



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

Office of the People's Speaker
Vicente C. Pangelinan

DEC 31 2004

TIME: 4:35 PM
RECEIVED BY: [Signature]

31 DEC 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. 352 (COR), "AN ACT TO AMEND §6229(e) AND §6229.7(b) OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING LICENSED PRACTICAL NURSES AS NURSING PROFESSIONALS," now designated as **Public Law 27-156**.

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

cc: 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 IMAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 352 (COR), "AN ACT TO AMEND §6229(e) AND §6229.7(b) OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING LICENSED PRACTICAL NURSES AS NURSING PROFESSIONALS,"** was on the 20th day of December, 2004, duly and regularly passed.

Attested:

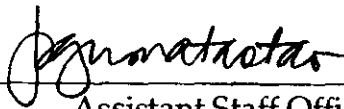


Tina Rose Muña Barnes
Senator and Legislative Secretary




vicente (ben) C. Pangelinan
Speaker

This Act was received by *I Maga'lahaen Guåhan* this 20 day of December, 2004,
at 5:50 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: December 30, 2004

Public Law No. 27-156

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

Bill No. 352 (COR)

As further amended by the
Sub-Committee on Health,
and amended on the Floor.

Introduced by:

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

**AN ACT TO AMEND §6229(e) AND §6229.7(b) OF TITLE 4,
GUAM CODE ANNOTATED, RELATIVE TO INCLUDING
LICENSED PRACTICAL NURSES AS NURSING
PROFESSIONALS.**

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

2 **Section 1. Legislative Findings and Intent.** Public Law 24-325
3 created the "Nurse and Other HealthCare Professional Recruitment and
4 Retention Incentives Act of 1998". The Act mandated the Civil Service
5 Commission to provide recruitment and retention incentives for nurses in the

1 government of Guam and to address compensation, certification pay
2 differential and other issues for nurses and healthcare professionals.

3 Nurses and healthcare professionals continue to be a critical component
4 in the delivery of healthcare on Guam and competition is fierce with the
5 limited resources available worldwide. It is crucial for Guam to stay
6 competitive and that salaries are maintained within the national average.

7 As mandated in Title 4, Chapter 6, Article 2, §6229.2 of the Guam Code
8 Annotated, the Civil Service Commission shall meet with the Guam Nurses
9 Association Commission on Nurse Leadership to address recruitment and
10 retention incentives for nurses and to review the salary schedules every three
11 (3) years. The Civil Service Commission has in good faith made efforts to
12 comply with the mandate of the law.

13 It is, therefore, the intent of *I Liheslaturan Guåhan* to clarify the definition
14 of HealthCare Professionals and to include Licensed Practical Nurse in the
15 Nursing Profession to ensure that qualified, skilled nurses and healthcare
16 professionals are recruited and retention efforts are in place to meet the
17 staffing needs of the community.

18 **Section 2. §6229.7(b) of Title 4, Guam Code Annotated, as amended**
19 **by Public Law 27-106:VI:25, is hereby amended to read:**

20 “(b) All work performed between the hours of 12:00 midnight on
21 any Friday and 12:00 midnight of the following Sunday night shall be
22 compensated at the rate of one and one-half (1-1/2) times the regular
23 straight time rate of the nurse or any employee who is responsible for
24 direct delivery of patient services.”

1 Section 3. §6229(e) of Title 4, Guam Code Annotated, is hereby
2 *amended* to read:

3 “§6229(e). *Nurse(s)* means any person who is licensed by the
4 Guam Board of Nurse Examiners to practice as a licensed practical
5 nurse, registered professional nurse, or as an advanced practice
6 registered professional nurse on Guam.”

7 Section 4. **Severability.** *If* any provision of this Law or its application
8 to any person or circumstance is found to be invalid or contrary to law, such
9 invalidity shall *not* affect other provisions or applications of this Law which
10 can be given effect without the invalid provisions or application, and to this
11 end the provisions of this Law are severable.



