



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
Legislative Secretary

APR 17 1998

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>[Signature]</u>
Time	<u>4:45 pm</u>
Date	<u>4-17-98</u>

Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 528 (LS), "AN ACT TO ADD §§80117 AND 80118 TO CHAPTER 80, DIVISION 4, PART 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND/OR RECEIVE DONATIONS, CONTRIBUTIONS, GIFTS AND BEQUESTS FOR THE PURPOSE OF IMPROVING PATIENT CARE TO THE COMMUNITY, AND TO CITE THIS ACT AS THE, 'GMHA Donations, Contributions, Gifts and Bequests Utilization and Administration Act of 1998'", which I have signed into law today as **Public Law No. 24-176.**

This legislation allows the Guam Memorial Hospital Authority (GMHA) to set up a separate fund to accept donations for specified items or services. This will allow donors to earmark their gifts for purchase of items or services that they have a personal desire to give, while at the same time allow the GMHA to solicit gifts for items and services that are needed.

This type of program is widely in effect in health care institutions in other locations. It brings the community into partnership with the health care institution by providing a method for people to give from their hearts to programs vitally needed by the community.

Very truly yours,

[Signature]
Carl T. C. Gutierrez
Governor of Guam

Attachment 04787

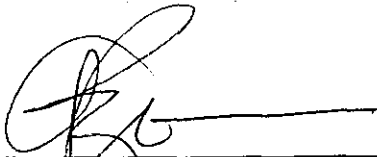
cc: The Honorable Joanne M. S. Brown
Legislative Secretary

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 4-17-98
Time: 1445
Rec'd by: [Signature]
Print Name: Charlene 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. 528 (LS), "AN ACT TO ADD §§80117 AND 80118 TO CHAPTER 80, DIVISION 4, PART 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND/OR RECEIVE DONATIONS, CONTRIBUTIONS, GIFTS AND BEQUESTS FOR THE PURPOSE OF IMPROVING PATIENT CARE TO THE COMMUNITY, AND TO CITE THIS ACT AS THE, "GMHA Donations, Contributions, Gifts and Bequests Utilization and Administration Act of 1998," was on the 25TH day of March, 1998, duly and regularly passed.




ANTONIO R. UNPINGCO
Speaker

Attested:



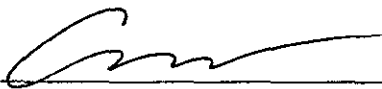
MARK FORBES
Senator and Acting Legislative
Secretary

This Act was received by the Governor this 6th 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. 24-176

TWENTY-FOURTH GUAM LEGISLATURE
1998 (SECOND) Regular Session

Bill No. 528 (LS)

As 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 ADD §§80117 AND 80118 TO CHAPTER 80, DIVISION 4, PART 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND/OR RECEIVE DONATIONS, CONTRIBUTIONS, GIFTS AND BEQUESTS FOR THE PURPOSE OF IMPROVING PATIENT CARE TO THE COMMUNITY, AND TO CITE THIS ACT AS THE,

*“GMHA Donations, Contributions, Gifts and Bequests
Utilization and Administration Act of 1998.”*

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

2 **Section 1. Legislative Findings.** The Guam Legislature finds that
3 government health care facilities, especially the Department of Public Health
4 and Social Services (“DPHSS”), the Guam Memorial Hospital Authority
5 (“GMHA”) and the Department of Mental Health and Substance Abuse
6 (“DMHSA”) are potential recipients of donations, contributions, gifts and
7 bequests from philanthropists and the general public for whatever useful
8 purpose the donor may deem fit.

9 Further, it is the finding of the Guam Legislature that among the
10 government health care facilities enumerated above, only the Administrator
11 of GMHA has no specific authority to solicit, receive and utilize contributions,
12 donations, gifts and bequests. Section 80112(b) of Title 10 of the Guam Code
13 Annotated provides that all monies received by the Hospital from whatever
14 source derived shall be deposited in the *“Hospital Operations Fund,”* including
15 transfers from the government of Guam General Fund. There is no specific
16 recognition for donations, contributions, gifts and bequests, if any.

17 The DPHSS Director, on the other hand, has the authority, under Section
18 2112 of Title 10 of the Guam Code Annotated, which reads:

19 **“Section 2112. Gifts for Welfare Purposes.** The Director
20 is authorized to accept, on behalf of the government of Guam, gifts,
21 bequests and donations for welfare purposes, and may expend any

1 sums so received for purposes set out in this Chapter, in addition to the
2 regular appropriations made for such purposes.”

3 Moreover, the DMHSA Director is similarly authorized under §86106 of
4 Title 10 of the Guam Code Annotated, which reads in part:

5 **“Section 86106. Auxiliary Fund.** There is established
6 separate and apart from any other government funds, a Department
7 Auxiliary Fund, in which monies and assets from fund raising activities
8 and charitable contributions shall be deposited.”

9 To adequately recognize contributions, donations, gifts and bequests
10 received by GMHA, in fact, in order to encourage private parties to
11 contribute, donate, give gifts and bequeath to the Hospital, a similar authority
12 needs to be promulgated on GMHA’s behalf.

