



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

Refer to  
Legislative Secretary

**JAN 04 1999**

The Honorable Antonio R. Unpingco  
Speaker  
Mina'Bente Kuattro na Liheslaturan Guåhan  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ADMINISTRATIVE SERVICES	
Received By:	<i>[Signature]</i>
Time:	1:33 pm
Date:	1-6-99

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 771 (COR), "AN ACT TO AMEND §2415(a) OF ARTICLE 4, CHAPTER 2, AND §3322(a) OF ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1, PART 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, AS AMENDED BY P.L. NO. 24-154, RELATIVE TO CHILDRENS' CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION", which was vetoed and subsequently overridden by Public Law No. 24-335.

Very truly yours,

*[Signature]*  
Carl T. C. Gutierrez  
I Maga'lahaen Guåhan  
Governor of Guam

Attachment:      copy attached for signed bill or overridden bill  
                         original attached for vetoed bill

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

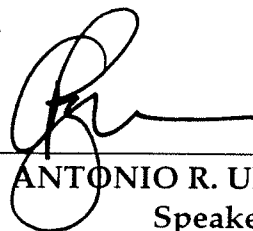
00012

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 1-6-99  
Time: 1049  
Rec'd by: *[Signature]*  
Print Name: Martene D.

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN


This is to certify that Substitute Bill No. 771 (COR), "AN ACT TO AMEND §2415(a) OF ARTICLE 4, CHAPTER 2, AND §3322(a) OF ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1, PART 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, AS AMENDED BY P.L. NO. 24-154, RELATIVE TO CHILDREN'S CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION," returned without approval of *I Maga'lahen Guahan*, was reconsidered by *I Liheslaturan Guahan* and after such consideration, did agree, on the 30<sup>th</sup> day of December, 1998, to pass said bill notwithstanding the veto of *I Maga'lahen Guahan* by a vote of eighteen (18) members.



---

ANTONIO R. UNPINGCO  
Speaker

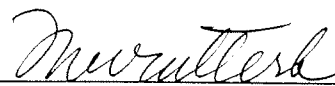
Attested:



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JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guahan* this 31<sup>st</sup> day of December,  
1998, at 3:10 o'clock P.M.



---

Assistant Staff Officer  
*Maga'lahi's* Office

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session**

**Bill No. 771 (COR)**

As substituted on the Floor

Introduced by:

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

**AN ACT TO AMEND §2415(a) OF ARTICLE 4,  
CHAPTER 2, AND §3322(a) OF ARTICLE 3,  
CHAPTER 3, BOTH OF DIVISION 1, PART 1 OF  
TITLE 10 OF THE GUAM CODE ANNOTATED, AS  
AMENDED BY P.L. NO. 24-154, RELATIVE TO  
CHILDREN'S CERTIFICATES OF HEALTH AND  
THEIR VACCINATION AND IMMUNIZATION.**

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

2           **Section 1.** Section 2415(a) of Article 4, Chapter 2, Division 1, Part 1 of  
3 Title 10 of the Guam Code Annotated, *as amended by P.L. No. 24-154*, is hereby  
4 *amended* to read as follows:

5                   **"Section 2415. Children's Certificate of Health.** (a) No  
6 child shall be admitted to any child care facility without a certificate of  
7 health, which includes the required vaccination or immunization,  
8 certified annually by a qualified Guam licensed physician indicating  
9 that the child would *not* constitute a contagious health risk for the  
10 public at large. Certificates of Health shall be made on forms provided  
11 by the Department, and a copy of the certificate for medical or religious  
12 exemptions shall be included in the child's health record at the child  
13 care facility where enrolled."

14           **Section 2.** Section 3322(a) of Article 3, Chapter 3, Division 1, Part 1 of  
15 Title 10 of the Guam Code Annotated, *as amended by P.L. No. 24-154*, is hereby  
16 *amended* to read as follows:

17                   **"Section 3322. Vaccination and Immunization.** (a) No  
18 student shall be permitted to attend any public or private school, college  
19 or university within Guam *unless* evidence is presented to the enrolling  
20 officer of such school, college or university that the student child is free  
21 from any communicable diseases, and has had all the required  
22 vaccinations or immunizations as the Director shall in conformity with  
23 Advisory Committee on Immunization Practice ('ACIP') of the United  
24 States Department of Human Services and the American Academy of

1 Pediatrics ('AAP'); provided, that in the event that the  
2 recommendations of the ACIP and the AAP differ, the Department shall  
3 determine which recommendations shall apply, *except* that exemption  
4 may be granted to a student in a case:

5 (i) when the vaccination or immunization would be  
6 against his or her religious beliefs and would *not* constitute a  
7 contagious health risk for the public at large, as certified annually  
8 prior to commencement of the school year by the Director in  
9 consultation with a Guam Licensed physician or by a Guam  
10 licensed physician; *or*

11 (ii) upon certification by a parent or guardian of a student  
12 who is a minor, that such vaccination or immunization would be  
13 against their religious belief and would *not* constitute a contagious  
14 health risk for the public at large, as certified annually prior to  
15 commencement of the school year by the Director in consultation  
16 with a Guam licensed physician or by a Guam Licensed physician;  
17 *or*

18 (iii) *when* a student who has been certified by a Guam  
19 licensed medical doctor that said student should be exempt from  
20 this Section where medical contraindication to his or her receiving  
21 a specific vaccine exists."



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

Refer to  
**Legislative Secretary**

**DEC 28 1998**

The Honorable Antonio R. Unpingco  
Speaker  
Mina'Bente Kuattro na Liheslaturan Guahan  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	
Time	2:54pm
Date	12.28.98

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 771 (COR), "AN ACT TO AMEND §2415(a) OF ARTICLE 4, CHAPTER 2, AND §3322(a) OF ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1, PART 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, AS AMENDED BY P.L. NO. 24-154, RELATIVE TO CHILDRENS' CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION", which I have vetoed.

This legislation makes it discretionary on the part of the Director of Public Health to issue a health certificate, on the basis of a judgment of a private physician that a particular individual is free from disease at the beginning of a school year. This legislation does not take into account that a private physician does not have the government mandate to ensure prevention of disease in the general population. Many diseases which are vaccinated against have virtually disappeared, and may not even be easily recognizable to the average physician at a once a year health exam. The legislation does not contain any reason for a physician to aggressively determine the absence of communicable diseases, especially those for which there are vaccinations and immunizations and are seen infrequently.

There are no standards for determining a religious exemption contained in this legislation.

Very truly yours,

Carl T. C. Gutierrez  
I Maga'lahaen Guahan  
Governor of Guam

01151

Attachment: copy attached for signed bill  
original attached for vetoed bill

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

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: December 29, 1998  
Time: 11:52  
Rec'd by:   
Print Name: Jack

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN


This is to certify that Substitute Bill No. 771 (COR), "AN ACT TO AMEND §2415(a) OF ARTICLE 4, CHAPTER 2, AND §3322(a) OF ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1, PART 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, AS AMENDED BY P.L. NO. 24-154, RELATIVE TO CHILDREN'S CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION," was on the 11<sup>th</sup> day of December, 1998, duly and regularly passed.



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ANTONIO R. UNPINGCO  
Speaker

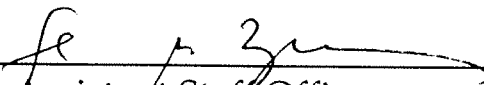
Attested:



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JOANNE M.S. BROWN  
Senator and Legislative Secretary

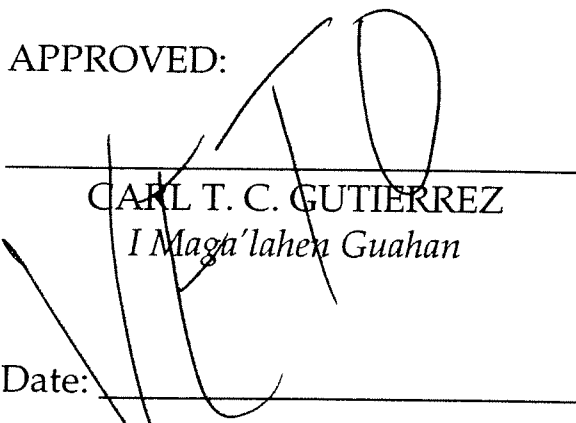
-----  
This Act was received by *I Maga'lahen Guahan* this 16<sup>th</sup> day of December, 1998,  
at 11:10 o'clock A.M.



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Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



---

CARL T. C. GUTIERREZ  
*I Maga'lahen Guahan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session**

**Bill No. 771 (COR)**

As substituted on the Floor

Introduced by:

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

**AN ACT TO AMEND §2415(a) OF ARTICLE 4,  
CHAPTER 2, AND §3322(a) OF ARTICLE 3,  
CHAPTER 3, BOTH OF DIVISION 1, PART 1 OF  
TITLE 10 OF THE GUAM CODE ANNOTATED, AS  
AMENDED BY P.L. NO. 24-154, RELATIVE TO  
CHILDREN'S CERTIFICATES OF HEALTH AND  
THEIR VACCINATION AND IMMUNIZATION.**



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

2           **Section 1.**   Section 2415(a) of Article 4, Chapter 2, Division 1, Part 1 of  
3 Title 10 of the Guam Code Annotated, *as amended by P.L. No. 24-154*, is hereby  
4 *amended* to read as follows:

5           **“Section 2415. Children’s Certificate of Health.**   (a)   No  
6 child shall be admitted to any child care facility without a certificate of  
7 health, which includes the required vaccination or immunization,  
8 certified annually by a qualified Guam licensed physician indicating  
9 that the child would *not* constitute a contagious health risk for the  
10 public at large. Certificates of Health shall be made on forms provided  
11 by the Department, and a copy of the certificate for medical or religious  
12 exemptions shall be included in the child’s health record at the child  
13 care facility where enrolled.”

