



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

APR 17 1998

Refer to  
Legislative Secretary

The Honorable Antonio R. Unpingco  
Speaker  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Agana, Guam 96910

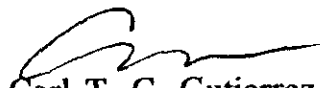
OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>DAZ</u>
Time	<u>4:45pm</u>
Date	<u>4.17.98</u>

Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 503 (COR), "AN ACT TO AUTHORIZE THE GUAM MEMORIAL HOSPITAL AUTHORITY, WITH THE CONCURRENCE OF THE GOVERNOR, TO NEGOTIATE WITH THE SECRETARY OF DEFENSE, OTHER FEDERAL DEPARTMENTS AND AGENCIES, AND OTHER GOVERNMENTS OF THE FREELY ASSOCIATED STATES OF MICRONESIA FOR THE IMPLEMENTATION OF §105(k) OF THE COMPACT OF FREE ASSOCIATION ACT OF 1985 FOR PROVIDING HEALTH CARE SERVICES", which I have signed into law today as **Public Law No. 24-173**.

This legislation allows the Guam Memorial Hospital Authority to negotiate with the federal government agencies and offices, as well as governments of the Freely Associated States of Micronesia to obtain federal funding for health care for persons from the Freely Associated States of Micronesia who come to Guam for health care.

Very truly yours,

  
Carl T. C. Gutierrez  
Governor of Guam

Attachment

0-1701

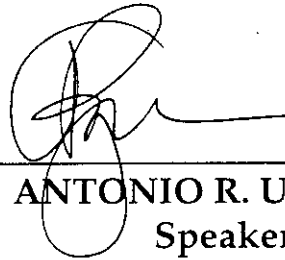
cc: The Honorable Joanne M. S. Brown  
Legislative Secretary

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 4-17-98  
Time: 1445  
Rec'd by: [Signature]  
Print Name: Charles D.

TWENTY-FOURTH GUAM LEGISLATURE  
1998 (SECOND) Regular Session

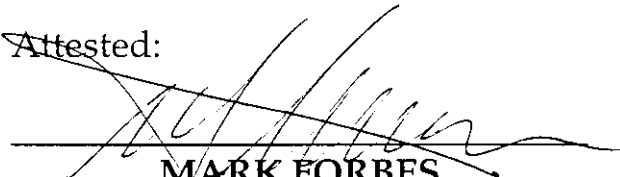
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 503 (COR), "AN ACT TO AUTHORIZE THE GUAM MEMORIAL HOSPITAL AUTHORITY, WITH THE CONCURRENCE OF THE GOVERNOR, TO NEGOTIATE WITH THE SECRETARY OF DEFENSE, OTHER FEDERAL DEPARTMENTS AND AGENCIES, AND OTHER GOVERNMENTS OF THE FREELY ASSOCIATED STATES OF MICRONESIA FOR THE IMPLEMENTATION OF §105(k) OF THE COMPACT OF FREE ASSOCIATION ACT OF 1985 FOR PROVIDING HEALTH CARE SERVICES," was on the 27<sup>TH</sup> day of March, 1998, duly and regularly passed.




ANTONIO R. UNPINGCO  
Speaker

Attested:



MARK FORBES  
Senator and Acting Legislative  
Secretary

.....  
This Act was received by the Governor this 6<sup>th</sup> day of April, 1998, at  
3:30 o'clock P.M.



Assistant Staff Officer  
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ  
Governor of Guam

Date: 4-17-98

Public Law No. 24-173

**TWENTY-FOURTH GUAM LEGISLATURE**  
**1998 (SECOND) Regular Session**

**Bill No. 503 (COR)**

As amended by the Author and  
further amended on the Floor.

Introduced by:

E. J. Cruz  
J. C. Salas  
L. F. Kasperbauer  
Felix P. Camacho  
T. C. Ada  
F. B. Aguon, Jr.  
A. C. Blaz  
J. M.S. Brown  
Francisco P. Camacho  
M. C. Charfauros  
W. B.S.M. Flores  
Mark Forbes  
A. C. Lamorena, V  
C. A. Leon Guerrero  
L. Leon Guerrero  
V. C. Pangelinan  
A. L.G. Santos  
F. E. Santos  
A. R. Unpingco  
J. Won Pat-Borja

**AN ACT TO AUTHORIZE THE GUAM  
MEMORIAL HOSPITAL AUTHORITY, WITH THE  
CONCURRENCE OF THE GOVERNOR, TO  
NEGOTIATE WITH THE SECRETARY OF  
DEFENSE, OTHER FEDERAL DEPARTMENTS  
AND AGENCIES, AND OTHER GOVERNMENTS  
OF THE FREELY ASSOCIATED STATES OF**