13 **Section 2. Legislative Intent.** The Guam Legislature finds it
14 necessary, therefore, and in light of the perennial funding insufficiency
15 encountered by GMHA, for this government agency to be authorized to solicit
16 and/or receive donations, contributions, gifts and bequests for the purpose of
17 improving patient health care to the community. This intent could be served
18 by adding a new §80117 to Title 10 of the Guam Code Annotated in order to
19 provide policy guidelines in the utilization and administration of such
20 donations, contributions, gifts and bequests solicited and received.

21 **Section 3. Title.** This Act may be referred to as the, “GMHA
22 *Donations, Contributions, Gifts and Bequests Utilization and Administration Act of*
23 *1998.*”

1 **Section 4.** Section §80117 is hereby added to Chapter 80, Division 4,
2 Part 2 of Title 10 of the Guam Code Annotated to read as follows:

3 **“Section 80117. Solicitation, Acceptance, Utilization and**
4 **Administration of Donations, Contributions, Gifts, and Bequests for**
5 **Specific Purposes.** (a) The Administrator of the Guam

6 Memorial Hospital Authority (‘GMHA’), with the concurrence of the
7 GMHA Board of Trustees, shall be authorized to solicit, accept, utilize
8 and administer on behalf of GHMA, donations, contributions, gifts and
9 bequests for any specific purpose relative to medical care, and may
10 expend any sums so received for purposes intended by the giver, or
11 donor, in addition to the regular appropriations made for such
12 purposes. Such donations, contributions, gifts and bequests received, or
13 income accrued on a continuing basis, shall, as a matter of policy, be
14 reflected in the annual budget of the receiving agency as credit to offset
15 the expense budget request for that agency for the fiscal year under
16 consideration.

17 (b) GMHA shall promulgate rules and regulations to reflect the
18 purpose of this Act and shall periodically report contributions,
19 donations, gifts and bequests actually received by the Governor and the
20 Speaker of the Guam Legislature for proper acknowledgement
21 purposes.”

22 **Section 5.** Section 80118 is hereby added to Chapter 80, Division 4,
23 Part 2 of Title 10 of the Guam Code Annotated to read as follows:

24 **“Section 80118. Receiving of Revenues from**
25 **Vending Machine.** GMHA is hereby authorized to install

1 vending machines or similar machines, which can be contractual,
2 for the purpose of serving the Hospital and its employees and
3 shall be entitled to all revenues from such activities. The Hospital
4 Administrator shall use such revenues for the Hospital employees
5 health or other services for the benefit of its employees.”

PL 24-176

Committee on Health and Human Services
24th Guam Legislature
155 Hesler Street, Agana, Guam 96932
Tel: (671) 472-3805 • Fax: (671) 472-3582

March 18, 1998

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

VIA: Chairperson, Committee on Rules, Government Reform and
Federal Affairs

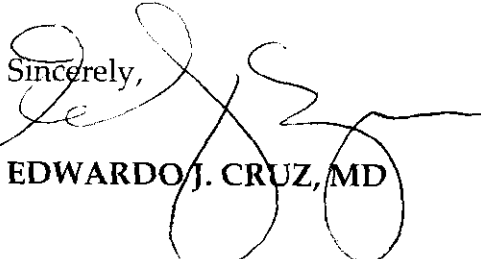
Dear Mr. Speaker:

The Committee on Health and Human Services, to which was referred Bill No. 528, "AN ACT RELATIVE TO AUTHORIZING THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND/OR RECEIVE DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS FOR THE PURPOSE OF IMPROVING PATIENT CARE TO THE COMMUNITY BY ADDING NEW §§80117 AND 80118, CHAPTER 80, DIVISION 4 TO TITLE 10 OF THE GUAM CODE ANNOTATED AND TO CITE THE ACT AS "THE GMHA DONATION, CONTRIBUTIONS, GIFTS, AND BEQUESTS SOLICITATION UTILIZATION AND ADMINISTRATION ACT OF 1998,"" has had the same under consideration, and now wishes to report back the same for consideration by the Legislature.

The Committee votes are as follows:

To do Pass	<u>-15-</u>
Not to Pass	<u>-0-</u>
Abstain	<u>-0-</u>
Inactive File	<u>-0-</u>

A copy of the Committee Report and other pertinent documents are enclosed for your perusal.



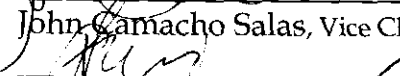
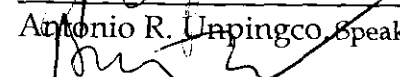

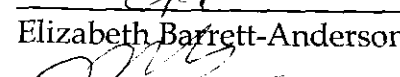
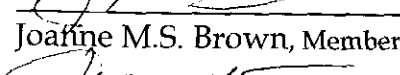
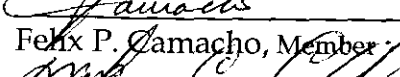
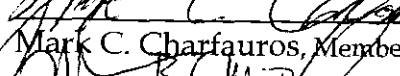



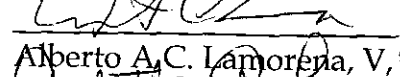
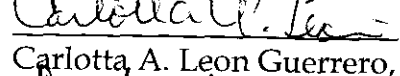

Sincerely,

EDUARDO J. CRUZ, MD

Enclosure:

Committee Health and Human Services
Vote Sheet on
Bill No. 528

AN ACT TO RELATIVE TO AUTHORIZING THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND/OR RECEIVE DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS FOR THE PURPOSE OF IMPROVING PATIENT CARE TO THE COMMUNITY BY ADDING NEW §§80117 AND 80118, CHAPTER 80, DIVISION TO TITLE 10 OF THE GUAM CODE ANNOTATED AND TO CITE THIS ACT AS "THE GMHA DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS SOLICITATION, UTILIZATION AND ADMINISTRATION ACT OF 1998."