14          **Section 2.**   Section 3322(a) of Article 3, Chapter 3, Division 1, Part 1 of  
15 Title 10 of the Guam Code Annotated, *as amended by P.L. No. 24-154*, is hereby  
16 *amended* to read as follows:

17          **“Section 3322. Vaccination and Immunization.**   (a)   No  
18 student shall be permitted to attend any public or private school, college  
19 or university within Guam *unless* evidence is presented to the enrolling  
20 officer of such school, college or university that the student child is free  
21 from any communicable diseases, and has had all the required  
22 vaccinations or immunizations as the Director shall in conformity with  
23 Advisory Committee on Immunization Practice (‘ACIP’) of the United  
24 States Department of Human Services and the American Academy of

1 Pediatrics ('AAP'); provided, that in the event that the  
2 recommendations of the ACIP and the AAP differ, the Department shall  
3 determine which recommendations shall apply, *except* that exemption  
4 may be granted to a student in a case:

5 (i) when the vaccination or immunization would be  
6 against his or her religious beliefs and would *not* constitute a  
7 contagious health risk for the public at large, as certified annually  
8 prior to commencement of the school year by the Director in  
9 consultation with a Guam Licensed physician or by a Guam  
10 licensed physician; *or*

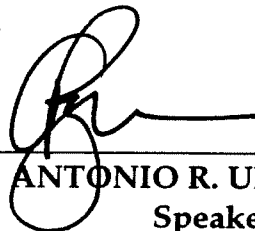
11 (ii) upon certification by a parent or guardian of a student  
12 who is a minor, that such vaccination or immunization would be  
13 against their religious belief and would *not* constitute a contagious  
14 health risk for the public at large, as certified annually prior to  
15 commencement of the school year by the Director in consultation  
16 with a Guam licensed physician or by a Guam Licensed physician;  
17 *or*

18 (iii) *when* a student who has been certified by a Guam  
19 licensed medical doctor that said student should be exempt from  
20 this Section where medical contraindication to his or her receiving  
21 a specific vaccine exists."


MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN


This is to certify that Substitute Bill No. 771 (COR), "AN ACT TO AMEND §2415(a) OF ARTICLE 4, CHAPTER 2, AND §3322(a) OF ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1, PART 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, AS AMENDED BY P.L. NO. 24-154, RELATIVE TO CHILDREN'S CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION," returned without approval of *I Maga'lahen Guahan*, was reconsidered by *I Liheslaturan Guahan* and after such consideration, did agree, on the 30<sup>th</sup> day of December, 1998, to pass said bill notwithstanding the veto of *I Maga'lahen Guahan* by a vote of eighteen (18) members.

  
ANTONIO R. UNPINGCO  
Speaker

Attested:

  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guahan* this 31<sup>st</sup> day of December,  
1998, at 3:10 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

\_\_\_\_\_  
CARL T. C. GUTIERREZ  
*I Maga'lahen Guahan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session**

**Bill No. 771 (COR)**

As substituted on the Floor

Introduced by:

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

**AN ACT TO AMEND §2415(a) OF ARTICLE 4,  
CHAPTER 2, AND §3322(a) OF ARTICLE 3,  
CHAPTER 3, BOTH OF DIVISION 1, PART 1 OF  
TITLE 10 OF THE GUAM CODE ANNOTATED, AS  
AMENDED BY P.L. NO. 24-154, RELATIVE TO  
CHILDREN'S CERTIFICATES OF HEALTH AND  
THEIR VACCINATION AND IMMUNIZATION.**

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

2           **Section 1.**   Section 2415(a) of Article 4, Chapter 2, Division 1, Part 1 of  
3 Title 10 of the Guam Code Annotated, *as amended by P.L. No. 24-154*, is hereby  
4 *amended* to read as follows:

5                   **"Section 2415.   Children's Certificate of Health.**       (a)   No  
6 child shall be admitted to any child care facility without a certificate of  
7 health, which includes the required vaccination or immunization,  
8 certified annually by a qualified Guam licensed physician indicating  
9 that the child would *not* constitute a contagious health risk for the  
10 public at large. Certificates of Health shall be made on forms provided  
11 by the Department, and a copy of the certificate for medical or religious  
12 exemptions shall be included in the child's health record at the child  
13 care facility where enrolled."

14           **Section 2.**   Section 3322(a) of Article 3, Chapter 3, Division 1, Part 1 of  
15 Title 10 of the Guam Code Annotated, *as amended by P.L. No. 24-154*, is hereby  
16 *amended* to read as follows:

17                   **"Section 3322.   Vaccination and Immunization.**       (a)   No  
18 student shall be permitted to attend any public or private school, college  
19 or university within Guam *unless* evidence is presented to the enrolling  
20 officer of such school, college or university that the student child is free  
21 from any communicable diseases, and has had all the required  
22 vaccinations or immunizations as the Director shall in conformity with  
23 Advisory Committee on Immunization Practice ('ACIP') of the United  
24 States Department of Human Services and the American Academy of

1 Pediatrics ('AAP'); provided, that in the event that the  
2 recommendations of the ACIP and the AAP differ, the Department shall  
3 determine which recommendations shall apply, *except* that exemption  
4 may be granted to a student in a case:

5 (i) when the vaccination or immunization would be  
6 against his or her religious beliefs and would *not* constitute a  
7 contagious health risk for the public at large, as certified annually  
8 prior to commencement of the school year by the Director in  
9 consultation with a Guam Licensed physician or by a Guam  
10 licensed physician; *or*

11 (ii) upon certification by a parent or guardian of a student  
12 who is a minor, that such vaccination or immunization would be  
13 against their religious belief and would *not* constitute a contagious  
14 health risk for the public at large, as certified annually prior to  
15 commencement of the school year by the Director in consultation  
16 with a Guam licensed physician or by a Guam Licensed physician;  
17 *or*

18 (iii) *when* a student who has been certified by a Guam  
19 licensed medical doctor that said student should be exempt from  
20 this Section where medical contraindication to his or her receiving  
21 a specific vaccine exists."

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN


This is to certify that Substitute Bill No. 771 (COR), "AN ACT TO AMEND §2415(a) OF ARTICLE 4, CHAPTER 2, AND §3322(a) OF ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1, PART 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, AS AMENDED BY P.L. NO. 24-154, RELATIVE TO CHILDREN'S CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION," was on the 11<sup>th</sup> day of December, 1998, duly and regularly passed.



---

ANTONIO R. UNPINGCO  
Speaker

Attested:



---

JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guahan* this 16<sup>th</sup> day of December, 1998,  
at 11:10 o'clock A.M.



---

Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

---

CARL T. C. GUTIERREZ  
*I Maga'lahen Guahan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

**Bill No. 771 (COR)**

As substituted on the Floor

Introduced by:

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

AN ACT TO AMEND §2415(a) OF ARTICLE 4,  
CHAPTER 2, AND §3322(a) OF ARTICLE 3,  
CHAPTER 3, BOTH OF DIVISION 1, PART 1 OF  
TITLE 10 OF THE GUAM CODE ANNOTATED, AS  
AMENDED BY P.L. NO. 24-154, RELATIVE TO  
CHILDREN'S CERTIFICATES OF HEALTH AND  
THEIR VACCINATION AND IMMUNIZATION.



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

2           **Section 1.**   Section 2415(a) of Article 4, Chapter 2, Division 1, Part 1 of  
3 Title 10 of the Guam Code Annotated, *as amended by P.L. No. 24-154*, is hereby  
4 *amended* to read as follows:

5                   **"Section 2415. Children's Certificate of Health.**   (a)   No  
6 child shall be admitted to any child care facility without a certificate of  
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13 care facility where enrolled."

14           **Section 2.**   Section 3322(a) of Article 3, Chapter 3, Division 1, Part 1 of  
15 Title 10 of the Guam Code Annotated, *as amended by P.L. No. 24-154*, is hereby  
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18 student shall be permitted to attend any public or private school, college  
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20 officer of such school, college or university that the student child is free  
21 from any communicable diseases, and has had all the required  
22 vaccinations or immunizations as the Director shall in conformity with  
23 Advisory Committee on Immunization Practice ('ACIP') of the United  
24 States Department of Human Services and the American Academy of

1 Pediatrics ('AAP'); provided, that in the event that the  
2 recommendations of the ACIP and the AAP differ, the Department shall  
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5 (i) when the vaccination or immunization would be  
6 against his or her religious beliefs and would *not* constitute a  
7 contagious health risk for the public at large, as certified annually  
8 prior to commencement of the school year by the Director in  
9 consultation with a Guam Licensed physician or by a Guam  
10 licensed physician; *or*

11 (ii) upon certification by a parent or guardian of a student  
12 who is a minor, that such vaccination or immunization would be  
13 against their religious belief and would *not* constitute a contagious  
14 health risk for the public at large, as certified annually prior to  
15 commencement of the school year by the Director in consultation  
16 with a Guam licensed physician or by a Guam Licensed physician;  
17 *or*

18 (iii) *when* a student who has been certified by a Guam  
19 licensed medical doctor that said student should be exempt from  
20 this Section where medical contraindication to his or her receiving  
21 a specific vaccine exists."