MICRONESIA FOR THE IMPLEMENTATION OF  
§105(k) OF THE COMPACT OF FREE  
ASSOCIATION ACT OF 1985 FOR PROVIDING  
HEALTH CARE SERVICES.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Statement. The Department of Defense  
3 Secretary is authorized by the Compact of Free Association Agreement to use  
4 Department of Defense health facilities to provide health care services to the  
5 people covered under the Agreement. The available facility, Guam Naval  
6 Hospital, has repeatedly expressed that they cannot provide health care  
7 service in spite of the provisions contained in the Compact of Free Association  
8 Agreement. The Guam Legislature is of the opinion that the Guam Memorial  
9 Hospital Authority ("GMHA") can provide health services for those patients  
10 referred for treatment. Tripler Army Hospital in Hawaii is accepting patient  
11 referrals from the Compact of Free Association Agreement, but limited only to  
12 tertiary patient care and tropical diseases. Furthermore, GMHA and the  
13 medical staff, in alignment with its mission statement and commitment to  
14 delivering quality health patient care, can satisfy the intent of §105(k), Title 1,  
15 48 USC §1681 of the Compact of Free Association Act of 1985 and should  
16 negotiate a contractual agreement to provide these health care services and  
17 not only realize over Three Million Eight Hundred Thousand Dollars  
18 (\$3,800,000) per year of patient revenue services, but resolve the issue of  
19 medical referral for patients that are covered under the provisions of the  
20 Compact of Free Association Act of 1985.

1           **Section 2.** Section 80104(s) is hereby added to Chapter 80, Division 2  
2 of Title 10 of the Guam Code Annotated to read as follows:

3           “(s)       With the concurrence Negotiate with appropriate Federal  
4           official (Secretary of Defense, officials of Tripler Army Hospital, etc.) for  
5           the implementation of §105(k) of the Compact of Free Association Act of  
6           1985 with the Freely Associated States of Micronesia.

7           All terms of the agreement shall be negotiated by the Guam  
8           Memorial Hospital Authority in the best interests of the people of  
9           Guam. The agreement must be submitted to the Governor for his  
10          review and approval.”

PL 24-178

✓

**24th Guam Legislature**  
**Committee on Rules, Government**  
**Reform and Federal Affairs**  
*Senator Mark Forbes, Chairman*



**MAR 18 1998**

Speaker Antonio R. Unpingco  
Twenty-fourth Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 503 was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 503 as amended by the author.** "An act to authorize the Guam Memorial Hospital Authority with the concurrence of the Governor to negotiate with the Secretary of Defense, other federal departments and agencies and other governments of the Freely Associated States of Micronesia for the implementation of Section 105(k) of the Compact of Free Association Act of 1985 for providing health care services."

The voting record is as follows:

<b>TO PASS</b>	<u>10</u>
<b>NOT TO PASS</b>	<u>0</u>
<b>ABSTAIN</b>	<u>0</u>
<b>TO PLACE IN INACTIVE FILE</b>	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached.

Thank you and si Yu'os ma'ase for your attention to this matter.

  
**MARK FORBES**

Attachments

**24th Guam Legislature**  
**Committee on Rules, Government**  
**Reform and Federal Affairs**  
**Senator Mark Forbes, Chairman**

---



**MEMORANDUM**

**TO:** Committee Members  
**FR:** Chairman

**SUBJECT:** Committee Report- Bill No. 503 as amended by the author "An act to authorize the Guam Memorial Hospital Authority with the concurrence of the Governor to negotiate with the Secretary of Defense, other federal departments and agencies and other governments of the Freely Associated States of Micronesia for the implementation of Section 105(k) of the Compact of Free Association Act of 1985 for providing health care services."

Transmitted herewith for your information and action is the report on Bill No. 503 from the Committee on Rules, Government Reform and Federal Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 503 as amended by the author
4. Public Hearing Sign-in Sheet
5. Written Testimony
6. Fiscal Note/Fiscal Note Waiver
7. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

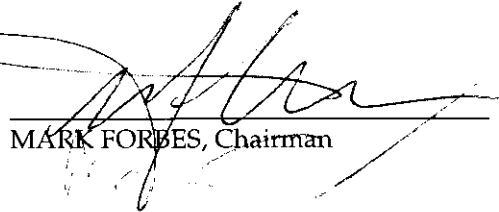
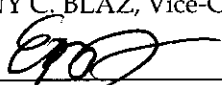
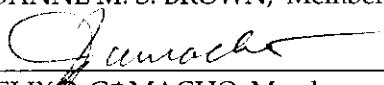
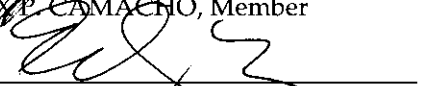
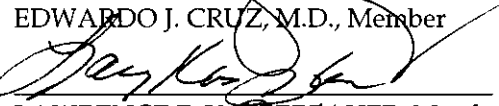