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
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 Edwardo J. Cruz, MD, Chairperson	✓			
 John Camacho Salas, Vice Chairperson	✓			
 Antonio R. Umpingco, Speaker & Ex-Officio	✓			
 Anthony G. Blaz, Member	✓			
 Elizabeth Barrett-Anderson, Member	✓			
 Joanne M.S. Brown, Member	✓			
 Felix P. Camacho, Member	✓			
 Mark C. Charfauros, Member	✓			
 William BSM Flores, Member	✓			
 Mark Forbes, Member	✓			
 Lawrence F. Kasperbauer, Member	X			
 Alberto A.C. Lamorena, V, Member	✓			
 Carlotta A. Leon Guerrero, Member	✓			
 Lou A. Leon Guerrero, Member	✓			
 Francis E. Santos, Member	✓			

Committee on Health and Human Services
Report on
Bill No. 528

AN ACT TO RELATIVE TO AUTHORIZING THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND/OR RECEIVE DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS FOR THE PURPOSE OF IMPROVING PATIENT CARE TO THE COMMUNITY BY ADDING NEW §§80117 AND 80118, CHAPTER 80, DIVISION TO TITLE 10 OF THE GUAM CODE ANNOTATED AND TO CITE THIS ACT AS "THE GMHA DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS SOLICITATION, UTILIZATION AND ADMINISTRATION ACT OF 1998."

Introduced by Senators
E. J. Cruz, J. C. Salas, L. F. Kasperbauer and Felix P. Camacho

Public Hearing:

The Committee on Health and Human Services conducted a public hearing on Wednesday, March 11, 1998 at 9:30 a.m. to hear testimonies on Bill No. 528, "AN ACT TO RELATIVE TO AUTHORIZING THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND/OR RECEIVE DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS FOR THE PURPOSE OF IMPROVING PATIENT CARE TO THE COMMUNITY BY ADDING NEW §§80117 AND 80118, CHAPTER 80, DIVISION TO TITLE 10 OF THE GUAM CODE ANNOTATED AND TO CITE THIS ACT AS "THE GMHA DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS SOLICITATION, UTILIZATION AND ADMINISTRATION ACT OF 1998." The public hearing was held in the Guam Legislature Public Hearing Room.

Members Present:

The hearing was called to order by the Chairperson of the Committee on Health and Human Services, Senator Edwardo J. Cruz with Senator Frank B. Aguon, Jr. in attendance.

Testimony:

Appearing before the Committee and presenting testimony in support of the passage and enactment of Bill No. 508 was Tyrone J. Taitano, Administrator, Guam Memorial Hospital. Mr. Taitano testified that the Hospital sully supports the passage and enactment of Bill No. 528. According to Mr. Taitano, the legislation is intended to extend the privilege to GMHA by offering an additional source of funding for the Hospital. In closing, Mr. Taitano informed the Committee that the Hospital stands ready to insure that revenues derived from vending machines benefit the employees.

It was also discussed that the proposed program would not interfere with the Hospital Volunteer Association programs in receiving donation for the Hospital.

According to the Senator, the program envisioned in Bill No. 528 is to augment, and on a larger scale, allow the Hospital to receive contributions from other sources.

In closing, the Chairperson informed the members that the Committee will try and submit its report for consideration at the next Legislative Session. There being no further witnesses, the Chairperson adjourned the Committee hearing on Bill No. 528.

Findings:

The Committee finds that:

1. Government health care facilities, especially the Department of Public Health and Social Services (DPHSS), the Guam Memorial Hospital Authority (GMHA), and the Department of Mental Health and Substance Abuse (DMHSA) are potential recipients of donations, contributions, gifts, and bequests from philanthropists and the general public for whatever useful purpose the donor may deem fit.
2. Among all the government health care facilities, only the Administrator of GMHA has no specific authority to solicit, receive, and utilize contributions, donations, gifts and bequests. Section 80112(b) of Title 10 of the Guam Code Annotated provides that all monies received by the hospital from whatever source derived shall be deposited in the "Hospital Operations Fund," including transfers from the government of Guam General Fund. There is no specific recognition for donations, contributions, gifts, and bequests, if any.
3. The Director of Public Health and Social Services, on the other hand, has the authority, under §2112 of Title 10 of the Guam Code Annotated which reads: "Gifts for Welfare Purposes. The Director is authorized to accept, on behalf of the government of Guam, gifts, bequests and donations for welfare purposes, and may expend any sums so received for purposes set out in this Chapter, in addition to the regular appropriations made for such purposes."
4. Also, the Director of Mental Health and Substance Abuse is similarly authorized under §86106 of Title 10 of the Guam Code Annotated which reads in part: "§86106. *Auxiliary Fund.* There is established separate and apart from any other government funds, a Department Auxiliary Fund, in which monies and assets from fund raising activities and charitable contributions shall be deposited."
5. To adequately recognize contributions, donations, gifts and bequests received by GMHA, and to encourage private parties to contribute, donate, and in light of the perennial funding problems it is necessary to authorize the

Hospital to policy guidelines to in the utilization and administration of such donations, contributions and gifts.