# I MINA' BENTE KUATTRO NA LIHESLATURAN GUAHAN

## 1998 (SECOND) Regular Session

Date: 12/11/98

### VOTING SHEET

5 Bill No. 771  
 Resolution No. \_\_\_\_\_  
 Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT ROLL CALL
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
<del>BARRETT-ANDERSON, Elizabeth</del>					
BLAZ, Anthony C.	✓				
BROWN, Joanne M. S.	✓				
CAMACHO, Felix P.	✓				
CAMACHO, Francisco P.	✓				
CHARFAUROS, Mark C.					✓
CRUZ, Edwardo J.	✓				
FLORES, William B.S.M.					✓
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.	✓				
LEON GUERRERO, Lou	✓				
PANGELINAN, Vicente C.	✓				
SALAS, John C.	✓				
SANTOS, Angel L.G.					EA ✓
SANTOS, Francis E.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

17

3

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
 Clerk of the Legislature

\* 3 Passes = No vote  
 EA = Excused Absence

PL 24-335

**Committee on Health and Human Services**  
***Mina'Bente Kuattro Na Liheslaturan Guahan***

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

November 29, 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

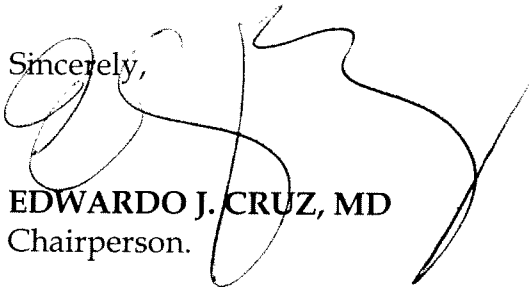
Dear Mr. Speaker:

The Committee on Health and Human Services, to which was referred Bill No. 771 (COR), "AN ACT TO AMEND §3322 (a) OF ARTICLE 3, CHAPTER 3, DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW NUMBER 24-154 RELATIVE TO CHILDRENS' CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION," has had the same under consideration and now wishes to report back the same with the recommendation to do pass.

The Committee votes are as follows:

11 To Do Pass  
       Not to Pass  
       Abstain  
       Inactive File

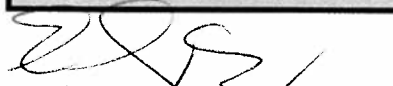
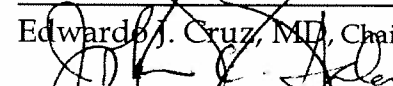

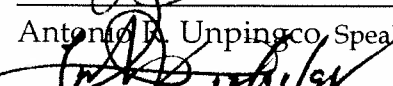
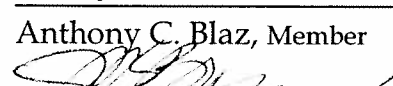
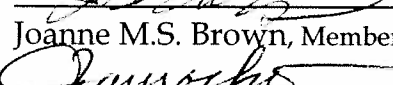
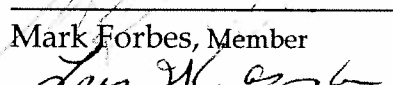
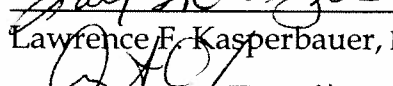
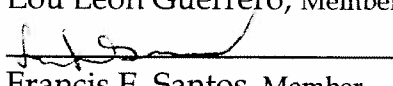
A copy of the Committee Report and other pertinent documents are attached for your immediate reference and information.

Sincerely,  
  
EDUARDO J. CRUZ, MD  
Chairperson.

Enclosure:

**Committee Health and Human Services**  
**Vote Sheet on**  
**Bill No. 771 (COR)**

AN ACT TO AMEND §3322 (a) OF ARTICLE 3, CHAPTER 3, DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW NUMBER 24-154 RELATIVE TO CHILDRENS' CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION.

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 Edwardo J. Cruz, MD, Chairperson	✓			
 John Camacho Salas, Vice Chairperson	✓			
 Antonio R. Unpingco, Speaker & Ex-Officio	✓			
 Frank Blas Aguon, Jr., Member	✓			
Anthony C. Blaz, 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 Leon Guerrero, Member				
 Francis E. Santos, Member	✓			

Committee on Health and Human Services  
Report on  
Bill No. 771 (COR)

AN ACT TO AMEND §3322 (a) OF ARTICLE 3, CHAPTER 3, DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW NUMBER 24-154 RELATIVE TO CHILDRENS' CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION.

Introduced by Senators

E. J. Cruz, L. A. Leon Guerrero, J. C. Salas

L. F. Kasperbauer, Felix P. Camacho, W. B.S.M. Flores, F. B. Aguon, Jr.,  
and Francisco P. Camacho

**PUBLIC HEARING:** The Committee on Health and Human Services, to which was referred Bill No. 771 (COR), "AN ACT TO AMEND §3322 (a) OF ARTICLE 3, CHAPTER 3, DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW NUMBER 24-154 RELATIVE TO CHILDRENS' CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION.," conducted a public hearing on Wednesday, October 28 1998 at 8:45 a.m. at the Legislative Public Hearing Room.

**MEMBERS PRESENT:** Senator Edwardo J. Cruz, Chairperson of the Committee on Health and Human Services convened the hearing at 10:00 a.m. Committee members and other Senators present were: John C. Salas, Vice-Chairperson, Frank B. Aguon, Jr., and Judith P. Won Pat.

**TESTIMONY:** Appearing before the Committee was Luis Martinez from the Department of Education and Dennis Rodriguez, the Director of the Department of Public Health and Social Services both submitted testimony against Bill No. 771.

Luis Martinez informed the Committee that the Department of Education strongly objects to both the spirit and content of Bill No. 771. Mr. Martinez elaborated saying: Guam is in an area that is susceptible to high rates of vaccine preventable diseases; mass immunization of children have proven to be the single most effective method of ensuring that they and the population at large are not infected; and certification that children are free from communicable diseases not grant them any immunity from contracting, therefore subsequently transmitting the disease.

In closing, Mr. Martinez informed the Committee that the Department of Education has one of the highest, if not the highest student immunization completion rates in the country. As a result no DOE student contracted measles during the 1994 measles epidemic.

Dennis Rodriguez testified that the Department believes strongly that vaccination or immunization exemptions for reasons other than medical contraindications will seriously erode the successes that have been achieved through the mandatory immunization requirements presently being implemented for Guam's public schools. In summary, Mr. Rodriguez suggested that a liability on the part of the physician should be imposed should an outbreak occur and epidemiological investigations determine on be that an unvaccinated or non-immunized individual was under their care and if significant harm comes to any individuals who contract the actual disease. He also requested that with the exemption from vaccination or immunization because of medical contraindications, no other reason be allowed.

Drs. June Larkin and Barbara Onedera-Gregory also submitted testimony supporting the provisions contained in Bill No. 771. Dr. Larkin apprised the Committee that her two (2) older children have been in public school on Guam since kindergarten. Under a previous law P.L. 22-130, their religious rights to not vaccinate were protected and their children were able to pursue their education. All that was required under law P.L. 22-130 was a certification by the parent that vaccinations would be against their bona fide religious belief. When P.L. 22-130 was amended this year, her younger child gained access into preschool and their older children, now in fourth grade and second grade, were forced out of school and we were told that under the current law they will never be allowed to return to school.

According to Dr. Larkin, their religious belief is not in question here; it has already been established. I believe that those individuals who may seek this exemption are similar to us in that they have taken extraordinary measures to maintain optimal health through a healthy lifestyle. It has been commented that the religious exemption would allow unvaccinated children to enter school because their parents are too lazy to get the vaccinations. I can say from first hand experience that filling out the 2-3 page certificate application, proving our religious belief, and waiting for a reply is more work than taking them to the doctor.

At the outset, Dr. Gregory stated that the amendment contained in Bill No. 771 is needed to clarify the language of the law and ensure that a religious exemption is available for those who request it. As it stands now Section 3322 (a) of article 3, chapter 3. Division 1 of Title 10 of The Guam Code annotated as enacted by PL 24-154 which refers to the religious exemption to vaccinations is very broad and has been interpreted in very many ways.

According to Dr. Gregory, the Director's interpretation of this section has nullified the intent of the law which was to allow for a religious exemption. At this time, no religious exemption is being granted to any student in public or private school, college or university here on Guam. However, Religious exemptions have been granted to children in Preschool and child care facilities because Section 3322 does not apply to them. They are governed by Section 2415 which was also amended by PL 24-154.

Dr. Gregory also stated that Bill 72 was drafted to update Section 2415 which governed child care facilities. It also ensured the availability of a religious exemption as well as update the vaccination requirement for this age group. Also prior to the enactment of P.L. 24-154, " Religious exemption had been in effect since 1994."

After discussion and there being no other witnesses, the Chairperson adjourned the Committee's hearing on Bill No. 771.

