

## Office of the Governor of Guam

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Felix Perez Camacho Governor

Kaleo Scott Moylan Lieutenant Governor

Visited the state of the state of

DFC 31 2004

The Honorable Vicente C. Pangelinan Speaker Mina' Bente Siete Na Liheslaturan Guåhan 155 Hessler Street Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 392 (COR), "AN ACT TO APPROPRIATE THE SUM OF SIXTY-FIVE THOUSAND DOLLARS (\$65,000.00) TO THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES (DISID) TO FUND PARENTS REACHING OUT FOR CHILDREN EXPERIENCING EMOTIONAL DISTURBANCE (PROCEED) TO ENSURE THE CONTINUANCE OF PROGRAMS AND SERVICES FOR PARENTS WITH CHILDREN AFFLICTED WITH SERIOUS EMOTIONAL AND BEHAVIORAL DISORDERS; AND TO APPROPRIATE THE SUM OF SEVEN HUNDRED SEVENTY-FOUR THOUSAND SIX HUNDRED FIFTY DOLLARS (\$774.650.00) FROM THE MAYORS COUNCIL LAPSES FOR PAYMENT OF ACCRUED UNUSED ANNUAL LEAVE, OPERATIONS OFFICE SPACE RENTAL, UTILITIES AND PRIOR YEARS OBLIGATION," now designated as Public Law 27-143.

Sinseru yan Magahet,

FELIX P. CAMACHO

I Mage Tähen Guåhan Governor of Guam

Attachment: copy attached of signed bill

The Honorable Tina Rose Muna-Barnes Senator and Legislative Secretary

## I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN 2004 (SECOND) Regular Session

## CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 392 (COR), "AN ACT TO APPROPRIATE THE SUM OF SIXTY-FIVE THOUSAND DOLLARS (\$65,000.00) TO THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES (DISID) TO FUND PARENTS REACHING OUT FOR CHILDREN EXPERIENCING EMOTIONAL DISTURBANCES (PROCEED) TO ENSURE THE CONTINUANCE OF PROGRAMS AND SERVICES FOR PARENTS WITH CHILDREN AFFLICTED WITH SERIOUS EMOTIONAL AND BEHAVIORAL DISORDERS; AND TO APPROPRIATE THE SUM OF SEVEN HUNDRED SEVENTY-FOUR THOUSAND SIX HUNDRED FIFTY DOLLARS (\$774,650.00) FROM THE MAYORS COUNCIL LAPSES FOR PAYMENT OF ACCRUED UNUSED ANNUAL LEAVE, OPERATIONS, OFFICE SPACE RENTAL, UTILITIES AND PRIOR YEARS OBLIGATIONS," was on the 20th day of December, 2004, duly and regularly passed.

UTILITIES AND PRIOR YEARS OBLICE 2004, duly and regularly passed.	GATIONS," was on the 20th day of December
Attested:  Tina Rose Muña Barnes Senator and Legislative Secretary	vicente (ber c. pangelinan Speaker
This Act was received by I Maga'lahen Guå at <u>S'50</u> o'clock <u>P</u> .M.	han this day of December, 2004,  Assistant Staff Officer
APPROVED: FELIX P. CAMACHO I Maga'lahen Guåhan	Maga'lahi's Office
Date: December 30, 2004	
Public Law No 27-143	

## I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN 2004 (SECOND) Regular Session

**Bill No. 392 (COR)** 

As substituted and amended on the Floor.