Senator Lou Leon Guerrero RN, MPH

November 10, 2004

The Honorable vicente c. pangelinan
Speaker & Chairman
Committee on Utilities & Land
I Mina' Benter Siete Na Liheslaturan Guahan
155 Hesler Street
Hagatna, GU 96910

Dear Mr. Speaker:

The Sub-Committee on Health to which was referred **BILL NO. 352(COR) AN ACT TO AMEND TITLE 4 OF THE GUAM CODE ANNOTATED CHAPTER 6, ARTICLE 2, SECTION 6229 (C) AND (E) RELATIVE TO CLARIFYING THE DEFINITION OF HEALTHCARE PROFESSIONALS AND INCLUDING LICENSED PRACTICAL NURSE IN THE NURSING PROFESSION AND TO MANDATE THE CIVIL SERVICE COMMISSION TO COMPLY WITH TITLE , CHAPTER 6, ARTICLE 2M SECTION 6229.2.** has had the same under consideration, and now wishes to report back the same with the recommendation **TO PASS AS AMENDED.**

The Sub-Committee record is as follows:

To pass	<u>4</u>
Not to pass	<u>0</u>
Abstain due to potential conflict	<u>0</u>
To place in inactive file	<u>0</u>

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

Senseramente,

Lou Leon Guerrero for
Lou Leon Guerrero
Chairwoman, Sub-Committee on Health

Attachment(s)

Democrat Majority Leader

Committee on Rules & Health
Chairwoman

Committee on Utilities & Land
Member

Committee on Appropriation & Budgeting, General Government Operations Reorganization & Reform
Member

Committee on Community, Culture, Recreation & Public Broadcasting
Member

Committee on Economic Development, Retirement, Investments, Public Works, & Regulatory Functions
Member

Committee on Education & Housing
Member

Committee on Judiciary & Transportation
Member

Committee on Youth & Senior Citizens, Federal & Foreign Affairs
Member



Mina' Bente Siete Na Liheslaturan Guahan
 TWENTY-SEVENTH GUAM LEGISLATURE
 Senator Lou Leon Guerrero
 Chairwoman, Committee on Rules & Health
 Majority Leader, Democratic Party

VOTING SHEET ON:

The Committee Report on Bill No. 352 (COR), as amended by the Sub-Committee on Health,
 AN ACTO TO AMEND TITLE 4 OF THE GUAM CODE ANNOTATED, CHAPTER 6,
 ARTICLE 2, SECTION 6229 (c) AND (e) RELATIVE TO CLARIFYING THE DEFINITION
 OF HEALTHCARE PROFESSIONALS AND INCLUDING LICENSED PRACTICAL NURSE
 IN THE NURSING PROFESSION AND TO MANDATE THE CIVIL SERVICE COMMISSION
 TO COMPLY WITH TITLE 4, CHAPTER 6, ARTICLE 2, SECTION 6229.2.

Lou Leon Guerrero Chairwoman	2292.	✓			
Vicente C. Pangelinan Co-Chairman		✓			
Carmen Fernandez Member					
Larry Kasperbauer Member					
Jesse Lujan Member					
Tina R. Muña-Barnes Member		✓			
Ray Tenorio Member					

Committee Report
Sub-Committee on Health
October 26, 2004
9:00 a.m.

I. Overview

A public hearing was held on October 26, 2004 at the Guam Legislature Public Hearing Room for **BILL NO. 352(COR) AN ACT TO AMEND TITLE 4 OF THE GUAM CODE ANNOTATED CHAPTER 6, ARTICLE 2, SECTION 6229 (C) AND (E) RELATIVE TO CLARIFYING THE DEFINITION OF HEALTHCARE PROFESSIONALS AND INCLUDING LICENSED PRACTICAL NURSE IN THE NURSING PROFESSION AND TO MANDATE THE CIVIL SERVICE COMMISSION TO COMPLY WITH TITLE , CHAPTER 6, ARTICLE 2M SECTION 6229.2.** Details of the proceedings are as follows.