**Findings:** In 1994, P.L. 22-130 was enacted. This law provided for a medical and religious exemption from vaccination for public and private school children and college or university students. However, because Preschools, nurseries, and Child Care Facilities, did not fall under this law, a Religious exemption was unavailable for children under five years old. Therefore my child was unable to enroll in any of these facilities.

The primary purpose of P.L. 24-154 was to add a religious exemption to vaccinations for preschool age children and to update the vaccination requirements for the school age children. Though intending to continue its provisions for a religious exemption for school age children, the law added a requirement for an approval certificate from the Director of Public Health. P.L. 24-154 gives the Director the responsibility for filtering out those individuals who might pose a health threat to the public at large, such as, for example, a child with active TB or some other contagious disease.

The director has refused to provide a certificate necessary for children to reenter into school by claiming that they pose a health risk to the public at large. Parents affected by the decision have tried countless times to prove that their children are healthy and they do not pose a health risk to anyone. They have refused a certificate because their children were not vaccinated. The present law allows the director to withhold a certificate, without proving whether or not a person is a health risk. Without this certification, this religious exemption provided for by law is worthless.

Bill No. 771 will take the sole responsibility of determining whether someone is a health risk out of the hands of Public Health and gives equal authority to a medical physician. The Committee believes that a licensed medical physician is more qualified to determine whether or not an individual is free of any communicable disease. Unlike the Director, a physician can also determine through laboratory tests whether an individual has existing immunities to specific diseases.



**PROFILE ON BILL NO, 771 (COR):**

Brief Title: "Childrens' Certificate of Health and Immunization."

Date Introduced: Friday, October 20, 1998.

Main Sponsors: Senators E. J. Cruz, L. A. Leon Guerrero and J. C. Salas.

Committee Referral: From the Committee on Rules, Government Reform and Federal Affairs to the Committee on Health on Human Services.

Public Hearing: Wednesday, October 28, 1998, at the Legislative Public Hearing Room.

Official Title: AN ACT TO AMEND §3322 (a) OF ARTICLE 3, CHAPTER 3, DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW NUMBER 24-154 RELATIVE TO CHILDRENS' CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION.

Co-sponsor(s): Senator(s) L. F. Kasperbauer, Felix P. Camacho, W. B.S.M. Flores, F. B. Aguon, Jr., and Francisco P. Camacho.

Recommendation: To do pass.

**Overview:** The legislation amends §3322(a) of Article 3, Chapter 3, Division 1 of Title 10 of the Guam Code Annotated enacted by P.L. No. 24-154. The proposed amendment provides no student shall be permitted to attend any public or private school, college or university within Guam unless evidence is presented showing that the student child is free from any communicable diseases and has had all the required vaccinations or immunizations. Exemption may be granted to a student in a case:

(i) when the vaccination or immunization would be against his or her religious beliefs and is free from any communicable diseases as certified by the Director or a Guam licensed physician; or

(ii) upon certification by a parent or guardian of a student who is a minor that such vaccination or immunization would be against their religious belief and is free from any communicable diseases as certified by the Director or a Guam licensed physician; or


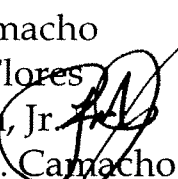
(iii) when a student who has been certified by a Guam licensed medical doctor that said student should be exempt from this Section where medical contraindication to his or her receiving a specific vaccine exists."

**RECOMMENDATION:** The Committee, having reviewed the testimonies presented at the public hearing, does hereby recommend to *I Liheslaturan Guahan* that Bill No. 771 (COR), "AN ACT TO AMEND §3322 (a) OF ARTICLE 3, CHAPTER 3, DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW NUMBER 24-154 RELATIVE TO CHILDRENS' CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION," be passed.

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

Bill No. 771 (COR)

Introduced by:

E. J. Cruz, MD   
L. A. Leon Guerrero  
J. C. Salas  
L. F. Kasperbauer  
Felix P. Camacho  
W. B.S.M. Flores  
F. B. Aguon, Jr.   
Francisco P. Camacho

AN ACT TO AMEND §3322 (a) OF ARTICLE 3,  
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GUAM CODE ANNOTATED AS ENACTED BY  
PUBLIC LAW NUMBER 24-154 RELATIVE TO  
CHILDRENS' CERTIFICATES OF HEALTH AND  
THEIR VACCINATION AND IMMUNIZATION.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Section 3322(a) of Article 3, Chapter 3, Division 1 of Title 10  
3 of the Guam Code Annotated enacted by P.L. No. 24-154 is hereby *amended* to  
4 read as follows:

5 "Section 3322. Vaccination and Immunization. (a) No  
6 student shall be permitted to attend any public or private school, college  
7 or university within Guam unless evidence is presented to the enrolling  
8 officer of such school, college or university that the student child is free

1 from any communicable diseases and has had all the required  
2 vaccinations or immunizations as the Director shall in conformity with  
3 Advisory Committee on Immunization Practice ('ACIP') of the United  
4 States Department of Human Services and the American Academy of  
5 Pediatrics ('AAP'); provided, that in the event that the  
6 recommendations of the ACIP and the AAP differ, the Department shall  
7 determine which recommendations shall apply, except that exemption  
8 may be granted to a student in a case;

9 (i) when the vaccination or immunization would be  
10 against his or her religious beliefs and is free from any communicable  
11 diseases ~~would not constitute a contagious health risk for the~~  
12 ~~public at large,~~ as certified by the Director or a Guam licensed  
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
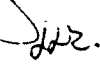

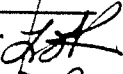

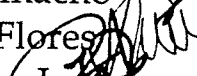


14 (ii) upon certification by a parent or guardian of a student  
15 who is a minor that such vaccination or immunization would be  
16 against their religious belief and is free from any communicable  
17 diseases ~~would not constitute a contagious health risk for the~~  
18 ~~public at large,~~ as certified by the Director or a Guam licensed  
19 physician; or

20 (iii) when ~~to~~ a student who has been certified by a Guam  
21 licensed medical doctor that said student should be exempt from  
22 this Section where medical contraindication to his or her receiving  
23 a specific vaccine exists."

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

Bill No. 771 (cor)

Introduced by:

E. J. Cruz, MD   
L. A. Leon Guerrero   
J. C. Salas   
L. F. Kasperbauer   
Felix P. Camacho   
W. B.S.M. Flores   
F. B. Aguon, Jr.   
Francisco P. Camacho 

AN ACT TO AMEND §3322 (a) OF ARTICLE 3,  
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4 States Department of Human Services and the American Academy of  
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20 (iii) when ~~to~~ a student who has been certified by a Guam  
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23 a specific vaccine exists."



# I Mina' Bente Kuattro Na Liheslaturan Guahan

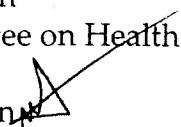
Kumitean Areklamento, Refotman Gubetnamento Siha, yan Asunton Fidirat

*Senator Mark Forbes, Chairman*

**NOV 30 1998**

## MEMORANDUM

**TO:** Chairman  
Committee on Health and Human Services

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

**SUBJECT:** Referral- Bill No. 771

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



# DEPARTMENT OF EDUCATION

P.O. Box DE  
Agana, Guam 96932  
Tel: (671) 475-0457  
Fax: (671) 472-5003



OCT 27 1998

Senator Edward Cruz, Chairperson  
Committee on Health & Human Services  
24th Guam Legislature  
Agana, Guam

Dear Senator Cruz:

The Department of Education objects, in the strongest possible terms, with both the spirit and content of Bill 771, an Act to amend Section 3322(a) of Chapter 3, Division 1, of Title 10 GCA to allow certain persons to attend school without having received the immunizations required by law. Our reasons are as follows:

1. Guam is in an area of the world that is susceptible to high rates of vaccine preventable diseases.
2. Vaccine preventable diseases pose a serious health threat to our community. Consider: the measles epidemic of 1984 resulted in 101 cases and caused one death; the measles epidemic of 1994 resulted 224 confirmed cases and caused three deaths. The mortality rates of these two epidemics were therefore between ten to thirteen times higher than the mortality rates of measles epidemics which have occurred in the continental United States.
3. Mass immunization of all children has proven to be the single most effective method of ensuring that they and the population at large are not infected with vaccine preventable diseases.
4. Immunization programs are most effective when all of the members of a population--in this case school aged children--are immunized. These programs lose their effectiveness as members of the population to be protected are exempted from receiving the immunizations which the public health system has determined are needed for the population.
5. Certification that children are free from communicable diseases does not grant them any immunity from contracting, and therefore subsequently transmitting, the diseases. Immunity only comes from immunizations, or from having had the diseases (which is what immunizations are designed to prevent).

This bill would make it easy for persons who do not want to bother with having their children immunized to become exempted from doing so by simply claiming immunizations are against their religious beliefs, regardless of whether they actually have these beliefs. This bill would accept on face value parents' assertions that their religious

COMMONWEALTH NOW!



