONWEALTH NOW!

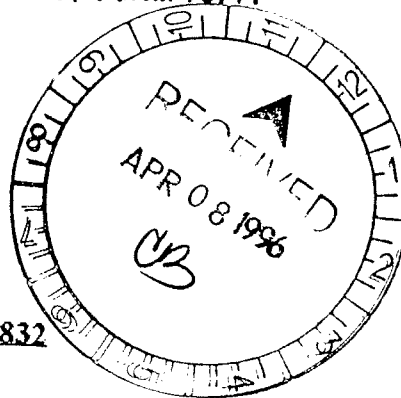


GUAM MEDICAL SOCIETY

275-G FARENHOLT AVE, SUITE 152
TAMUNING, GUAM 96911

18
Lina

April 4, 1996



VIA FACSIMILE TRANSMISSION 472-3832

Senator Lou Leon Guerrero
Chairperson
Committee on Health, Welfare & Senior Citizens
TWENTY-THIRD GUAM LEGISLATURE
1st Floor Quan Bldg
326 W. Soledad Avenue
Agana, GU 96910

RE: **BILL NO. 426**

Dear Senator Leon Guerrero:

I received your letter of March 8, 1996 regarding Bill No. 426. I have reviewed the amended sections to Section 18128B and Section 18128C. The inclusion of the requirement for providing a mechanism to consult with a Guam licensed physician for health related instructions of injuries to Section 18128B and 18128C appears satisfactory in its language. My concern would be the overseeing of these mechanisms. The definition of a School of Cosmetology and School of Electrology was not included in the bill or in the letter that you have given me. I think we need to be comfortable that the definition is not too liberal as to include any enterprise that may not require such a mechanism as defined in the amendment.

Nevertheless, the inclusion of the amended sentence for the sections appears appropriate, and as President of the Guam Medical Society, I give my positive support for Bill No. 426.

I appreciate allowing the Guam Medical Society's participation in this legislation.

Sincerely,

FLORENCIO T. LIZAMA, M.D.
President
GUAM MEDICAL SOCIETY

TWENTY THIRD GUAM LEGISLATURE
1995 (FIRST) REGULAR SESSION

95 NOV 13 PM 1:13

BILL NO. 426

Introduced by:

Lou Leon Guerrero *LR*

AN ACT TO AMEND SECTION 18128 (b) AND (c) OF
TITLE 10 CHAPTER 18 OF THE GUAM CODE ANNOTATED

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

1 Section 1. Section 18128(b) of Title 10, Chapter 18 Guam Code
2 Annotated is hereby amended as follows:

3
4 "Section 18128(b). No school of cosmetology shall be granted a
5 certificate of registration and license unless it ~~[attaches to its staff a regularly~~
6 ~~licensed physician]~~ provides a mechanism to consult with a Guam licensed
7 physician for health related instructions of injuries and employs and
8 maintains a sufficient number of licensed instructors and requires courses of
9 instruction in cosmetology of not less than sixteen hundred (1600) hours
10 extending over a period of not less than nine (9) months and maintains such
11 courses in both practical and technical instruction, including instruction in
12 sanitary sterilization and the use of antiseptics, necessary to meet the
13 requirements for examination for certificate, registration and license as a
14 cosmetologist."

15
16 Section 2. Section 18128(c) of Title 10, Chapter 18 Guam Code
17 Annotated is hereby amended as follows:

18
19 "Section 18128(c). No school of electrology shall be granted a certificate
20 of registration and license unless it ~~[attaches to its staff a regularly licensed~~
21 ~~physician]~~ provides a mechanism to consult with a Guam licensed physician
22 for health related instructions or injuries and employs and maintains a
23 sufficient number of licensed instructors and requires a course of instruction
24 in electrology of not less than five hundred (500) hours over a period of not
25 less than four (4) months and maintains such courses in both practical and
26 technical instruction, including instruction in sanitary sterilization and the
27 use of antiseptics, necessary to meet the requirements for examination for
28 certificate, registration and license as an electrologist. Any school of
29 cosmetology providing a course of electrology shall meet the requirements of
30 this subsection."
31



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR, Post Office Box 2950, Agaña, Guam 96910

CARL T.C. GUTIERREZ
GOVERNOR

MADELEINE Z. BORDALLO
1ST DEPUTY GOVERNOR

JOSEPH E. RIVERA
DIRECTOR

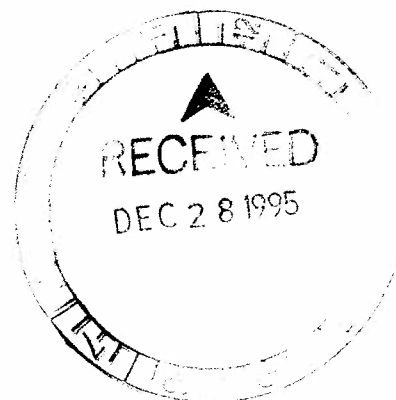
DEC 12 1995

FRANCES J. BALAJADIA
DEPUTY DIRECTOR

The Bureau requests that Bill No(s). 426(LS) be granted a waiver pursuant to Public Law 12-229 for the following reasons:

Bill 426(LS) is an act to amend section 18128(b) and (c) of Title 10 Chapter 18 of the Guam Code Annotated. The proposed legislation will not impact the General Fund due to specific requirements imposed on both Schools of Cosmetology and Electrology as it relates to the granting of the certificate of registration and license.

Frances J. Balajadia
JOSEPH E. RIVERA
Acting



NOV 13 1995

TWENTY THIRD GUAM LEGISLATURE
1995 (FIRST) REGULAR SESSION

BILL NO. 426 (LS)

Introduced by:

Lou Leon Guerrero *LS*

AN ACT TO AMEND SECTION 18128 (b) AND (c) OF
TITLE 10 CHAPTER 18 OF THE GUAM CODE ANNOTATED

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14 cosmetologist."

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22 for health related instructions or injuries and employs and maintains a
23 sufficient number of licensed instructors and requires a course of instruction
24 in electrology of not less than five hundred (500) hours over a period of not
25 less than four (4) months and maintains such courses in both practical and
26 technical instruction, including instruction in sanitary sterilization and the
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28 certificate, registration and license as an electrologist. Any school of
29 cosmetology providing a course of electrology shall meet the requirements of
30 this subsection."
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