Senators Present

Senator Lou Leon Guerrero, Chairwoman
Speaker Vicente C. Pangelinan, Vice Chairman
Senator Rory Respicio, Member
Senator Robert Klitzkie

Chairwoman Lou Leon Guerrero called the public hearing on Bill No. 352 (COR) to order and stated that “the main intent of Bill No. 352 (COR) is to give a definite definition of the role of LPNs in our community. Whenever we do define healthcare professionals we do mean general healthcare professionals that are licensed but we also wanted to make sure that LPNs are recognized and that whatever laws and policy changes that do occur that say health care professionals that LPNs are included in that definition.” Also, she further defined healthcare professionals as any employee in government agencies that provide the delivery of patient/client care services. She added that she hoped Bill No. 352 (COR) will address issues at the hospital regarding weekend pay application.

II. TESTIMONY

Oral Testimony

- Veronica Cruz, LPN at Guam Memorial Hospital Authority. Testified in favor of BILL NO. 352(COR), stating that the work of LPNs is nearly parallel to that of RNs. She added that there is no real incentive for anyone to become an LPN because the work load is great while compensation is low. In the interest of retention and recruitment, and to address nursing shortage, including LPNs in definition of healthcare professionals and increasing benefits will be a positive.

- Veronica Alave, working at hospital since 1989 and currently a part-time LPN at the Department of Public Health & Social Services. Testified that she wants LPNs to be clearly recognized as nurses, noting that they are licensed by board, working side-by-side with registered nurses and she wants compensation.

- June Camat, GMHA Emergency Room Technician, asked why they are being excluded from weekend pay when others at the hospital are being compensated.
- Alejandro Vilorio, worked in GMHA ERT for about 26 years, also asked why they are excluded from weekend pay. He further defined his role in the emergency room stating that he works with nurses and doctors in delivering direct patient care, noting that work load is great and would like compensation. ERTs “are the back bone of the Emergency Room.”
- Benita Nededog, GMHA OB Tech in L&D, asked question about increments. It has been frozen for two years. If it’s returned, how many steps? Also, will it be taken away and done only as an election ploy. Stated that in the past, incentive pay was taken away after elections, morale decreased, and people left island for better compensation and pay.
- Janice Yatar, DPHSS Community Health & Nursing Services Asst. Administrator for the Bureau of Family Health & Nursing Services, offered both written and oral testimony. She testified on behalf of public health LPNs who could not attend because they are at clinics. Stated that bureau was in support of bill’s intent to include the LPNs in the nursing profession “since they are the essential team members in the delivery of health care services” and are the backbone of the Public Health clinics. Additionally, the bureau has had difficulty in LPN recruitment due to low salaries offered by government of Guam in comparison with private sector and abroad.
Clarification needed in Public Law 24-325 on whether it is section 6229 or 6228 as referenced in PL 24-325 Section 2 Section 6229c. It is unclear if healthcare professional includes any employee in government agencies who provides the delivery of patient-client care services is inclusive of all levels of nursing profession. Offered recommendations on language to provide clarification. She added that they are currently working with CSC on salary schedule review
- Anita Ngiraingas, LPN, Fulltime DOE LPN II & Part time at Guam Renal Care, stated that at DOE they are considered school nurses while RNs are School Health Counselors. She has been an LPN for 20 years and said that she has not taken the RN exam because it is difficult and English is her second language. They give total care. RNs do teaching, while she does most of the care in the nursing office, and she knows that she is a nurse.
- Andrea Fong, RN, Government of Guam retiree, supports Bill 352 and LPNs. They are an integral part of healthcare delivery and it’s long overdue. She established Allied Health Department at GCC providing training at Nursing Assistant and Medical Assistant, and when professionalism is discussed all members of the health care system are included. Therefore, she truly believes LPNs should be included and recognized as part of health care profession.