Recommendation:

The Committee, having reviewed the testimonies presented at the hearing, does hereby recommend to the Guam Legislature that **Bill No. 528, "AN ACT TO RELATIVE TO AUTHORIZING THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND/OR RECEIVE DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS FOR THE PURPOSE OF IMPROVING PATIENT CARE TO THE COMMUNITY BY ADDING NEW §§80117 AND 80118, CHAPTER 80, DIVISION TO TITLE 10 OF THE GUAM CODE ANNOTATED AND TO CITE THIS ACT AS "THE GMHA DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS SOLICITATION, UTILIZATION AND ADMINISTRATION ACT OF 1998,"** be passed by the Guam Legislature.

Profile on Bill No. 528 (LS)

- Brief Title:** The GMHA Donations, Contributions, Gifts, and Bequests Solicitation, Utilization and Administration Act of 1998.
- Date Introduced:** Submitted to the Legislature for introduction on Friday, February 27, 1998, and officially ratified during the Second Regular Session of the 24th Guam Legislature.
- Main Sponsors:** Senators E. J. Cruz, J. C. Salas, and L. F. Kasperbauer.
- Referral:** From the Committee on Rules, Government Reform and Federal Affairs to the Committee on Health and Human Services on March 6, 1998.
- Public Hearing:** Wednesday, March 11, 1998.
- Official Title:** AN ACT RELATIVE TO AUTHORIZING THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND/OR RECEIVE DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS FOR THE PURPOSE OF IMPROVING PATIENT CARE TO THE COMMUNITY BY ADDING NEW §§80117 AND 80118, CHAPTER 80, DIVISION 4, TITLE 10 OF THE GUAM CODE ANNOTATED AND TO CITE THIS ACT AS "THE GMHA DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS SOLICITATION, UTILIZATION AND ADMINISTRATION ACT OF 1998."
- Co-Sponsors:** Senator Felix P. Camacho.
- Recommendation:** To do pass.

Overview and Intent:

If passed, Bill No. 528 (LS) would authorize the Guam Memorial Hospital, like any other government health care agencies to solicit, receive, and utilize contributions, donations, gifts, and bequests under a special account separate from the Hospital Operations Fund. Presently, §80112(b) of Title 10 of the Guam Code Annotated provides that *all monies received by the Hospital from whatever source derived shall be deposited in the "Hospital Operations Fund."* Creation of this special fund will enhance the Hospital's chance of receiving contributions, donations, gifts, and bequests from private parties which would help GMH in providing continued adequate health care while at the same time

enable government officials to appropriately recognize, on behalf of the Hospital and the people of Guam, such contributions, donations, gifts, and bequests actually received.

Section Analysis:

Section 1. Legislative Findings. This section states that among the major health care facilities operated by the government, the Hospital is the only one that is not “officially” authorized to maintain a separate account for contributions, donations, gifts, and bequests. The Guam Legislature finds that the Director of the Department of Public Health and Social Services, as provided by §2112 of Title 10 of the Guam Code Annotated, “is authorized to accept, on behalf of the government of Guam, gifts, bequests and donations for welfare purposes, and may expend any sums so received for purposes set out in this Chapter, in addition to the regular appropriations made for such purposes.” Also, on the other hand, the Director of the Department of Mental Health and Substance Abuse, is similarly authorized by §86106 of Title 10 of the Guam Code Annotated which reads: “There is established separate and apart from any other government funds, a Department Auxiliary Fund, in which monies and assets from fund raising activities and charitable contributions shall be deposited.” In light of these precedents, this section justifies the need for an equivalent special account for GMHA.

Section 2. Legislative Intent. This section clearly states it is the intent of the Guam legislature to authorize the Hospital to solicit, receive, maintain a separate account, utilize and administer contributions, donations, gifts and bequests from private parties.

Section 3. Title. Refers to Bill No. 528 (LS) as “The GMHA Donations, Contributions, Gifts, and Bequests Solicitation, Utilization and Administration Act of 1998.”

Section 4. Amendment; New Section 80117. This section proposes to add a new Section 80117 to authorize the Guam Memorial Hospital Authority Board of Trustees to “solicit, accept, utilization and administer donations, contributions, gifts, and bequests for specific purposes” on behalf of GMH and the people of Guam. Furthermore, this Section also requires GMHA to promulgate rules and regulations to reflect the intent and purpose of this Act and to periodically report to the Governor and the Speaker of the Guam Legislature all donations, contributions, gifts and bequests actually received so that appropriate acknowledgement could be initiated.

Section 5. Amendment; New Section 80118. This section adds a new Section 80118 to Title 10, Guam Code Annotated authorizing the GMHA to install vending machines or similar machines, through contractual arrangements, for the purpose of providing needed revenue to the Hospital Employee Association and morale welfare.



Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan



850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96911
TEL: 647-2444 or 647-2330
FAX: (671) 649-0145

Testimony of Tyrone J. Taitano
Hospital Administrator
Guam Memorial Hospital Authority
before the Committee on Health & Human Services
March 11, 1998

Good morning, Mr. Chairman and members of the committee. For the record, my name is Tyrone Taitano. I am the Hospital Administrator and I am here to present testimony in support of Bills 503 and 528.

Bill No. 503

Bill No. 503 is an act to authorize GMHA to negotiate with the Secretary of Defense to provide health services for those who are covered under the Compact of Free Association. The proposed legislation is based on the premise that GMHA is capable of providing services for medical referrals from the federated states, as the bill's authors recognize that GMH has, in fact, been providing such services. By authorizing GMHA to negotiate a contractual agreement to provide these services, Bill No. 503 would enable the Hospital to generate annual earnings of \$3.8 million. The legislation would also resolve the issues surrounding the delivery of care to patients who are covered by the Compact of Free Association.



The estimated cost of providing Hospital care for the FAS citizenry ranges from \$2.4 million to \$3.8 million as noted in Bill 503. The Authority will ensure that any negotiations pertaining to the delivery of hospital services will adequately address the high cost of care.

The \$85,000 appropriation for executing a legal agreement will enable GMHA to initiate the negotiations process, although the funding may be insufficient for completing the process. There is no guarantee that the federal government would be willing to negotiate with GMHA at this point in time. In fact, history suggests that getting the federal government to the negotiation table may be quite a feat—a lengthy process in and of itself. However, it is clear that we must proceed with the efforts to formally address the delivery of and compensation for healthcare under the Compact of Free Association. Therefore, the Guam Memorial Hospital Authority supports the passage of Bill No. 503.

Bill No. 528

GMHA also supports the passage of Bill 528: an act to authorize the Authority to solicit and/or receive donations, contributions and gifts for the purpose of improving patient care. The bill's authors recognize that GMHA is presently the only government healthcare facility that is not allowed to do so. Bill 503 is intended to extend the privilege to GMHA and thereby offer an additional source of funding for the Hospital's patient care activities.

The Hospital agrees with the intent of Bill 503. We are prepared to establish the rules for administering the legislative provisions, specifically to ensure that all donations are consistent with the mission of the Hospital as well as with the guidelines for product and equipment standardization. In so doing, GMHA will protect and preserve the integrity of the proposed legislation.

The Hospital also supports Section 5 of Bill No. 528 which would allow GMHA to retain the revenues from the Hospital's vending machines for the benefit of GMHA employees. Again, the authors of the proposed legislation recognize an alternative source of funding. The use of such funding for the benefit of the Hospital's employees is most welcomed.

Thank you for giving me the opportunity to testify this morning.



Senator Edwardo J. Cruz, MD
Chairperson
Committee on Health and Human Services
Suite 1-A, Sinajana Shopping Mall Phase II,
#777 Route 4, Sinajana, Guam 96926
E-Mail Address: ejc@senecruz.guam.net
Tel: 472-3581 Fax: 472-3582



MEMORANDUM

March 3, 1998

To: Members, Committee on Health and Human Services
Ex-Officio Speaker Antonio R. Unpingco Fax No.: 472-3500
Vice Speaker Anthony C. Blaz 472-3562
Sen. Elizabeth Barrett-Anderson 472-3433
Sen. Joanne M.S. Brown 472-4090
Sen. Felix P. Camacho 472-9747
Sen. Mark C. Charfauros 472-3440
Sen. William B.S.M. Flores 472-3511
Sen. Mark Forbes 477-5036
Sen. Lawrence F. Kasperbauer 475-2000
Sen. Alberto A.C. Lamorena 472-3588
Sen. Carlotta M. Leon Guerrero 477-1323
Sen. Lou A. Leon Guerrero 472-3832
Sen. Francis E. Santos 477-3048

From: Chairman and Vice Chairman Fax No.: 472-3582

Subj: Notice of Public and Confirmation Hearing
Wednesday, March 11, 1998, 8:30 to 12:30 p.m.

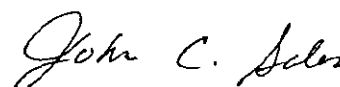
The Committee on Health and Human Services will conduct a Public and Confirmation Hearing on Wednesday, March 11, 1998, starting at 8:30 a.m. to 12:30 p.m. at the Legislative Public Hearing Room.

Attached is a copy of the Agenda.

Please inform our office if you would not be able to attend the Public Hearing dated Wednesday, March 11, 1998 at 8:30 a.m. We look forward to your participation and attendance.

Sincerely,


EDUARDO J. CRUZ, MD
Chairperson


JOHN CAMACHO SALAS *RL*
Vice Chairperson

CC: All Senators

RL/at



Twenty-Fourth Guam Legislature

155 Hesler Street Agana, Guam 96910 Tel: (671) 472-3581 Fax: (671) 472-3582

Senator Edwardo J. Cruz, MD

Chairperson

Committee on Health and Human Services

Public Hearing

Wednesday, March 11, 1998, 8:30 a.m. - 12:30 p.m.

Legislative Public Hearing Room

Revised Agenda

as of Thursday, March 5, 1998

Confirmation of Mr. John W. Leon Guerrero, as Director of the Department of Mental Health and Substance Abuse.