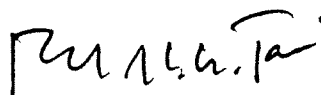


beliefs prohibit immunizations, regardless of whether they really are (or can document that they are) practicing members of a religion which teaches immunizations should not be received. All of the parents who have ever approached DOE over the last fourteen years have barely made reference to their religious beliefs when actually discussing a request for an exemption. Rather, they mainly argued that the side-effect risks of immunizations outweigh their benefits. Interestingly, they often said or implied there was no need for their children to be immunized because all other students are. We must then carefully consider that for some of these parents the real issue is not religious beliefs, but one of using that claim as a loophole to avoid the risks associated with immunizations.

Please remember that the number of people who suffer serious side effects from immunizations is incredibly small when compared to the many people who contract vaccine preventable diseases in incompletely immunized populations. As pointed out earlier, having a well vaccinated population is the most effective form of protection for that population. We are therefore troubled by an attempt to allow certain members of our community to enjoy the tremendous benefits of immunizations without having to be immunized.

We realize that the right of persons who truly have religious beliefs to practice them is of primary importance to our society. However, the exercise of this right cannot infringe upon the safety of others. Unfortunately, having unimmunized children in school is an infringement on other children's safety, even if the other children are immunized. Immunizations are not 100% effective: they have a failure rate, admittedly low. A small percentage of immunized persons will contract vaccine preventable diseases if exposed to them. The best way to prevent these persons from contracting the diseases is by ensuring that the people they regularly come into contact with are also immunized. Consequently, the Department does not accept the argument implied by this bill that so few children would be affected by this exemption that the numbers would be negligible. Any increase in the number of unimmunized children in schools increases the possibility that disease could spread throughout a school or neighborhood. One might argue this possibility is not statistically significant. We offer that a single child is significant. Therefore, allowing any reasonably preventable threat to that child is unacceptable.

The Department of Education has one of the highest, if not the highest, student immunization completion rates in our country. As a result, no DOE student contracted measles during the 1994 measles epidemic. We want our students, and by extension the children of Guam, to be protected against future outbreaks. We know how to do it. We have been doing it. We implore you to not change Guam law whereby we would be prevented from continuing to do so. There are--literally--children's lives depending on this.

  
Roland Taimanglo

GOVERNMENT OF GUAM



Carl T.C. Gutierrez  
GOVERNOR

Madeleine Z. Bordallo  
LIEUTENANT GOVERNOR

DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES  
(DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT)

Post Office Box 2816 Agana, Guam 96932  
123 Chalan Kareta, Route 10  
Mangilao, Guam 96923



Dennis G. Rodriguez  
DIRECTOR

Marilyn D.A. Mambusan  
DEPUTY DIRECTOR

Testimony on Bill 771: "**AN ACT TO AMEND section 3322 (a) OF ARTICLE 3, CHAPTER 3, DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW NUMBER 24-154 RELATIVE TO CHILDREN'S CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION**"

Good morning Chairperson Dr. Cruz and Members of the Committee on Health and Human Services:

My name is Dennis G. Rodriguez, Director of the Department of Public Health and Social Services. I am here, along with key members of the Department to present testimony on Bill 771 which seeks to amend Public Law 24-154, a statute that deals with immunization practice for our island.

On April 9, 1998, Public Law No. 24-154 was enacted. This law repealed and reenacted section 2415, Article 4, Chapter 2 and 3322, Article 3, Chapter 3, both of Division I of Title 10 of the Guam Code Annotated, Relative to Children's Certificate of Health and Vaccination and Immunization. One important effect of this law was to update the listing and vaccination requirements in accordance with recommendations of the Advisory Committee on Immunization Practice (ACIP) of the United States Department of Human Services and the American Academy of Pediatrics (AAP). It also authorized the Director to determine which recommendations would be followed if there were any differences between the two groups.

The law included a provision that allowed for religious exemptions from vaccination or immunization as certified by the parent or guardian of a minor student. The law further stated the request for religious exemption may granted upon certification by the Director that the exemption would not constitute a contagious health risk for the public at large. The key and

operational word in the law is that the request could be granted by certification by the parents of a religious belief "and" certification by the Director of no threat to the general population.

I can inform the Committee that the Department did implement the appropriate form for parents to apply for the exemption. I must however advise that based on the law as enacted, we have not approved any of the applications for exemption.

The Department's mission is assisting the people of Guam in achieving and maintaining their highest levels of independence and self-sufficiency in health and social welfare. As Director, I cannot certify granting exemptions for immunization or vaccination based on religious beliefs would not constitute a threat to the public at large. My decision is based on advice and recommendations provided by the Chief Public Health Officer, the Administrator of the Bureau of Communicable Disease Control and the respective program staff who work at the frontlines in dealing with infectious diseases as well as the physicians who work with the Department. These medical professionals include Pediatricians as well as Guam's only certified specialist in infectious diseases. I will qualify that exemptions based on medical contraindications are approved. There are specific medical guidelines that must be complied with in order to qualify for the exemption.

Healthy People 2000, the document which embodies the national health promotion and disease prevention objectives states that within the last 100 years, one of the most significant public health achievements has been the reduction in the incidence of infectious diseases. This success is most notably embodied in the global eradication of smallpox, achieved in 1977, as well as other dramatic reductions in other communicable diseases. Factors contributing to these successes include improvements in basic hygiene, food production and food handling, water treatment, and the development and use of antimicrobial drugs. One other major factor that has impacted positively and significantly on the reduction of the morbidity and mortality associated with infectious diseases has been the development and widespread use of vaccines.

Recently, there have been concerns focused on emerging and re-emerging infectious diseases. Almost daily, we hear of science identifying resistant strains of microorganisms. The impact of this is that pharmaceuticals employed to treat these pathogens are no longer effective.

Here on Guam we have resistant strains of the pathogen that causes Tuberculosis. Physicians are advised by laboratories that certain other microorganisms are resistant to common antibiotics. This means that treatment regimens will have to resort to stronger medications that may have other side effects on the patient. During the conference held on emerging and re-emerging infections, Karen Hein from the Institute of Medicine outlined the factors contributing to disease emergence. These include human demographics and behavior, technology and industry, economic development and land use, international travel and commerce, microbial adaptation and change **and the breakdown of public health measures!**

The Department believes strongly that vaccination or immunization exemptions for reasons other than medical contraindications will seriously erode the successes we have achieved through the mandatory immunization requirements we presently have for entry into school. The Raratonga Agreement of 1997, recommended that Pacific Island governments adopt the following definition of Healthy Islands:

"The healthy island concept involves continuously identifying and resolving priority issues related to health, development and well-being by advocating, facilitating and enabling these issues to be addressed in partnerships among communities, organizations, and agencies at local, national and regional levels".

Various core elements were identified. One of these core elements is communicable and non-communicable disease prevention and control. Here again, we see one of the premises underlying the need for vaccination or immunizations.

Notwithstanding these basic public health principles and practices, there are professional organizations that support immunization activities. The American Academy of Pediatrics (AAP), "believes that all children deserve effective medical treatment that is likely to prevent substantial harm or suffering or death". The AAP strongly endorses universal immunization. The Council on Scientific Affairs of the American Medical Association issued a report recommending among other actions, that state medical associations seek expungement of religious or philosophic exemptions in statutes requiring mandatory immunizations on the basis that these exemptions endanger not only the health of the unvaccinated individual, but also the health of those in his or her group and the community at large.

I would also like to point out that there are legal precedents that also address the issue of religious exemptions. In the case of *Prince v. Massachusetts*, 321 U.S. 158 (1944), the U.S. Supreme Court ruled, "The right to practice religion freely does not include liberty to expose the community or child to communicable disease, or the latter to ill health or death". The Supreme Court further opined that "acting to guard the general interest in youth's well-being, the state as *parens patriae* may restrict the parent's control by requiring school attendance, regulating or prohibiting child labor and in many other ways. Its authority is not nullified merely because the parent grounds his claim to control the child's course of conduct on religion or conscience. Thus, he cannot claim freedom from compulsory vaccination for the child more than for himself on religious grounds". We have provided as attachments to this testimony, supporting documents that members of the Committee may peruse at their convenience. I offer the Committee that my staff and I will also be available to respond to other questions that may arise at a later time.

Mister Chairperson, I apologize for this lengthy testimony. However, the Department believes that this issue is of critical importance to the health, safety and well being of the people of Guam. As you may have surmised from this presentation, we Public Health professionals cannot support Bill 771.

Specifically, it removes reference to "would not constitute a contagious health risk for the public at large" and replaces it with "free from any communicable disease". While it is true that at the time of medical examination, an individual may not have any infectious disease, we are sure you all agree that like all other things, this health status can change over time. This presupposes that there will be no vectors for infectious diseases.

As Guam strives to become a major center for telecommunications, commerce and other such activities, we will see more travel to and from our island home. This means that other individuals may bring to our paradise, those infectious diseases. As our people travel to other places in the world, they also may bring back with them, pathogenic agents that will affect our residents, especially those who are unvaccinated or not immunized.

Another concern is that with Bill 771, it now appears that , any "Guam licensed physician may certify that an individual is free from any communicable disease. With all due respect to the medical professionals of our community, it stands to reason that any doctor regardless of

specialty may now certify that someone is free from communicable disease. Who will establish the criteria by which a Psychiatrist may now determine that no communicable disease is present. This bill may also impose a future liability on the physician if an outbreak occurs and epidemiological investigation determines that an unvaccinated or non-immunized individual was under his or her care and if significant harm comes to any of the individuals who contract the actual disease. Again, it is not the intention of the Department to disparage any medical professional, but questions need to be addressed before this clause can be efficacious and practical and at the same time protect the health, safety and well-being of the community at large.