- Lillian Posadas, GMHA Nursing Administrator, will support written testimony later in the week. Nursing Management and GMHA Administrator support proposed legislation not only for the inclusion of the LPNs in the definition of nurses, but also more importantly to make it more comprehensive in terms of the healthcare industry to include all other healthcare providers, i.e. ER techs, nursing assistants, OB techs, Hemo techs; all are critical and valued members of the healthcare team to provide services to patients. Acknowledged that there is a debate amongst RNs and it is understandable because LPNs do not have the degree, but they are valued and they are recognized in the workforce in assigning them to direct patient care. They should be recognized as professionals and justly compensated. When RNs given salary adjustment and not LPNs, it had a negative impact on the hospital. There is a vacancy rate for LPN positions of 54 per cent; of 50 budgeted positions for LPNs more than half have been vacant. It was also noted that the LPN vacancy rate at the Department of Public Health is 33 per cent.

While the Fiscal Year 2005 budget law, Section 6229, addresses the weekend pay for nurses and healthcare professionals.

However when it referenced the Public Law 22-87, that definition of healthcare professionals specified radiology technicians, laboratory technicians. The hospital wanting to stay in line with the law saw it and limited it to positions defined in the law. With clarification from the hearing Posadas said she would inform the hospital administrator that they can compensate all those who provide client care services on the weekend. She added that to make the measure more comprehensive and inclusive to remember all other hospital employees who work on weekends.

- Ruth Camat, LPN GMHA 11 years & DOE 6 Years, however now with SDA, Camat said transferred from public to private sector because LPNs were not included in previous bill. Thankful that the bills being introduced to include LPNs as nurses.
- Emma Bataclan LPN for 17 years
Takes care of approximately 2,500 students at JFK High School. She stated that LPNs are licensed and asked for LPNs to be recognized, motivated and compensated.
- Paulina Macalinao, LPN GMHA MedSurg, stated that she felt LPNs are not being recognized, and not given compensation two years ago when RNs were given increase. Noted that LPNs are also leaving off island. Stated that LPNs are given the same work load as RNs, but they are under the supervision of RNs. She wants LPNs to be recognized as nursing professionals and wantes compensation. Added that morale is very low, but they still give quality healthcare.
- Maria Tigulo, RN Charge Nurse, supported bill and compensation and recognition for LPNs. Made diagram comparing duties and responsibilities between RNs and LPNs.

- Adonis Mendiola, GMHA Inventory Management Officer, said he was at the hearing to get clarity and noted that earlier testimony from Alejandro Vilorio answered some of his concerns. Stated that there are some questions relative to the definition of healthcare professionals and certification pay. Added that he and the pharmacy staff support LPNs. Mendiola said that professional support services staff be included in weekend pay.
- Marcelina Zaragoza, GMHA 25 years as Cardiac Monitor Technician, concern regarding inclusion of all health professionals in weekend pay.
- Ana Llarenas, Cardiac Monitor Technician who has worked at GMHA 28 years, hoped that CMTs included in weekend pay.
- Margaret Atalig, RN GMHA, thanked Senator Leon Guerrero for P.L.24-325 and was sure that clarity would be brought to questions that have arisen since the measure was passed into law. Including weekend pay issue. Atalig also said nursing assistants are a group who ensure the quality of patient care as they are the ones who are at the patients' bedsides and alert the RNs and LPNs if something is wrong and she is not sure why not considered nursing professionals.
- Evelyn Andres, Respiratory Therapist II, testified in support of bill 352 and stated that Chairwoman Leon Guerrero made it clear that technicians are part of the bill.
- Bella Martinez, Respiratory Therapist, morale in the department is low because technicians are not being compensated for weekend pay. Wanted to ensure that technicians are just as important as other employees. Mentioned that Hospital Administrator told employees that he wants to pay them but wanted to ensure that it is in the bill. She noted that everyone in her department is getting paid weekend pay as long as they work. She added that everyone is instrumental in carrying out duties of the hospital, and deserve to be compensated and awarded.
- Karen Cruz, thanked senator for bringing bill to public hearing. Cruz testified as Chairwoman of Commission on Nursing Leadership and member of Guam Nurses Association Board. Bill discussed at September commission meeting and position is that the commission supports Bill 352, to include LPNs in revision of salary adjustment as a means to provide a recruitment and retention incentive for LPNs. Shortages of LPNs in the workforce makes it critical for their pay to be adjusted and competitive with U.S. counterparts' salaries. It is their position, however, that the language of Section 3 of the bill "which includes LPNs in the definition of professional nurses is not in sync with the licensing provisions of the law." Added that Yatar's previous recommendation of definition would resolve this matter.