Introduced by:

L. A. Leon Guerrero
T. R. Muña Barnes
F. B. Aguon, Jr.
J. M.S. Brown
F. R. Cunliffe
Carmen Fernandez
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
J. A. Lujan
v. c. pangelinan
J. M. Quinata
Toni Sanford
R. J. Respicio
Ray Tenorio

AN ACT TO APPROPRIATE THE SUM OF SIXTY-FIVE **DOLLARS** (\$65,000.00) TO THOUSAND THE DEPARTMENT **OF** INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES (DISID) TO FUND OUT FOR **PARENTS** REACHING CHILDREN EXPERIENCING EMOTIONAL DISTURBANCES (PROCEED) TO ENSURE THE CONTINUANCE OF PROGRAMS AND SERVICES FOR PARENTS WITH CHILDREN AFFLICTED WITH SERIOUS EMOTIONAL AND BEHAVIORAL DISORDERS; AND TO APPROPRIATE THE SUM OF SEVEN HUNDRED SEVENTY-FOUR THOUSAND SIX HUNDRED FIFTY DOLLARS (\$774,650.00) FROM THE **MAYORS** COUNCIL **LAPSES** FOR **PAYMENT** ACCRUED UNUSED ANNUAL LEAVE, OPERATIONS, OFFICE SPACE RENTAL, UTILITIES AND PRIOR YEARS **OBLIGATIONS.** 

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

Section 1. Legislative Findings and Intent. I Liheslaturan Guåhan finds that emotional, behavioral, and mental disorders extend beyond economic, educational, racial, ethnic, and religious boundaries. They have no bias against single-parent families, two-parent families, birth, adoptive, and foster families. While the difference in familial make up and structure may be apparent, the commonality among these families is the need for accurate assessment and appropriate therapeutic, educational, social and recreational programs for children with emotional and behavioral disorders.

I Liheslaturan Guåhan further finds that if gone untreated or undetected, these children become "at risk" for academic, social and legal problems in the future. Their families also suffer from the stressful demands and difficulties of tending to their children with these disorders, often isolating them from families, friends and the community. In addition, the absence of appropriate childcare programs and a weak service system adds to the stresses of these families.

It is, therefore, the intent of *I Liheslaturan Guåhan* to appropriate funding to the Department of Integrated Services for Individuals with Disabilities (DISID) to fund Parents Reaching Out for Children Experiencing Emotional Disturbances (PROCEED) to ensure the continuance of programs and services that are provided; to ensure the rights of the child and adolescent are protected; to implement important integrated services that are child and family-oriented programs with full family participation; and to advocate, for early identification and intervention, community-based and culturally-competent programs that assist these individuals to grow and develop to their

1 fullest potential as contributing members of our community.

Section 2. Appropriation. The sum of Sixty-five Thousand Dollars (\$65,000.00) is hereby appropriated from the Healthy Futures Fund, to the Department of Integrated Services for Individuals with Disabilities (DISID) to fund Parents Reaching Out for Children Experiencing Emotional Disturbances (PROCEED) for the purpose of ensuring the continuance of community-based programs and services that address the needs of parents of children and adolescents afflicted with serious emotional and behavioral disorders.

Section 3. Reporting Requirements. On the fifteenth (15th) day of each month, the Director of the Department of Integrated Services for Individuals with Disabilities (DISID), in collaboration with the President of Parents Reaching Out for Children Experiencing Emotional Disturbances (PROCEED), shall provide a detailed report to the Speaker of *I Liheslaturan Guåhan* and *I Maga'lahen Guåhan* on the total expenditures and specific programs of said expenditures.

Section 4. Mayors Council Appropriations. Pursuant to Section 10(b) of Public Law 27-107 (General Appropriations Act of 2005), Fiscal Year 2004 lapses of the Mayors Council in the amount of Seven Hundred Seventy-four Thousand Six Hundred Fifty Dollars (\$774,650.00) are available for appropriation.

- (a) The sum of Four Hundred Ninety-two Thousand Nine Hundred Eighty Dollars and Eighty-one Cents (\$492,980.81) is hereby appropriated to the Mayors Council from Fiscal Year 2004 lapses of the Mayors Council for lump sum payment of accrued unused annual leave.
  - (b) The remaining balance of Two Hundred Eighty-one Thousand

Six Hundred Sixty-nine Dollars and Nineteen Cents (\$281,669.19) is hereby appropriated to the Mayors Council from Fiscal Year 2004 lapses of the Mayors Council for operations, office space rental and utilities for Fiscal Year 2005, and for prior years obligations. Section 5. Severability. *If* any provision of this Law or its application

**Section 5. Severability.** *If* any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall *not* affect other provisions or applications of this Law which can be given effect without the invalid provisions or application, and to this end the provisions of this Law are severable.