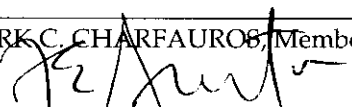
**MARK FORBES**

Attachments

**Committee on Rules, Government Reform and Federal Affairs**  
**Twenty Fourth Guam Legislature**

**Voting Record**

Committee Report - Bill No. 503 as amended by the author "An act to authorize the Guam Memorial Hospital Authority with the concurrence of the Governor to negotiate with the Secretary of Defense, other federal departments and agencies and other governments of the Freely Associated States of Micronesia for the implementation of Section 105(k) of the Compact of Free Association Act of 1985 for providing health care services."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 MARK FORBES, Chairman	✓			
ANTHONY C. BLAZ, Vice-Chairman				
 ELIZABETH BARRETT-ANDERSON, Member	✓			
JOANNE M. S. BROWN, Member				
 FELIX CAMACHO, Member	✓			
 EDUARDO J. CRUZ, M.D., Member	✓			
 LAWRENCE F. KASPERBAUER, Member	✓			
ALBERTO A. C. LAMORENA V., Member				
 CARLOTTA A. LEON GUERRERO, Member	✓			
 JOHN C. SALAS, Member	✓			
MARK C. CHARFAUROS, Member				
 FRANCIS E. SANTOS, Member	✓			
ANTONIO R. UNPINGCO, Member				



**Twenty-Fourth Guam Legislature**

**Committee On Rules,  
Government Reform & Federal Affairs  
Senator Mark Forbes, Chairman**

**Committee Report**

**on**

**Bill No. 503 as amended by the author**

**“An act to authorize the Guam Memorial Hospital Authority with the concurrence of the Governor to negotiate with the Secretary of Defense, other federal departments and agencies and other governments of the Freely Associated States of Micronesia for the implementation of Section 105(k) of the Compact of Free Association Act of 1985 for providing health care services.”**

## **I. OVERVIEW**

The Committee on Rules, Government Reform and Federal Affairs held a public hearing on Tuesday, March 10, 1998 at 10:35 a.m. in the conference room of the Chairman of the Committee on Rules, Government Reform and Federal Affairs. Public Notice of the hearing was announced in the March 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, and 10<sup>th</sup>, 1998 issues of the Pacific Daily News.

Senators in attendance were:

Senator Mark Forbes, Chairman  
Senator Edwardo J. Cruz, Member  
Senator Frank Blas Aguon Jr.

There being no individuals present to testify on the bill, the Chairman declared the bill formally heard. The Chairman indicated that the Committee would accept any written testimony on this bill during the next few days. Mr. Tyrone J. Taitano, Hospital Administrator of the Guam Memorial Hospital, submitted written testimony in support of Bill 503.

## **II. SUMMARY OF WRITTEN TESTIMONY**

Mr. Tyrone J. Taitano, Administrator of the Guam Memorial Hospital Authority, submitted written testimony in support of Bill 503 as amended by the author (attached).

## **III. FINDINGS AND RECOMMENDATION**

The Committee finds that Bill No 503, as amended by the author would enable the Guam Memorial Hospital to generate additional annual revenues of at least \$3.8 million. The Committee further finds that the legislation would resolve the issues surrounding the delivery of health care to patients who are covered by the Compact of Free Association. Moreover, the Guam Memorial Hospital is prepared to establish the rules and regulations for administering the provisions being mandated by the Guam Legislature.

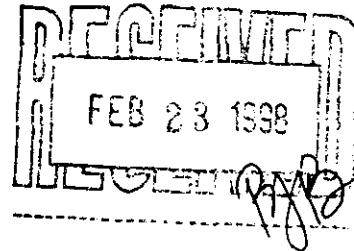
Accordingly, the Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 503 was referred does hereby submit its findings and recommendations to the Twenty-fourth Guam Legislature **TO DO PASS Bill No. 503 as amended by the author** "An act to authorize the Guam Memorial Hospital Authority with the concurrence of the Governor to negotiate with the Secretary of Defense, other federal departments and agencies and other governments of the Freely Associated States of Micronesia for the implementation of Section 105(k) of the Compact of Free Association Act of 1985 for providing health care services."

**24th Guam Legislature**  
**Committee on Rules, Government**  
**Reform and Federal Affairs**  
*Senator Mark Forbes, Chairman*

---



**FEB 23 1998**



**MEMORANDUM**

**TO:** Chairman  
Committee on Rules, Government Reform and Federal Affairs

**FROM:** Chairman  
Committee on Rules, Government Reform and Federal Affairs

**SUBJECT:** Referral- Bill No. 503

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

**MARK FORBES**

Attachment