- Nenita San Agustin, GMHA LPN 15 years, testified that prices for gas and food increases make it difficult for her to make ends meet on current salary. Testified that she is licensed by Board of Medical Examiners and wondered why LPNs were not included in previous recruitment and retention incentive law because of the work that they do.
- Alesia Ogo, chief of Rehabilitation Services and oversees the Skilled Nursing Unit, testified in support of the LPNs. Reiterated the dedication, skills and work is deserving of salary adjustment. Ogo stated that she was asked to be there for Professional Support Services on behalf of Zennia Pecina noting disparity regarding weekend pay language not being inclusive of radiology, pharmacy and rehabilitation technicians as well as facility maintenance, biomedical, housekeeping employees. Asked for clarity in definition of “allied health professionals.”

WRITTEN TESTIMONY

- Janice Yatar, Department of Public Health & Social Services’ Community Health & Nursing Services Assistant Administrator for the Bureau of Family Health & Nursing Services
- Guam Memorial Hospital Authority Respiratory Care Department
- Commission on Nursing Leadership & Guam Nurses Association
- Lillian Posadas, Guam Memorial Hospital Authority Nursing Administrator

III. FINDINGS AND RECOMMENDATION:

Chairwoman Leon Guerrero noted that there is some debate between Registered Nurses and Licensed Practical Nurses regarding professional versus practicing. She said she would use the recommendations provided to amend the bill to address these concerns. She further stated that it was not the Legislature’s intent to exclude healthcare professionals, including ancillary workers, from receiving weekend pay.

Therefore, the Sub-committee on Health recommends that Bill No. 352 be amended and that the amended bill be reported out with the recommendation **TO DO PASS.**



FELIX P. CAMACHO
GOVERNOR

KALEO S. MOYLAN
LIEUTENANT GOVERNOR

GOVERNMENT OF GUAM

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

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



PETERJOHN D. CAMACHO, MP
DIRECTOR

DEPUTY DIRECTOR

October 26, 2004

The Honorable Lou Leon Guerrero
Chairwoman for the Committee on Rules and Health
155 Hesler Street
Hagatna, Guam 96932

Honorable Chairwoman Leon Guerrero and Committee Members,

Buenas yan Saluda! My name is Janice L.S. Yatar. I am the Community Health and Nursing Services Assistant Administrator for the Bureau of Family Health and Nursing Services at the Department of Public Health and Social Services. I am here to testify on Bill 352 (COR): An act to amend Title 4 of the Guam Code Annotated, Chapter 6, Article 2, Section 6229 (C) and (E) relative to clarifying the definition of Healthcare Professionals and including Licensed Practical Nurse in the Nursing Profession and to mandate the Civil Service Commission to comply with Title 4, Chapter 6, Article 2, Section 6229.2

Our Bureau strongly supports the intent of the bill to include the licensed practical nurses in the nursing profession since they are essential team members in the delivery of health care services. In addition, our Bureau has recently been struggling with the recruitment of licensed practical nurses due to the low salary offered by the government in comparison with the private sector and abroad. In order for me to clearly agree with the bill, I would like to further comment on the following sections:

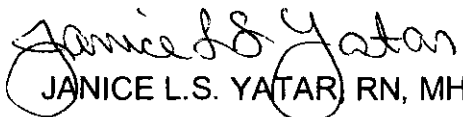
In reviewing Public Law 24-325, clarification is needed on whether it is section 6229 or 6228 as referenced in Public Law 24-325.