Bill 508: AN ACT RELATIVE TO ESTABLISHING A HEALTH AND HUMAN SERVICE FUND AND TO DEPOSIT ALL MONIES ENTITLED GUAM FROM THE STATE ATTORNEYS GENERAL LITIGATION AGAINST THE TOBACCO INDUSTRY PROPOSED SETTLEMENT INTO THE HEALTH AND HUMAN SERVICE FUND BY ADDING A NEW ARTICLE TO CHAPTER 22 OF TITLE 5 OF THE GUAM CODE ANNOTATED.

Bill 528: AN ACT RELATIVE TO AUTHORIZING THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND/OR RECEIVE DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS FOR THE PURPOSE OF IMPROVING PATIENT CARE TO THE COMMUNITY BY ADDING NEW §§80117 AND 80118, CHAPTER 80, DIVISION TO TITLE 10 OF THE GUAM CODE ANNOTATED AND TO CITE THIS ACT AS "THE GMHA DONATIONS, CONTRIBUTIONS, GIFTS, AND BEQUESTS SOLICITATION, UTILIZATION AND ADMINISTRATION ACT OF 1998."

Bill 503 has been removed off this agenda due to the fact it will be heard Tuesday, March 10, 1998 by the Committee on Rules, Government Reform and Federal Affairs. The hearing will be heard at the Office of Senator Mark Forbes in his Conference Room.



Senator Edwardo J. Cruz, MD
Chairperson
Committee on Health and Human Services
Suite 1-A, Sinajana Shopping Mall Phase II,
#777 Route 4, Sinajana, Guam 96926
E-Mail Address: ejc@senecruz.guam.net
Tel: 472-3581 Fax: 472-3582



MEMORANDUM

March 3, 1998

To: Members, Committee on Health and Human Services
Ex-Officio Speaker Antonio R. Unpingco Fax No.: 472-3500
Vice Speaker Anthony C. Blaz 472-3562
Sen. Elizabeth Barrett-Anderson 472-3433
Sen. Joanne M.S. Brown 472-4090
Sen. Felix P. Camacho 472-9747
Sen. Mark C. Charfauros 472-3440
Sen. William B.S.M. Flores 472-3511
Sen. Mark Forbes 477-5036
Sen. Lawrence F. Kasperbauer 475-2000
Sen. Alberto A.C. Lamorena 472-3588
Sen. Carlotta M. Leon Guerrero 477-1323
Sen. Lou A. Leon Guerrero 472-3832
Sen. Francis E. Santos 477-3048

From: Chairman and Vice Chairman Fax No.: 472-3582

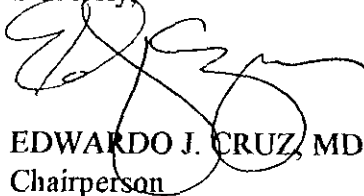
Subj: Notice of Public and Confirmation Hearing
Wednesday, March 11, 1998, 8:30 to 12:30 p.m.

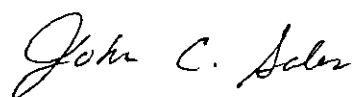

The Committee on Health and Human Services will conduct a Public and Confirmation Hearing on Wednesday, March 11, 1998, starting at 8:30 a.m. to 12:30 p.m. at the Legislative Public Hearing Room.

Attached is a copy of the Agenda.

Please inform our office if you would not be able to attend the Public Hearing dated Wednesday, March 11, 1998 at 8:30 a.m. We look forward to your participation and attendance.

Sincerely,


EDUARDO J. CRUZ, MD
Chairperson


JOHN CAMACHO SALAS 
Vice Chairperson

CC: All Senators

RL/at



Senator Edwardo J. Cruz, MD

Chairperson

Committee on Health and Human Services

Suite 1-A, Sinajana Shopping Mall Phase II,
#777 Route 4, Sinajana, Guam 96926

E-Mail Address: ejc@senecruz.guam.net

Tel: 472-3581 Fax: 472-3582



MEMORANDUM

March 4, 1998

To: Governor's Office
Bureau of Planning, Director
Department of Administration, Director
Bureau of Budget Management & Research, Director
Department of Revenue and Taxation
Guam Retirement Fund
Department of Education
Guam Federation of Teachers
Mayors Council, Executive Director

Fax No.: 477-4826
477-1812
477-6788
472-2825
472-2643
475-8922
477-6284
734-8085
477-8777

From: Chairman & Vice Chairman

Fax No.: 472-3582

Subj: Notice of Public and Confirmation Hearing
Wednesday, March 11, 1998
8:30 to 12:30 p.m.

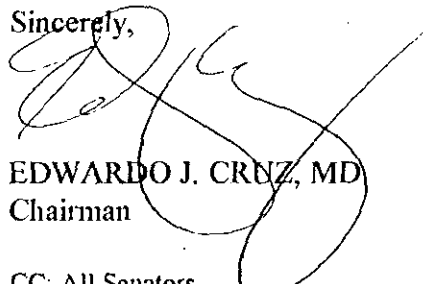
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Attached is a copy of the Agenda.

We look forward to your participation and attendance.