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### FRANK B. AGUON, JR.

#### Vice Speaker

December 15, 2004

#### **MEMORANDUM**

The Honorable ben c. pangelinan Speaker, I Mina' Bente Siete Na Liheslaturan Guåhan 155 Hesler Street Hagåtña, Guam 96910

Via: Honorable Senator Lou Leon Guerrero, Committee on Rules & Health

#### Dear Speaker pangelinan:

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform, to which was referred, Bill No. 392 (COR) - An Act to appropriate Sixty-Five Thousand Dollars (\$65,000.00) to the Department of Integrated Services for Individual with Disabilities (DISID) to fund Parents Reaching Out for Children Experiencing Emotional Disturbances (PROCEED) to ensure the continuance of programs and services for parents with children afflicted with serious emotional and behavioral disorders, has had the same under consideration, and now wishes to report back the same with the recommendation **TO DO PASS**.

The voting record is as follows:

TO PASS	<u> </u>
NOT TO PASS	0
TO ABSTAIN DUE TO POTENTIAL CONFLICT	<i>U</i>
TO PLACE IN INACTIVE FILE	Ò

Copies of the Committee Report and other pertinent documents are attached. Thank you for your attention to this matter. Dangkolo' Na Si Yu'os Ma'ase.

Respectfully,

FRANK BLAS AGUOŃ, JR.

Vice Speaker/Senator

I Mina' Bente Siete Na Liheslaturan Guåhan







### FRANK B. AGUON, JR.

### Vice Speaker

November 19, 2004

#### **MEMORANDUM**

TO:

Members, Committee on Appropriations and Budgeting, General Governmental

Operations, Reorganization and Reform

FROM:

Vice Speaker Frank B. Aguon, Jr.

Chairman, Committee on Appropriations and Budgeting, General Governmental

Operations, Reorganization and Reform

SUBJECT: Committee Report – Bill No. 392 (COR): An Act to appropriate Sixty-Five Thousand Dollars (\$65,000.00) to the Department of Integrated Services for Individual with Disabilities (DISID) to fund Parents Reaching Out for Children Experiencing Emotional Disturbances (PROCEED) to ensure the continuance of programs and services for parents with children afflicted with serious emotional and behavioral disorders.

Transmitted herewith for your information and action is the report on Bill No. 392 (COR) from the Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform.

This memorandum is accompanied by the following:

- 1. Committee Voting Sheet
- 2. Committee Report
- 3. Bill 392 (COR)
- 4. Public Hearing Sign-in Sheet
- 5. Notice of Public Hearing

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

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me. Dangkolo' Na Si Yu'os Ma'ase.

Respectfully,

ANK BLAS AGUON, JR.

Vice Speaker/Sengtor

Mina Bente-Siete Na Liheslaturan Guåhan







## FRANK B. AGUON, JR.

Vice Speaker

# Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform VOTING SHEET

Bill 392: An Act to appropriate Sixty-Five Thousand Dollars (\$65,000.00) to the Department of Integrated Services for Individual with Disabilities (DISID) to fund Parents Reaching Out for Children Experiencing Emotional Disturbances (PROCEED) to ensure the continuance of programs and services for parents with children afflicted with serious emotional and behavioral disorders.

Committee	To	Not to	To Abstain	To place
Members 7	Pass	Pass	due to potential	in Inactive
			Conflict	File
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FRANK B. AGUON, JR.	. /			
John			<del></del>	****
ANTOINETTE D. SANFORD				
Vice Chair				
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TINA R. MUÑA-BARNES Member	,			
Member				
JOHN M. QUINATA	<u></u>			<del></del>
Member _				
	M			
RORY J. RESPICIO	0/			
Member	'A			
CARMEN FERNANDEZ	-//-	<del></del>	<del></del>	
Member				
MARINFORES	<del></del>		<del></del>	<del></del>
Member				
LAWRENCE F. KASPERBAUER				<del></del>
Member Member				







## I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN

Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform

## VICE SPEAKER FRANK B. AGUON, JR. CHAIRMAN

Committee Report On Bill No. 392 (COR)

"AN ACT TO APPROPRIATE SIXTY-FIVE THOUSAND DOLLARS (\$65,000.00) TO THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUAL WITH DISABILITIES (DISID) TO FUND PARENTS REACHING OUT FOR CHILDREN EXPERIENCING EMOTIONAL DISTURBANCES (PROCEED) TO ENSURE THE CONTINUANCE OF PROGRAMS AND SERVICES FOR PARENTS WITH CHILDREN AFFLICTED WITH SERIOUS EMOTIONAL AND BEHAVIORAL DISORDERS."





#### I. Overview

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform held a public hearing on Bill No. 392 (COR) at 9:00 a.m. on Friday, November 19, 2004 in the Public Hearing Room, *I Liheslaturan Guåhan*. Public notice for this hearing was made on: Friday, November 12, 2004 and Thursday, November 18, 2004 in the Pacific Daily News in the form of a paid advertisement.

#### Senators present at the public hearing were:

Vice Speaker Frank B. Aguon, Jr., Chairman Senator Toni Sanford, Vice-Chair Senator Carmen Fernandez, Member Speaker ben pangelinan Senator Robert Klitzkie

#### II. Summary of testimony

(Attachment A) into the record. Under questioning, she clarified that DISID is working with parents directly, not through PROCEED. PROCEED is a duly registered non-profit organization, which may compete for DISID contracts. There was some discussion of funding for Personal Care Attendant Program at the Department of Administration, the role of the court in gaining access to residential treatment, and funding for residential treatment. She did not know whether supplemental funding through the Governor's 15% transfer authority would be sufficient to cover increasing costs of group home care. When asked about the relationship of DISID with the Department of Education, Mrs. Ada stated that DISID is not funded for staff to implement its compliance oversight role, counseling or training teachers to effectively deal with children with SED. DISID currently assigns social workers to guide client referrals through the public services system.

PROCEED members Daniel Cobb, Marcello Ikelap, Wanda Kraft, June Zapatos, Cathrina Palomo, MaryLou Quenga, Janet McDermott and Shirley Lujan appeared in favor of Bill 392.

**Daniel Cobb** stressed that funding will help PROCEED disseminate information to parents of children with SED.

Cathrina Palomo is a DOE program aide who has provided direct outreach services through daily home visits for 12 years. She described PROCEED as a marketing and

leverage tool, enabling families with children suffering from SED. It is especially empowering to immigrant families new to Guam. She drew parallels with other preventative efforts, such as those concerned with discipline problems and drug abuse.

**Marcello Ikelap** is a 15-year resident of Guam and native of Chuuk, and a parent of two children with SED. He credited PROCEED with informing him of parental advocacy.

**Shirley Lujan** described personal issues and eloquently described the value of PROCEED as a parent advocacy initiative, in the face of government program failures.

Jesus Torres was present but did not comment verbally. He will provide written testimony later, according to his comments on the hearing sign-in sheet.

Written testimony was received subsequent to the hearing from **Ordelia Pritchard**, a mother of a child with SED (Attachment B). She supports the intent of PROCEED, faults the historic shortcomings of PROCEED to offer and provide services in her particular case, and asks Senators to share her concerns about the program outcomes.

#### III. Findings and recommendation

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform finds that Bill No. 392 (COR) would help promote and extend the services envisioned by the founders of PROCEED.

Accordingly, the Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform, to which Bill No. 392 (COR) was referred does hereby submit to *I Mina' Bente Siete Na Liheslaturan Guåhan* **TO DO PASS** Bill No. 392 (COR): "An Act to appropriate Sixty-Five Thousand Dollars (\$65,000.00) to the Department of Integrated Services for Individual with Disabilities (DISID) to fund Parents Reaching Out for Children Experiencing Emotional Disturbances (PROCEED) to ensure the continuance of programs and services for parents with children afflicted with serious emotional and behavioral disorders".

FELIX P. CAMACHO GOVERNOR OF GUAM

KALEO S. MOYLAN LT. GOVERNOR November 19, 2004



ROSANNE S. ADA DIRECTOR

Senator Frank B. Aguon, Jr. Chairman
Committee on Appropriations
27<sup>th</sup> Guam Legislature
Hagatna, Guam

Re: Bill No. 392 An Act to appropriate \$65,000 to fund PROCEED

Dear Senator Aguon and Members of the Committee on Appropriations,

Thank you for the privilege of testifying in the hearing of Bill 392.

As I understand the organization, PROCEED, will be responsible in advocating for

- 1. Protection of the rights of children and adolescents with serious emotional challenges.
- 2. Full participation in child and family oriented programs.
- 3. Early identification and intervention, community based and culturally competent programs.
- 4. The continuation of these programs.

I commend the members of this organization for their mission and drive to advocate for children and adolescents with serious emotional challenges; I support their request for funding of \$65,000.

There are organizations such as Guam Legal Services Corporation, Client Assistance Program, Protection and Advocacy for the Mentally III, and other Boards, Committees, and Councils that advocate for individuals with disabilities. I applaud them all for the monumental tasks of protecting the rights of our brothers and sisters with disabilities.

As you are aware DISID provides an array of direct services to consumers by outsourcing to local providers. Throughout the years our providers have shown increasing demands for their services. Just recently I received a letter from our local provider requesting for emergency funding. There will be a shortfall of \$143,000. I hope that this committee will consider appropriating this amount to fulfill our responsibility.

Last year despite the shortage of staff the DISID division of support services served over 1000 individuals; and we had only two (2) social workers. We would have been able to serve more individuals if we had more funding for full time positions.

I hope that this committee can fund additional positions to fulfill the mandate of DISID's division of support services.

We were also served with a Permanent Injunction from the U.S. District Court that ordered DISID and the Department of Mental Health to implement a comprehensive plan to transition patients into community based programs. In order to comply with this court order DISID needs additional staffing, such as a planner, resource developer, and service coordinator. Please reconsider the Governor's FY 2005 budget request to fully fund the implementation of the permanent injunction.

Mr. Chairman, in the past DISID was blessed with financial resources and personnel to develop the necessary infrastructure to implement programs that promote the independence, integration, and inclusion of our consumers in the community. This is not the case now as a result of limited funding and the retirement of personnel.

I appeal to this Committee for additional funding and staff so that we can provide the services that our consumers, providers, and advocates such as PROCEED, deserve.

Un dangkulo'na si Yuós maáse, for your consideration and assistance to our consumers and their families.

Sincerely,

Rosanne S. Ada Director, DISID

TTACH MENT

Date: November 18, 2004

To: Committee on Approx

Subject: Hurt and disappointed with PROCEED

From: Ordelia Pritchard, a parent of an SED child

Dear Vice Speaker Agoun,

As a parent of an SED child, I am writing to you in hopes of sharing my concerns.

Unlike Hawaii's educational system, our local DOE would not provide the much needed psychological and psychiatric help that had greatly benefited my son, and, that if I did seek these services for Nicholas, it would be self pay.

Knowing that I couldn't afford the help my son needed, and not knowing who to turn too or what else to do, I'd tried to make the best of our tormented lives at home in dealing with him and the many difficult challenges he bestow upon my family.

Finally, after two years of despair in trying to cope with Nicholas at home, and at the same time deal with his many school issues with all its requirements, and, still not being able to afford the help he needed, I called Mental Health. It was only then and through Project I Famaguon to that I had heard of PROCEED and its purpose.

Senator Lou, for two long years my family and I had hopelessly endured horrible experiences in dealing with our never ending emotional battles with Nicholas, two years that can never be replace.

As a parent, I truly feel and believe that PROCEED has failed my family and Nicholas. PROCEED's cause is a great cause! Yet, it is obvious that the organization is not as effective as it should be and that improvements are greatly needed within the organization.

I had asked the president of PROCEED, Mr. Cobb, where was PROCEED when I had needed help? From my understanding, PROCEED has been up and running for almost FOUR YEARS, four years as a non profit organization that is suppose to educate and bring awareness about SED to our communities, and, advocate for SED families. Why is it, till this day, PROCEED is not greatly known within the SED community, our island's community, and, DOE and it's schools? A place where I believe it is greatly needed based upon personal experiences with Nicholas. Four years and nothing to show.

As I learn more about my son and his conditions and the injustices that our SED families live through on a daily basis within our community and school, it upsets me that my hard earn tax money is going to an organization who has seemed to have lost its sense of direction in its purpose.

I can honestly say that I am angry, hurt and disappointed with PROCEED because it has failed me, my family and my son. Senator Lou, I am just one in how many SED families that are suffering and hurting by the injustice of our community, yet we entrust ourselves onto organizations like PROCEED to help us in many ways whether big and small, to may make our lives less difficult, challenging and somewhat pleasant. Yet, my family is one SED family in how many that PROCEED has failed to reach, and, as we all know, numbers do add up.

As a person, I do my best to always be grateful and thankful to GOD for the blessings HE has given me, especially my children. Yet at the same time, HE also has given all of us a sense, wisdom, and knowledge to know right from wrong.

PROCEED's purpose would have been a blessing for our SED families, if it was following through on what the organization is about. It is common knowledge that any purpose and or mission always have some kind of result or outcome; has PROCEED received any results or outcome from its organizations purpose? Any speck of light from our island's community's awareness on SED - "a light in the dark," for the sake of our SED families, I hope and pray so.

As for myself, our SED families, and most especially, the many other children who are like my son Nicholas, I haven't given up hope looking for that "light in the dark."

Sincerely,

Ordelia Pritchard



# Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform

## Vice Speaker Frank B. Aguon, Jr., Chairman

Public Hearing: Friday, November 19, 2004 ◆ 9:00 a.m.

I Liheslaturan Guahån, Hagåtña

Witness sign in sheet

Bill 392: An Act to appropriate Sixty-Five Thousand Dollars (\$65,000.00) to the Department of Integrated Services for Individual with Disabilities (DISID) to fund Parents Reaching Out for Children Experiencing Emotional Disturbances (PROCEED) to ensure the continuance of programs and services for parents with children afflicted with serious emotional and behavioral disorders.

	NAME	AGENCY/	ORAL	WRITTEN	IN	NOT IN	CONTACT
	(Please print)	ORGANIZATION	TESTIMONY	TESTIMONY	FAVOR	FAVOR	NUMBER
$\sqrt{}$	Rosanne S. Ada	DISID		<i>L</i>	~		642-0014
$\sqrt{}$	Jesus Torres	pisin		Willy tooking			642-0040
	DANIEZ COBB	Proceso, Inc	/		<b>√</b>		632-5400
/	MARCOLD IKELAP	ч.	V		/		16
	WANDA KRAFT	"(	/		✓		"(
<b>✓</b>	SIVE ZAPATOS	11	/		/		ŧŗ.
V	CATHEINA PALONO	"					11
	MARY LOW QUEUGA	• (	/		/		rt
	JANET 4-Derent	1	<b>/</b>		/		41
	Shirley LuJAH	PROCEED					

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