Section 2. Section 6229 (c), it is unclear to us whether the phrase "healthcare professional (s) means any employee in the government agencies who provides the delivery of patient/client care services" is inclusive of all levels of the nursing profession. Each level, the licensed practical nurses, registered nurses, nursing supervisors and nursing administrators are very critical components in the delivery of patient/client care services. Thus, this section can read as follows: healthcare professional means any employee in the government agencies who is responsible for the delivery of patient/client care services etc.



Section 3. Section 6229 (e), professional nurse is a term that is normally used for the registered nurses as stated in the Guam Board of Nurse Examiners Administrative Rules and Regulations and the Nurse Practice Act. Thus, the section can read as follows: nurse means any person who is licensed by the Guam Board of Nurse Examiners to practice as a licensed practical nurse, registered professional nurse or an advanced practice registered professional nurse on Guam.

Thus, once again, we applaud your efforts to include the licensed practical nurses in the Nurse and Other HealthCare Professional Recruitment and Retention Incentives Act and would like to inform you that we are currently working with the Civil Service Commission on the salary schedule review. Should you have any questions, you can contact me at 735-7122. Si Yu'us Ma'ase for giving me the opportunity to testify on Bill 352.

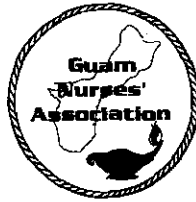

JANICE L.S. YATAR, RN, MHR

Written Testimony on Bill 352
From Respiratory Care Department,
Guam Memorial Hospital
October 26, 2004

Bill 352 needs to clarify the definition of Healthcare Professionals and to include not only licensed practical nurse but also Respiratory Care Therapist/Technician. Everyone who works at the hospital is a professional and should be considered a professional by the Legislature.

Ex:

- Cardio Pulmonary Neurology Technician
 - direct patient care ABG, Patient in Ventilator, Give medication HHN treatment, CPT/IS/PF Patient Education, instrumental in code 72, invasive procedures
 - Mandated to work 24 hours – 7days a week and taking us away from family. During typhoon report to work as scheduled no matter the condition.
 -
 - The bills emphasize on Nursing Profession and there are other professional working at this hospital that should also be recognized for their hard work and unselfish dedication to hospital work.



Guam Nurses Association

P.O. Box CG • Hagåtña, Guam 96932 • Telephone: (671) 477-NURS (6877) • Email: guamnurs@ite.net

September 27, 2004

Senator Lou Leon Guerrero
Chairwoman, Committee on Rules & Health
Twenty-Seventh Guam Legislature
155 Hesler Street
Hagatna, Guam 96910

Dear Senator Lou:

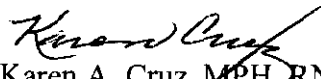
Ref: Bill 352 re LPN Salary Adjustment


The Commission on Nursing Leadership (CNL) supports the intent of Bill 352, which would include licensed practical nurses (LPNs) in the provision for review of salary adjustments as a means to provide recruitment and retention incentives for LPNs. Current staffing shortages of LPNs in the workforce on Guam makes it critical that LPN salaries be adjusted to be competitive with U.S. salaries.

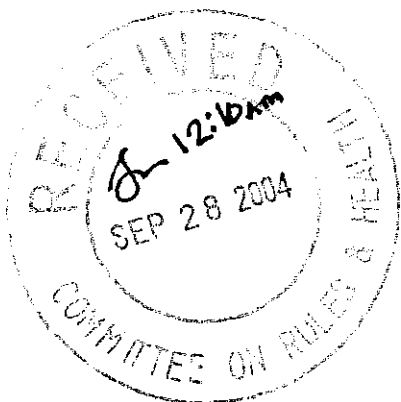
We are, however, in disagreement with the language of Section 3 of the bill, which includes LPNs in the definition of "professional" nurses. The term professional nurse is reserved for and applied to registered nurses only. Please refer to GCA, Title X, Article 1, section 12101 and Article 3, section 12312.

Thank you for allowing us to comment.

Sincerely,


Karen A. Cruz, MPH, RN
CNL Chairwoman

 RN
Leonora Urbano, MSN, RN
GNA President





Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan



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

October 26, 2004

Testimony on Bill No. 352

Good Morning. Buenas yan Saluda. My name is Lillian Perez-Posadas. I am the Nursing Administrator at GMHA. I am here today to testify on behalf of the Nursing Staff and Management and also on behalf of the Hospital Administrator.

First and foremost, thank you for this opportunity and thank you for proposing this long overdue legislation. We applaud your efforts and interest in improving the nursing and health care industry of our island.

This bill, if passed into law, will not only strengthen our nursing workforce but also the overall workforce of our healthcare system. We've not only been struggling with the perennial nursing shortage of both Registered and Licensed Practical Nurses (RNs and LPNs) but also of Nurses' Aides, Techs, Pharmacists, Respiratory Therapists and Techs, Cardio-Pulmonary-Neuro Techs, Physical Therapists and Techs, and so forth.

LPNs are an extremely valuable class of licensed nurses. In reality and in practice, we qualify and recognize LPNs as "nurses". And although the LPN Scope and Standards of practice are distinct from the RN Scope and Standards of Practice, we recognize and value these LPNs as indispensable entities of the "Nursing Profession".

The competencies of LPNs are fundamentally equivalent to those of the RNs. LPNs are assigned the same patient-care assignments as RNs. At the hospital setting, LPNs are assigned a patient load of about 5-12 patients during their 8- or 12-hour work shift. LPNs administer medications via the various methods with some exceptions, particularly those via the intravenous route. LPNs administer blood and blood products. LPNs initiate venipunctures /intravenous access and other therapeutic measures prescribed by physicians. Moreover, the LPNs perform their duties and responsibilities in the same work environment as RNs where they are equally exposed to the myriad of health care issues, ethical and legal liabilities, infectious and communicable diseases, potential biomedical contaminants, medical technology, etcetera.



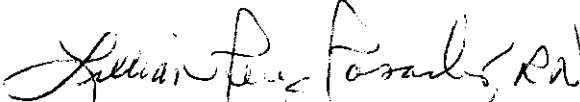
While I understand the argument and disagreements expressed by some of our nursing colleagues and leaders with regards to the inclusion of LPNs in the definition of "Nursing Professionals", I truly believe that LPNs are definitely a valuable entity of the nursing profession and that they are "nurses". Therefore, perhaps it may be more appropriate and acceptable to include LPNs in the definition/language of "Nurses" or "Nursing Profession" and not the in the language/terminology of "professionals".

When PL 24-325 was fully implemented several years ago with regards to the salary adjustments for nurses, CSC only applied the salary adjustment for the RN classifications/positions at the hospital. In doing so, the negative impact was that the hospital experienced a significant loss of LPNs. To this day, the hospital has been struggling with a vacancy rate of 50-54% for LPN positions. The starting salary for an entry level LPN I is \$9.60/hour and for an experienced LPN II, \$10.28/hour.