Sincerely,


EDUARDO J. CRUZ, MD
Chairman


JOHN CAMACHO SALAS
Vice Chairman

CC: All Senators

RL/at



Senator Edwardo J. Cruz, MD

Chairperson

Committee on Health and Human Services

Suite 1-A, Sinajana Shopping Mall Phase II,

#777 Route 4, Sinajana, Guam 96926

E-Mail Address: ejc@senecruz.guam.net

Tel: 472-3581 Fax: 472-3582



MEMORANDUM

March 4, 1998

To: The Dept. of Public Health & Social Services, Director Fax No.: 734-5910
The Dept. of Mental Health & Substance Abuse, Director 649-6948
Guam Memorial Hospital, Administrator 649-0145
Guam Health Planning & Development Agency, Director 477-3956
GGARP/SPLMA, Director 477-9015

From: Chairman & Vice Chairman Fax No.: 472-3582

Subj: Notice of Public and Confirmation Hearing
Wednesday, March 11, 1998
8:30 to 12:30 p.m.

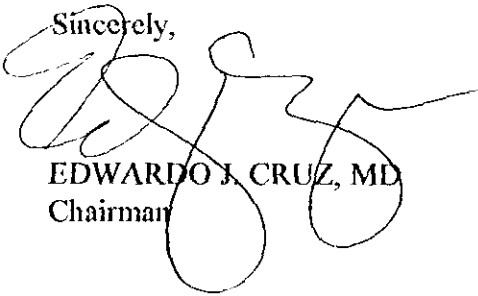
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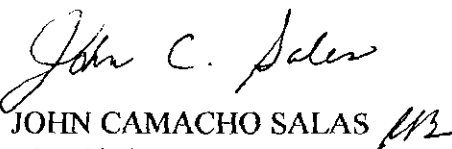
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EDUARDO J. CRUZ, MD
Chairman


JOHN CAMACHO SALAS
Vice Chairman

RL/at



Senator Edwardo J. Cruz, MD

Chairperson

Committee on Health and Human Services

Suite 1-A, Sinajana Shopping Mall Phase II,

#777 Route 4, Sinajana, Guam 96926

E-Mail Address: ejc@senecruz.guam.net

Tel: 472-3581 Fax: 472-3582



MEMORANDUM

March 4, 1998

To:	Divisional Mgr., Calvo's Insurance Gov't Affairs Mgr., FHP/Choice Plus Manager, Multi-Cover/Moylan's Insurance Plan Administrator, Staywell Insurance Chief Operating Officer, GMHP/Guam Health Shield Guam Medical Society, President	Fax No.:	477-4141 646-6923 649-5386 477-5096 477-1784 * 646-4206
From:	Chairperson & Vice Chairperson	Fax No.:	472-3582
Subj:	Notice of Public and Confirmation Hearing Wednesday, March 11, 1998 8:30 to 12:30 p.m.		

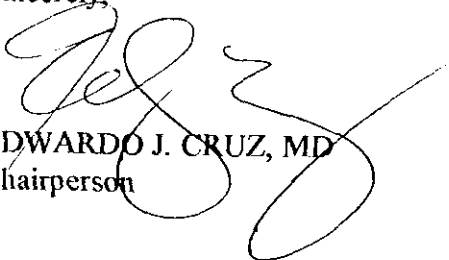
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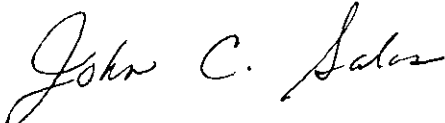
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We look forward to your participation and attendance.

Sincerely,



EDUARDO J. CRUZ, MD
Chairperson



JOHN CAMACHO SALAS 
Vice Chairperson

RL/at



Senator Edwardo J. Cruz, MD

Chairperson

Committee on Health and Human Services

Suite 1-A, Sinajana Shopping Mall Phase II,

#777 Route 4, Sinajana, Guam 96926

E-Mail Address: ejc@senecruz.guam.net

Tel: 472-3581 Fax: 472-3582



MEMORANDUM

March 4, 1998

To: The Federated States of Micronesia Fax No.: 649-6320
From: Chairperson & Vice Chairperson Fax No.: 472-3582
Subj: Notice of Public and Confirmation Hearing
Wednesday, March 11, 1998
8:30 to 12:30 p.m.

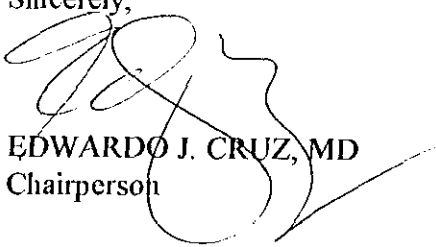
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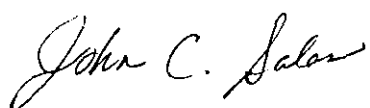
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We look forward to your participation and attendance.

Sincerely,


EDUARDO J. CRUZ, MD
Chairperson


JOHN CAMACHO SALAS
Vice Chairperson

RL/at



Senator Eduardo J. Cruz, MD

Chairperson

Committee on Health and Human Services

Suite 1-A, Sinajana Shopping Mall Phase II,
#777 Route 4, Sinajana, Guam 96926

E-Mail Address: ejc@senecruz.guam.net

Tel: 472-3581 Fax: 472-3582



MEMORANDUM

March 4, 1998

To: The Office of the Attorney General Fax No.: 477-3390
From: Chairman & Vice Chairman Fax No.: 472-3582
Subj: Notice of Public and Confirmation Hearing
Wednesday, March 11, 1998
8:30 to 12:30 p.m.