The Department respectfully requests that with the exception of exemption from vaccination or immunization because of medical contraindications, no other reasons be allowed. As the policy makers and program individuals, we owe the people we serve no less than laws that truly protect their interests. Thank you for this opportunity to present the Department's position.



DENNIS G. RODRIGUEZ  
Director

Senator Edwardo Cruz, M.D.  
Chairperson committee on Health and Human Services  
Twenty-fourth Guam Legislature  
297-C. West O'Brien Drive  
Agana, GU 96910

Dear Senator Cruz,

I am writing this letter in support of bill 771. This bill will amend public law 24-154 and clarify the intent of the law.

I have four children. My older two children have been in public school on Guam since kindergarten. Under a previous law 22-130, our religious rights to not vaccinate were protected and our children were able to pursue their education. All that was required under law 22-130 was a certification by parent that vaccinations would be against their bona fide religious belief. When the law 22-130 was amended this year, our younger children gained access into preschool and our older children, now in fourth grade and second grade, were forced out of school and we were told that under the current law they will never be allowed to return to school.

The primary purpose of the new law 24-154 was to add a religious exemption to vaccinations for preschool age children and to update the vaccination requirements for the school age children. Though intending to continue its provisions for a religious exemption for school age children, the law added a requirement for an approval certificate from the Director of Public Health. He was given the responsibility for filtering out those individuals who might pose a health threat to the public at large, such as, for example, a child with active TB or some other contagious disease. Though the intent of this change was good, this authority is presently being used to negate the religious exemption provided for by law. The director has refused to provide a certificate necessary for my children to reenter into school by claiming that my children pose a health risk to the public at large. I have tried countless times to prove that my children are healthy and they do not pose a health risk to anyone. I was refused a certificate because our children were not vaccinated. The present law allows the director to withhold a certificate, without proving whether or not a person is a health risk. Without this certification, this religious exemption provided for by law is worthless.

Our religious belief is not in question here; it has already been established. We believe that God created our bodies with the innate ability to heal and through this process our immune system is strengthened. We had four healthy home birth deliveries and do not use any drugs or medication. I believe that those individuals who may seek this exemption are similar to us in that they have taken extraordinary measures to maintain optimal health through a healthy lifestyle. It has been commented that the religious exemption would allow unvaccinated children to enter school because their parents are too lazy to get the vaccinations. I can say from first hand experience that filling out the 2-3 page certificate application, proving our religious belief, and waiting for a reply is more work than taking them to the doctor.

Based on conversations with Dennis Rodriguez, the Director of Public Health, I've learned that since he has been director, he has only had a very few people even request a religious exemption. This includes the period of time under the previous law which the only requirement was a written statement claiming a religious exemption from vaccines from a parent. This fact alone disproves that the exemption would be abused.

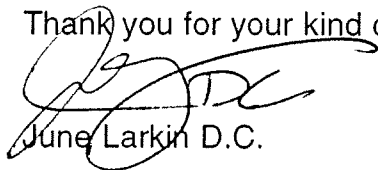
Though the number of people seeking this exemption may be small, it is our constitutional right to have access to public education and to have religious freedoms. Is the government prepared to provide special funding for the education of those children who cannot vaccinate for religious or medical reasons?

The amendment 771 will take the sole responsibility of determining whether someone is a health risk out of the hands of Public Health and gives equal authority to a medical physician. I believe that a licensed medical physician is more qualified to determine whether or not an individual is free of any communicable disease. A physician can also determine through laboratory tests whether an individual has existing immunities to specific diseases. This amendment allows for the most educated and qualified people on the subject of health to make informed decisions regarding the well being of the public at large .

From my first hand experience dealing with public health on this issue, I feel it is vital that certain details be spelled out so that there will be no further confusion and discrepancy. One religious exemption certificate per child should be required and kept on file at public health. This certificate should cover him/her throughout the course of their school years and the different schools they may attend. Yearly physicals should be submitted at the beginning of the school year to update the health status of each child. Public Health should accept laboratory Titer Test as adequate evidence that the child has proof of immunities and therefore the vaccine need not be required.

The right to exercise religious freedom is our Constitutional right. As American citizens, we should also have the right to educate our children through the public schools that our hard earned tax dollars support. Amendment 771 provides for both rights. Your support for this amendment is imperative and it is appreciated.

Thank you for your kind consideration.



June Larkin D.C.



**Pacific Life Chiropractic  
761 S. Marine Drive, Ste. A5-B  
Cen-Tam Bldg.  
Tamuning, GU 96911  
649-9355**

**Robert W. Gregory, D.C.**

**Barbara Onedera-Gregory, D.C.**

November 10, 1998

Senator Edwardo J. Cruz, M.D.  
Chairperson, Committee on Health and Human Services  
Twenty-Fourth Guam Legislature  
297-C W. O'Brien Drive  
Agana, GU 96910

Dear Senator Cruz:

I am writing this letter in support of Bill 771 which amends PL 24-154 Section 3322. This amendment is needed to clarify the language of the law and ensure that a religious exemption is available for those who request it. As it stands now Section 3322 (a) of article 3, chapter 3, Division 1 of Title 10 of The Guam Code annotated as enacted by PL 24-154 which refers to the religious exemption to vaccinations is very broad and has been interpreted in very many ways. The Director's interpretation of this section has nullified the intent of the law which was to allow for a religious exemption. At this time, no religious exemption is being granted to any student in public or private school, college or university here on Guam. However, Religious exemptions have been granted to children in Preschool and child care facilities because Section 3322 does not apply to them. They are governed by Section 2415 which was also amended by PL 24-154.

Here is a little background information on our plight for a religious exemption. In 1994, then acting Governor Frank Blas, in order to ensure Religious Freedom granted by the Constitution of the United States, signed into law PL 22-130. This Law provided for a medical and religious exemption from vaccination for public and private school children and college or university students. However, because Preschools, nurseries, and Child Care Facilities, did not fall under this law, a Religious exemption was unavailable for children under five years old. Therefore my child was unable to enroll in any of these facilities.

That is why my husband and I went to Senator Lou Leon Guerrero. We needed to know how we can exercise our freedom of religion even though our child was under five years old. We were advised that the only way was to update the law that

pertained to this category of children. Bill 72 was then drafted to update Section 2415 which governed child care facilities. It ensured the availability of a religious exemption as well as update the vaccination requirements for this age group.

However, included in Bill 72 was an amendment to Section 3322. The Initial Bill 72 also updated the requirements for public and private school children as well as college and university students. The problem arose when Bill 72 became Bill 72 (COR). Bill 72 (COR) not only updated vaccination requirements but also added to and changed the language of the law pertaining to the Religious exemption for this age group. (Please remember that prior to Bill 72 (Cor) the Religious exemption had been in effect since 1994) The change was such, that it made it impossible to get a religious exemption which was the very intent of the Law. So children with a religious exemption who were able to attend public school since 1995 without being vaccinated were forced out of school because Bill 72 (COR) BECAME PL 24-154. Section 3322 of this law is very broad and the director of Public Health has taken it upon himself to interpret the law in order to nullify the religious exemption for public, private, college and university students.

However, because Section 2415 was written differently and affects a different group of children/students, our 4 year old is now able to attend a private preschool. Now we are worried about his right to a public education when he turns five years old.

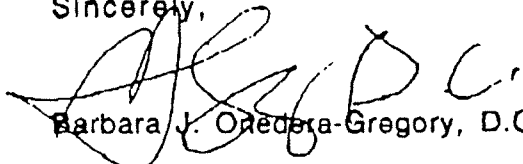
The Constitution of The United States of America was written in order to guarantee inalienable rights such as Freedom of Religion. PL 24-154 needs to be amended to clarify the language and ensure that a religious exemption can be used. In addition to this, Bill 771 relieves the Director of Public Health from performing a duty which should be left to a Primary Healthcare Physician. That duty referring to determining whether a child is free from any communicable diseases. A healthy child is a healthy child.

I am aware that one of the concerns of Public Health is that this exemption may prompt a large number of parents to use this exemption out of laziness or other reasons. Please keep in mind that a religious exemption has been available for school age children since 1994 and less than a handful of families have requested for exemptions. And let me assure you that a lazy parent would definitely be discouraged to do this if "Easy" is his primary reason because it is a very time consuming process.

Finally, my children mean the world to me. Their spiritual as well as their physical health are paramount. That is why, it is of utmost importance to protect the Right of Freedom of Religion guaranteed by the U.S. Constitution.

Thank you for your time and we greatly appreciate if you keep this all in mind when you vote on this bill.

Sincerely,



Barbara J. Obedata-Gregory, D.C.



# Guam Nurses Association

P.O. Box CG • Agana, Guam 96932 • Telephone: (671) 477-NURS (6877)

November 6, 1998

11-0003  
RECEIVED  
24TH GUAM LEGISLATURE  
COM. HEALTH & HUMAN SVCS.  
DATE: 11/10/98 BY: MA

Testimony on Bill 771: "AN ACT TO AMEND section 3322 (n) OF ARTICLE 3, CHAPTER 3, DIVISION OF TITLE 10 OF THE GUAM CODE ANNOTATED AS ENACTED BY PUBLIC BY PUBLIC LAW NUMBER 24-154 RELATIVE TO CHILDREN'S CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION"

My name is Glynis Almonte, President of the Guam Nurses Association.