With regards to Section 2, Subsection 6229 (c), "HealthCare Professional(s) means any employee in the government agencies who provides the delivery of patient/client care services, and as defined in Section 10101, of Title 10 of the Guam Code Annotated, and Section 5 of Public Law Number 22-8", we agree and support this new definition. This definition is more comprehensive and inclusive of all ancillary healthcare employees which makes it more fair and equitable particularly as it is applied to the weekend differential pay. As it stands right now, the weekend differential pay that was recently put into effect by the FY05 budget law has created disparity among the hospital employees. Only nurses and allied healthcare "professionals", as defined in PL 24-324 and PL 22-87 are granted this weekend differential pay benefit. These employees include RNs, LPNs, pharmacists, laboratory techs, radiology techs, physical and occupational therapists, dietitians, and social workers. Other ancillary healthcare employees such as ERTs, ORTs, METs, CMTs, Hemo Techs, Obstetric Techs, Nurses' Aides, Patient Couriers, pharmacy techs and aides, central supply techs, dietetic aides and dietary assistants, and ward clersk are not granted this weekend pay.

While I have the opportunity to speak my views, I also would like to ask this legislative committee to consider expanding the weekend differential pay to all government agencies who are mandated to provide services seven (7) days a week. Just as government of Guam employees are afforded night differential pay for hours worked between 6p.m. to 6a.m., we need to look at a fair and equitable application of this weekend pay for all who must work on weekends.

Thank you. On behalf of the nursing management and staff at GMHA, we applaud and truly look forward to the implementation of this proposed legislation. Should you need me to clarify any of my statements, please contact me at 647-2555/2400.


Lillian Perez-Posadas, RN, MN



Mina' Bente Siete Na Liheslaturan Guahan
 TWENTY-SEVENTH GUAM LEGISLATURE

Senator Lou Leon Guerrero
 Chairwoman, Sub-Committee Health
 Majority Leader, Democratic Party

Public Hearing: Bill No. 352 (COR)

Tuesday, October 26, 2004 9:00 a.m.



Name	written testimony	oral testimony	Company/Agency	Contact no.
✓ VERONICA CRUZ		✓	GMHA	637-4788 / 647-2397
✓ VERONICA ALAVE		✓	GMHA	632-9740
✓ Nededog, Benita		✓	GMH	647-8194 OR 2292
✓ CLARK Helele			CAUff	789 6648
✓ Arii D. Zapanta			GMHA	647-2281/2489
✓ Alejandro B. Viloria		✓	GMH	647 2459
✓ Epifanio J. Jaycumana		✓	GMHA	647-2494
✓ JUN CAMAT		-	GMHA	632-8075
✓ Janice L.S. Yatar		✓	DPHSS	735-7122
✓ Anita R. Noguera	✓ LPH II @ 605		D.O.E.	632-6108
✓ Andres M. Fung, RN			GCC	735-5644/5586



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Name	written testimony	oral testimony	Company/Agency	Contact no.
✓ Lillian Posadas	Will submit later	✓ Yes Now	GMHA	647-240/2555
✓ Rofh m. Camat	Will submit later	✓	SDA Clinic	646-8881-619
✓ Emma R. Bataclan	" " "	✓	D.O.E. /SFR	642-2119
✓ PAULINA MACALINDO	submit later	✓	GMHA	632-3627
✓ Adonis Mendiola	Will submit later	✓	GMH Pharmacy Dept.	647-2051
✓ MARIA TIGULO (RD)	" " "	✓	GMH	647-2372
✓ Nemián M. Popeleva	" " "	✓	GMH	633-1800
✓ Corazon U. Chua	" " "	✓	GMH	633-1800
✓ Marcelina D. Zouagóza	will submit later	✓	GMH	646-8311
✓ ANA R. LLARENAS	" " "	✓	GMH	646-8311
✓ HARBERT L. ATARLA	will submit later	✓	GMH	649-1333
✓ EUGENY ANDRES - Resp. Therapist		✓	GMH	647-2482
✓ Pella Martinez	Yes	✓	GMHA	642-2482
✓ Karen Cruz		✓	JOG /CNL	