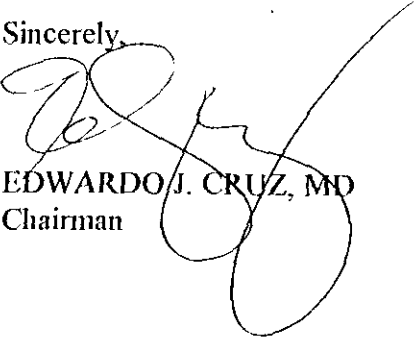
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Attached is a copy of the Agenda.

We look forward to your participation and attendance.

Sincerely,


EDUARDO J. CRUZ, MD
Chairman


JOHN CAMACHO SALAS
Vice Chairman

RL/at

TWENTY-FOURTH GUAM LEGISLATURE
Committee on Health and Human Services
SENATOR EDUARDO J. CRUZ, M. D. Chairperson,

TESTIMONY SIGN IN SHEET

Date of hearing: <u>Wednesday, March 11, 1998</u>	Location: <u>Public Hearing Room</u>
Agenda Item: <u>Bill 528</u>	

#	Name(Please Print)	Organization	Contact Number	ORAL/WITTEN	FOR/AGAINST
1.	<u>Tyrese J. Tartan</u>	<u>GMHA</u>	_____	_____	<u>For</u>
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____
7.	_____	_____	_____	_____	_____
8.	_____	_____	_____	_____	_____
9.	_____	_____	_____	_____	_____
10.	_____	_____	_____	_____	_____
11.	_____	_____	_____	_____	_____
12.	_____	_____	_____	_____	_____
13.	_____	_____	_____	_____	_____
14.	_____	_____	_____	_____	_____
15.	_____	_____	_____	_____	_____

Bill 528

SENT BY:

3-20-98 : 2:34PM :

BBMR ->

671 472 3582.# 2/ 3

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

BBMR-F7

Bill Number: 528 Date Received: March 17, 1998
Amendatory Bill: No Date Reviewed: March 20, 1998
Department/Agency Affected: Guam Memorial Hospital Authority
Department/Agency Head: Tyrone J. Taitano, Hospital Administrator
Total FY Appropriation to Date: Autonomous

Bill Title (preamble): An act relative to authorizing the Guam Memorial Hospital Authority to solicit and/or receive donations, contributions, gifts, and bequests for the purpose of improving patient care to the community by adding a new subsection 80117 and 80118, Chapter 80, Division to Title 10 of the Guam Code annotated and to cite this act as "The GMHA Donations, Contributions, Gifts, and Bequests Solicitations, Utilization and Administration Act of 1998.

Change in Law: N/A

Bill's Impact on Present Program Funding:

Increase X Decrease Reallocation No Change

Bill is for:

Operations X Capital Improvement Other

FINANCIAL/PROGRAM IMPACT

Table with 4 columns: PROGRAM CATEGORY, GENERAL FUND, OTHER, TOTAL. Row 1: Health and Welfare, //

Table with 7 columns: FUND, 1st, 2nd, 3rd, 4th, 5th, TOTAL. Rows: GENERAL, OTHER (//), TOTAL

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? // - IF NO, ADD'L AMOUNT REQUIRED \$

AGENCY/PERSON/DATE CONTACTED:

Table with 7 columns: FUND, 1st, 2nd, 3rd, 4th, 5th, TOTAL. Rows: GENERAL FUND, OTHER (//), TOTAL

ANALYST Dina P. Chock DATE 3/20/98 DIRECTOR Joseph E. Rivera, Acting DATE MAR 20 1998

FOOTNOTE(S): // See Attachment

SENT BY:

3-20-98 : 2:35PM :

BBM

671 472 3582:# 3/ 3

Fiscal Note Comments

Bill No. 528 is an act authorizing the Guam Memorial Hospital Authority (GMHA) to solicit and/or receive donations, contributions, gifts, and bequests for the purpose of improving patient care to the community. It also authorizes GMHA to collect revenues from the installation of vending machines or other similar machines to be used for the purpose of benefiting the GMHA employees. As such, this Bill, if enacted, will have a positive financial impact to GMHA especially if significant donations and contributions are granted. The impact, therefore, would be dependent on the amount of revenues collected and donations, contributions, gifts, etc. received by GMHA within a specific time period.

The General Fund revenues available for appropriation, as adopted in Public Law 24-59, is \$353,292,790 (includes \$7,600,000 Autonomous Agency Fund, \$7,000,000 Use Tax and \$36,000,000 in Section 30 funds). The appropriations for FY1998 in P.L. 24-59 is \$346,128,092 plus continuing appropriations for debt service of \$2,504,141 for a total appropriation against of \$348,632,234. Pursuant to P.L. 24-59, surplus FY1998 revenues available for appropriations is \$4.6M.

However, it should be noted that the expected combined collection from both the Autonomous Agency Fund and the Use Tax is only \$3.0M, a reduction of \$11.6M ($\$14.6 - 3.0 = \11.6). As such, \$341,739,919 in revenue less \$348,632,234 in appropriations leaves an expected shortfall of (\$6,892,315) as of P.L. 24-59.