The Guam Nurses Association supports the comments of the Department of Public Health and Social Services Director, Dennis G. Rodriguez. We do not support Bill 771 regarding religious exemptions dealing with the immunization practices on Guam.

*f. M. Almonte*  
for: GLYNIS ALMONTE  
President  
Guam Nurse Association

O/F  
CCE/C, RB, RL



**UNIVERSITY OF GUAM**  
**UNIBETSEDAT GUAHAN**  
**COLLEGE OF NURSING AND HEALTH SCIENCES**

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RECEIVED 10-184  
GUAM LEGISLATURE  
COM. HEALTH & HUMAN SVCS.  
DATE: 10-30-18 By: BMC

Bill 771 is interrelated to P.L. 24-154; therefore, my review and comments pertain to both the bill and the law.

**COMMENTS ON P.L. 24-154**

REVIEW OF SECTION 2415 of Article 4, Chapter 2, Division 1 of Title 10 of GCA.

This section added the provision that children may be exempted, based on “bona fide” religious beliefs, from immunizations that are required for admission to child care facilities.

This exemption is allowed upon certification by the DPHSS Director or by a parent or legal guardian. Medical contraindication requires certification by a Guam licensed medical physician.

Questions: How does the Director determine what is a “bona fide” religion? Can the exemption be given by any parent or legal guardian? To what extent, for the population of Guam, will religious exemption be allowed given that a certain percentage of the at-risk population must be immunized to effectively prevent a disease outbreak or control a disease outbreak? (See discussion below.)

REVIEW OF SECTION 3322 of Article 3, Chapter 3, Division 1 of Title 10 of GCA.

This section added the provision that students may be exempted, based on religious beliefs, from immunizations that are required for admission to any public or private school, college or university.

This exemption is allowed upon certification by the DPHSS Director or by [any?] parent or legal guardian of a student who is a minor. The section seems to require that adult students can only be exempted by the DPHSS Director. Further this section requires that in granting this exemption the DPHSS Director or [any?] parent or legal guardian must also certify that the student would not “constitute a contagious health risk for the public at large”. Medical contraindication requires certification by a Guam licensed medical physician.

Other provisions for immunization, under the DPHSS Director’s authority, are specified in (d) of this section, such as for suspected carriers of disease entering or leaving Guam and for the general population in case of an epidemic or potential epidemic. Further, unimmunized students may be excluded from school in the event of an epidemic but not children in child care facilities that have not met the immunization requirements.

DISCUSSION:

Immunization is given to individuals, especially infants and young children, so they can develop immunity to certain diseases which can cause illness, disabilities, and death. Immunizations are required for admission into child care facilities and schools to achieve a level

of immunity in a group or population so that the disease will not run rampant should the disease bacteria or virus be introduced into that group or population. It is desirable that 90 percent or more of the children in child care facilities and 90 percent or more of students in schools be complete for the immunizations that are available for the prevention of diphtheria, whooping cough or pertussis, tetanus, polio, measles, mumps, rubella or German measles, hepatitis B, hemophilus influenza type b.

A 90 percent level of immunization is desirable because the level of protection (immunity) is further reduced when some children/students do not develop adequate levels of immunity due to poor nutritional status and for other physiological reasons. It can also happen that the quality of the vaccine/immunization is adversely effected because of improper handling or storage during shipment and, if used, would not produce an immune reaction. This, plus allowing for children/students to go unimmunized, lowers the overall level of immunity that is needed to control disease spread in a group or population. Any level of immunization in a group or population below 80 percent invites the potential of being unable to prevent or control a disease outbreak situation.


The measles epidemic of 1994 is a case in point. The requirement and enforcement of recommended immunizations for children/students prior to admission into child care facilities and schools did not eliminate cases in these settings, but it did prevent the spread of the disease to many other children/students because they were already protected and thereby widespread occurrence of disease in these settings was avoided. If this had not been the situation, there would have been many months of interruption in the education of students and of child care services and even more hospitalizations and deaths.

**COMMENTS ON BILL 771 AN ACT TO AMEND SECTION 3322 (a) OF ART. 3, CHAPTER 3, DIVISION 1 OF 10 GCA.**

It appears that Bill 771 is attempting to strengthen and/or clarify a) the circumstances under which an exemption can be given for immunization and b) who can grant such an exemption. I agree that the exemption should not be at the discretion of a parent or legal guardian for this does not take into account the responsibility for protection of the community or public-at-large. Certification declaring a child/student to be free of any communicable disease does not address the purpose of immunization i.e. protection. The question is whether the child/student is protected against disease by having developed an immunity. Immunity is a defense against acquiring the disease, becoming infected, and passing the disease along to others in the community.

Section 2415 has not been addressed by this bill and still allows a parent or legal guardian to exempt, based on religious beliefs, a child from immunizations that are required for admission to a child care facility. The health of young children that are in licensed child care facilities is jeopardized and government has not upheld its responsibility to protect the health of the public. (See discussion above.)

Both P.L. 24-154 and Bill 771 should be reevaluated.

  
KAREN CRUZ, Instructor  
October 30, 1998



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

APR 09 1998

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

Refer to  
Legislative Secretary

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<i>Joni Sumataeta</i>
Time	<i>4:00 p.m.</i>
Date	<i>4.9.98</i>

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 72 (COR), "AN ACT TO REPEAL AND REENACT §§2415, ARTICLE 4, CHAPTER 2 AND 3322, ARTICLE 3, CHAPTER 3, BOTH OF DIVISION I OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO CHILDREN'S CERTIFICATE OF HEALTH AND VACCINATION AND IMMUNIZATION", which I have signed into law today as Public Law No. 24-154.

This legislation removes an outdated listing from our law on the diseases which children in day care or nursery schools are to be immunized and vaccinated against, as well as the diseases which students from kindergarten up through the University level are to be immunized and vaccinated against. The Department of Public Health and Social Services then provides the list of diseases to be immunized and vaccinated against, determined in conformity with the Advisory Committee on Immunization Practice (ACIP) of the United States Department of Human Services and the American Academy of Pediatrics).

This change brings the list of immunization and vaccination requirements up to date, because some of the diseases still listed in current law are no longer present on Guam. Also, a certificate will be issued by the Department of Public Health and Social Services, for a vaccination and immunization record, so that individual children's day care centers or nursery schools do not have to hire professional medical personnel to check on children's health status.

Very truly yours,

Carl T. C. Gutierrez

Attachment 00733

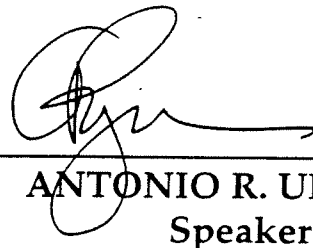
cc: The Honorable Joanne M. S. Brown  
Legislative Secretary

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: *4-9-98*  
Time: *1430*  
Rec'd by: *[Signature]*  
Print Name: *Charlene Torres*

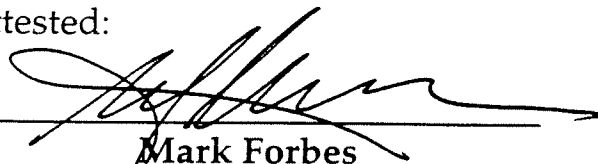
TWENTY-FOURTH GUAM LEGISLATURE  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Substitute Bill No. 72 (COR), "AN ACT TO REPEAL AND REENACT §§2415, ARTICLE 4, CHAPTER 2 AND 3322, ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO CHILDREN'S CERTIFICATES OF HEALTH AND VACCINATION AND IMMUNIZATION," was on the 25<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 3rd day of April, 1998, at  
10:30 o'clock 9 .M.

  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
CARL T. C. GUTIERREZ  
Governor of Guam

Date: 4-9-98

Public Law No. 24-154

**TWENTY-FOURTH GUAM LEGISLATURE  
1997 (FIRST) Regular Session**

**Bill No. 72 (COR)**

As substituted by the Committee  
on Health and Human Services.

Introduced by:

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

**AN ACT TO REPEAL AND REENACT §§2415 AND  
3322 OF DIVISION 1 OF TITLE 10 OF THE GUAM  
CODE ANNOTATED, RELATIVE TO CHILDRENS'  
CERTIFICATES OF HEALTH AND THEIR  
VACCINATION AND IMMUNIZATION.**



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

2           **Section 1.**   Section 2415 of Article 4, Chapter 2, Division 1 of Title 10 of  
3 the Guam Code Annotated is hereby repealed and reenacted to read:

4           **"Section 2415. Children's Certificate of Health.**   (a)   No  
5 child shall be admitted to any child care facility without a certificate of  
6 health, which includes the required vaccination or immunization,  
7 signed by a qualified Guam licensed physician indicating that the child  
8 is free from any communicable diseases. Certificates of Health shall be  
9 made on forms provided by the Department and a copy of the certificate  
10 for medical or religious exemptions shall be included in the child's  
11 health record at the child care facility where enrolled.

