



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

31-11-534

May 17, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Office of the Governor
Ed.D.

5/18/11
3:57 PM

8

2011 MAY 19 AM 7:51

Dear Madame Speaker:

Transmitted herewith is Bill No. 170-31 (COR) "AN ACT TO AMEND §81113(b)(1) OF CHAPTER 81 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE GUAM CANCER ASSISTANCE AND TREATMENT (GCAT) PROGRAM, TO BRIDGE THE GAPS IN SERVICE FOR GUAM CANCER PATIENTS", which I signed into law on May 9, 2011 as **Public Law 31-39**.

Senseramente,

EDDIE BAZA CALVO

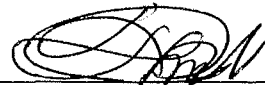
Attachment: copy of Bill

534

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

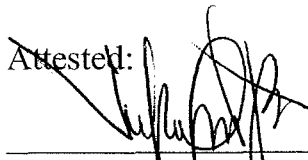
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 170-31 (COR)**, "AN ACT TO *AMEND* § 81113(b)(1) OF CHAPTER 81 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE GUAM CANCER ASSISTANCE AND TREATMENT (GCAT) PROGRAM, TO BRIDGE THE GAPS IN SERVICES FOR GUAM CANCER PATIENTS", was on the 6th day of May 2011, duly and regularly passed.




Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 6th day of May, 2011, at 6:30 o'clock p.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

MAY 09 2011

Date: _____

Public Law No. 31-39

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 170-31 (COR)

As amended on the Floor.

Introduced by:

Dennis G. Rodriguez, Jr.
v. c. pangelinan
T. R. Muña Barnes
R. J. Respicio
Sam Mabini, Ph.D.
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Adolpho B. Palacios, Sr.
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* § 81113(b)(1) OF CHAPTER 81 OF
TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO
CREATING THE GUAM CANCER ASSISTANCE AND
TREATMENT (GCAT) PROGRAM, TO BRIDGE THE
GAPS IN SERVICES FOR GUAM CANCER PATIENTS.**

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

2 **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds
3 that Chapter IX, Section 1, Item (b) of Public Law 29-19 and codified as Title 12
4 GCA Chapter 81, §81113(b)(1), sets aside Two Million Dollars (\$2,000,000) from

1 bond proceeds to refund the Guam Economic Development Authority (GEDA)
2 Tobacco Settlement Asset Backed Bonds, Series 2001A and Series 2001B, and for
3 other purposes. According to Item (b) of this statute, Two Million Dollars
4 (\$2,000,000) is appropriated for radiation therapy for cancer treatment through the
5 Medically Indigent Program. These funds currently sit in an account under the
6 purview of GEDA waiting to be utilized pursuant to provisions set forth in Public
7 Law 29-19. In order for these funds to be utilized the Guam Memorial Hospital
8 Authority (GMHA) was to enter into a contract or a public-private partnership
9 agreement for the operation of a Radiation Therapy Machine. Said contract or
10 public-private partnership agreement *shall* provide for the care of indigent patients
11 under the Medically Indigent Program (MIP) and Medicaid Program and *shall*
12 require that invoices for cancer treatment be paid within sixty (60) days after
13 receipt. Over the past three (3) and half years since the enactment of this law,
14 GMHA has failed to enter into the required contract or public-private partnership
15 agreement and no cancer patient on Guam has been able to utilize these funds to
16 cover their much needed care. Currently, MIP and Medicaid is in fact covering
17 radiation therapy for individuals under their respective programs. The initial law
18 that appropriated these funds was done prior to the re-opening of the radiation
19 therapy clinic in April of 2010. The sole radiation therapy clinic on Guam does
20 provide services to residents under all insurance programs, both private and public,
21 to include the MIP and Medicaid program. Although these funds are only
22 earmarked for radiation therapy for cancer patients under the MIP and Medicaid
23 programs, through recent events it has been identified that there are gaps in
24 services under the MIP and Medicaid program as it relates to providing of cancer
25 care to Guam residents. It was identified that the current rules and regulations
26 within the Medicaid program excluded the treatment of some cancer related
27 services, such as an Allogeneic transplant, which may be required care or treatment

1 for cancer patients suffering from Hodgkin’s disease, also known as Lymphoma
2 cancer. As MIP and Medicaid already provides for radiation therapy, there is a
3 need to bridge the gaps in services in cancer care and cover cancer services not
4 provided under the MIP and Medicaid program. It is therefore the intent of *I*
5 *Liheslaturan Guåhan* to immediately make available the funds necessary to
6 provide medical treatment options for people under public assistance programs, but
7 who are currently limited by the available options for authorized treatments that
8 may be provided. It is the intent to use these funds to save the lives of our people.

9 **Section 2. §81113(b)(1) of Chapter 81 of Title 12, Guam Code**
10 **Annotated, is hereby *amended* to read as follows:**

11 “(b)(1) There is hereby created the Guam Cancer Assistance and
12 Treatment (GCAT) Program, within the Guam Department of Public Health
13 and Social Services (DPHSS). DPHSS *shall* use funds under this Program
14 to supplement and/or cover direct cancer care services *not* covered in other
15 local public assistance programs under their purview, such as the Medically
16 Indigent Program (MIP) and Medicaid program. In addition, DPHSS *shall*
17 have discretionary authority to utilize funds under this Program to provide
18 direct cancer-related services and treatment for cancer patients under public
19 assistance programs, and who are otherwise unable to meet their financial
20 obligations for treatment.

21 Two Million Dollars (\$2,000,000) from the bond proceeds to refund
22 the Guam Economic Development Authority Tobacco Settlement Asset
23 Backed Bonds, Series 2001A and Series 2001B held in an account by the
24 Guam Economic Development Authority *shall* be made available for the
25 sole use of the Guam Cancer Assistance and Treatment Program as
26 established and authorized by this Subsection (b)(1). The Director of the

1 Department of Public Health and Social Services *shall* be the certifying
2 authority of these funds.

3 The Director of DPHSS *shall* transmit a report outlining the detailed
4 expenditures of this Program to *I Maga'lahen Guåhan* and to the Speaker of
5 *I Liheslaturan Guåhan* on a monthly basis.”

6 **Section 3. Severability.** *If* any provision of this Act or its application to
7 any person or circumstances is found to be invalid or contrary to law, such
8 invalidity shall *not* affect other provisions or applications of this Act which can be
9 given effect without the invalid provisions or application, and to this end the
10 provisions of this Act are severable.

11 **Section 4. Effective Date.** This Act *shall* become effective upon its
12 enactment.