12           (b)   The Director shall require vaccination or immunization, in  
13 conformity with the Advisory Committee on Immunization Practice  
14 ('ACIP') of the United States Department of Human Services and the  
15 American Academy of Pediatrics ('AAP'); provided, that in the event  
16 that the recommendations of the ACIP and the AAP differ, the  
17 Department shall determine which recommendations shall apply,  
18 except that exemption may be granted to a child, upon certification by  
19 the Department or by a parent or legal guardian, that such vaccination  
20 or immunization would be against their *bona fide* religious belief, or  
21 medical contraindication certified by a Guam licensed medical  
22 physician.

23           (c)   Certificates of medical and religious exemption shall be  
24 prescribed on forms provided by the Department and shall be kept on  
25 file in the Bureau of Communicable Diseases Control of the Department.

1 A copy of the certificate for medical and religious exemption shall be  
2 included in the child's health record at the child care facility."

3 **Section 2.** Section 3322 of Article 3, Chapter 3, Division 1 of Title 10 of  
4 the Guam Code Annotated is hereby repealed and reenacted to read:

5 **"Section 3322. Vaccination and Immunization.** (a) No  
6 student shall be permitted to attend any public or private school, college  
7 or university within Guam unless evidence is presented to the enrolling  
8 officer of such school, college or university that the student child is free  
9 from any communicable diseases and has had all the required  
10 vaccinations or immunizations as the Director shall in conformity with  
11 Advisory Committee on Immunization Practice ('ACIP') of the United  
12 States Department of Human Services and the American Academy of  
13 Pediatrics ('AAP'); provided, that in the event that the  
14 recommendations of the ACIP and the AAP differ, the Department shall  
15 determine which recommendations shall apply, except that exemption  
16 may be granted to a student in a case when the vaccination or  
17 immunization would be against his or her religious beliefs and would  
18 not constitute a contagious health risk for the public at large, as certified  
19 by the Director, or upon certification by a parent or guardian of a  
20 student who is a minor that such vaccination or immunization would be  
21 against their religious belief and would not constitute a contagious  
22 health risk for the public at large, as certified by the Director, or to a  
23 student who has been certified by a Guam licensed medical doctor that

1 said student should be exempt from this Section where medical  
2 contraindication to his or her receiving a specific vaccine exists.

3 (b) Certificates of medical and religious exemption shall be kept  
4 on file in Bureau of Communicable Diseases Control of the Department.  
5 A copy of the certificate for medical and religious exemption shall be  
6 included in the student's record at the school.

7 (c) The Director shall notify enrolling officers of all schools and  
8 shall notify all parents by public media of any changes to the existing  
9 immunization schedules no later than March 1 of each year to allow for  
10 the smooth opening of traditionally scheduled schools.

11 (d) The Director shall require vaccination and immunization of  
12 any person or persons suspected as carriers of a communicable disease  
13 upon entering or leaving Guam which the Director believes may present  
14 a risk to the public health of Guam. In case of an epidemic or to control  
15 a possible epidemic of a communicable disease, the Director may direct  
16 that the general population be vaccinated and immunized against said  
17 disease. Students who are not immunized for whatever reason may be  
18 excluded from schools at the direction of the Director in case of an  
19 epidemic or to control a possible epidemic."

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

**TESTIMONY SIGN IN SHEET**

Date of hearing: Wednesday, Oct. 28, 1998 Location: Public Hearing Room  
 Agenda Item: BILL 771

	Name(Please Print)	Organization	Contact Number	ORAL/WRITTEN	FOR/AGAINST
1	<u>LUIS MARTINEZ</u>	<u>DOE</u>	<u>4750511</u>	<u>both</u>	<u>against!</u>
2	<u>Dennis Rodriguez</u>	<u>DPHSS</u>		<u>both</u>	<u>✓</u>
3.					
4.					
5.					
6.					
7.					
8.					
9.					
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**TWENTY-FOURTH GUAM LEGISLATURE**  
**Committee on Health and Human Services**  
**SENATOR EDUARDO J. CRUZ, M. D. Chairperson,**

**TESTIMONY SIGN IN SHEET**

Date of hearing: Wednesday, Oct. 28, 1998 Location: Public Hearing Room

Agenda Item: BILL 771

	Name(Please Print)	Organization	Contact Number	ORAL/WRITTEN	FOR/AGAINST
1.	<u>RONALD BALAJADIA</u>	<u>DPHSS</u>	<u>735-7143</u>	<u>ORAL</u>	<u>AGAINST</u>
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
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15.	_____	_____	_____	_____	_____



**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@senacruz.guam.net](mailto:ejc@senacruz.guam.net)

Tel: 472-3581 Fax: 472-3582



MEMORANDUM

October 21, 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. Frank Aguon, Jr. 479-4827  
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 & Vice Chairman Fax No.: 472-3582

Subj: Notice of Public Hearing  
October 28, 1998  
8:30 a.m.

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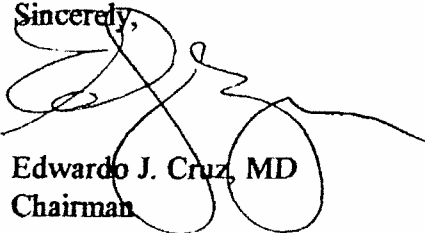
The Committee on Health and Human Services will be conducting a Public Hearing on Wednesday October 28, 1998 at 8:30 a.m. at the Legislative Public Hearing Room.

The Committee welcomes your attendance and input in the form of written and/or oral testimony during the hearing. Thank you for your attention on this matter, and if you should need any special accommodations or questions please contact Angela or James at 472-3581.

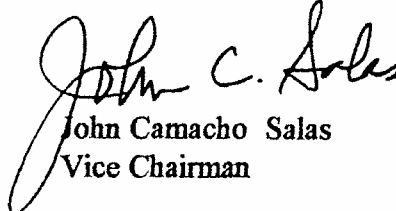
Attached is a copy of the Agenda.

We look forward to your participation and attendance.

Sincerely,



Edwardo J. Cruz, MD  
Chairman



John Camacho Salas  
Vice Chairman

CC: All Senators



**Twenty-Fourth Guam Legislature**  
**Senator Edwardo J. Cruz, MD**

Chairperson, Committee on Health and Human Services  
155 Hesler Street, Agana, Guam 96910 • Tel: 472-3581 • Fax: 472-3582

Public Hearing  
Wednesday, October 28, 1998  
8:30 a.m., Legislative Public Hearing Room

**Agenda**

**BILL 411(LS): AN ACT AUTHORIZING PRIVATE CITIZENS TO ISSUE CITATIONS WHEN A VIOLATION OF THE LAW HAS BEEN COMMITTED IN THEIR PRESENCE. THIS ACT WILL AUTHORIZE PROVISION OF, AND FUNDING FOR, TRAINING THAT WILL EMPOWER PRIVATE CITIZENS WISHING TO HELP ENFORCE THE LAW FOR THE PUBLIC WELFARE, AND COME TO THE AID OF PERSONS WITH DISABILITIES. IT WILL ALSO AUTHORIZE BIDDING FOR SELECTING ENTITIES TO PROVIDE TRAINING, AND ENTITIES SOLELY TO ISSUE CITATIONS. THIS ACT WILL REPEAL AND REENACT CHAPTER 41, ARTICLE 3, SECTION 2, "DEFINITIONS," AND SECTION 4, "COMMUNITY SERVICES FOR PERSONS WITH DISABILITIES SYSTEM," P.L. 24-16 (ENABLING LEGISLATION FOR THE NEWLY CREATED DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES--DISID), OF TITLE 17.**

**BILL 762(LS): AN ACT TO ADD A NEW SUBSECTION (1), TO SECTION 3216, ARTICLE 2, CHAPTER 3, DIVISION 1, PART 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO DEATH REGISTRATION.**

**BILL 771(COR): AN ACT TO AMEND SECTION (a) OF ARTICLE 3, CHAPTER 3, DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED AS ENACTED BY PUBLIC LAW NUMBER 24-154 RELATIVE TO CHILDREN'S CERTIFICATES OF HEALTH AND THEIR VACCINATION AND IMMUNIZATION.**

**BILL 777: AN ACT TO PROVIDE FOR NURSING PAY GRADE ADJUSTMENT AND TO CITE THE ACT AS "THE NURSES PAY GRADE ADJUSTMENT ACT OF 1998".**

The Committee welcomes your attendance and input in the form of written and/or oral testimony during the hearing. Thank you for your attention on this matter, and if you should need any special accommodations or questions please contact Angela or Rose at 472-3581.

*Overridden*

# I MINA' BENTE KUATTRO NA LIHESLATURAN GUAHAN

1998 (SECOND) Regular Session

Date: 12/30/98

## VOTING SHEET

*Voted*  
Bill No. 771

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT ROLL CALL
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
<del>BARRETT-ANDERSON, Elizabeth</del>					
BLAZ, Anthony C.	✓				
BROWN, Joanne M. S.	✓				
CAMACHO, Felix P.	✓				
CAMACHO, Francisco P.		✓			
CHARFAUROS, Mark C.	✓				
CRUZ, Eduardo J.	✓				
FLORES, William B.S.M.					✓
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.	✓				
LEON GUERRERO, Lou	✓				
PANGELINAN, Vicente C.	✓				
SALAS, John C.	✓				
SANTOS, Angel L.G.	✓				
SANTOS, Francis E.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

18    1    \_\_\_\_\_    \_\_\_\_\_    1

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence