

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
139-38 (COR) As amended by the Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation, and Hagåtña Restoration; and further amended on the Floor.	Shelly V. Calvo Therese M. Terlaje William A. Parkinson V. Anthony Ada Vincent A. V. Borja Sabrina Salas Matanane Joe S. San Agustin Tina Rose Muña Barnes Sabina Eloise Doroz	AN ACT TO <i>ADD</i> NEW §§ 13321.1 AND 13321.2 TO ARTICLE 3, CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE FOSTER CARE BILL OF RIGHTS; AND TO CITE THIS ACT AS THE "FOSTER CARE BILL OF RIGHTS ACT OF 2025."	5/8/25 2:45 p.m.	5/15/25	Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation, and Hagåtña Restoration.	Request: 5/15/25 Waiver: 5/22/25	5/23/25 9:00 a.m.	7/15/25 As Amended.	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES			
	7/28/25	AN ACT TO <i>ADD</i> NEW §§ 13321.1 AND 13321.2 TO ARTICLE 3, CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE FOSTER CARE BILL OF RIGHTS; AND TO CITE THIS ACT AS THE "FOSTER CARE BILL OF RIGHTS ACT OF 2025."	7/31/25	8/6/25	8/18/25				



COPY

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
Thirty-Eighth Guam Legislature

August 5, 2025

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

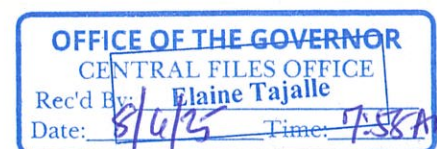
Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are Bill Nos. 5-38 (COR), 16-38 (COR), 17-38 (COR), 24-38 (COR), 45-38 (COR), 56-38 (COR), 68-38 (COR), 76-38 (COR), 81-38 (COR), 84-38 (COR), 92-38 (COR), 97-38 (LS), 100-38 (COR), 103-38 (COR), 106-38 (COR), 110-38 (COR), 123-38 (COR), 124-38 (COR), 125-38 (COR), 139-38 (COR), 149-38 (LS), 153-38 (COR), 154-38 (COR), and 155-38 (COR), and Substitute Bill Nos. 30-38 (COR) and 48-38 (COR) which were passed by *I Mina'trentai Ocho Na Liheslaturan Guåhan* on July 31, 2025.

Sincerely,

Senator V. Anthony Ada
Acting Legislative Secretary

Enclosure (26)



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I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 139-38 (COR), "AN ACT TO ADD NEW §§ 13321.1 AND 13321.2 TO ARTICLE 3, CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE FOSTER CARE BILL OF RIGHTS; AND TO CITE THIS ACT AS THE 'FOSTER CARE BILL OF RIGHTS ACT OF 2025',"** was on the 31st day of July 2025, duly and regularly passed.



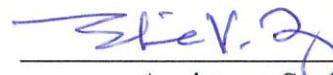
Frank F. Blas, Jr.
Speaker

Attested:



V. Anthony Ada
Acting Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 6th day of August,
2025, at 7:58 o'clock A.M.



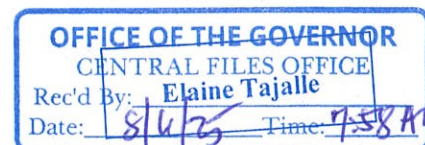
Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____



I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 139-38 (COR)

As amended by the Committee on Child Welfare,
Youth Affairs, Senior Citizens, Women's Affairs, Disability Services,
the Arts, Culture, Historic Preservation, and Hagåtña Restoration;
and further amended on the Floor.

Introduced by:

Shelly V. Calvo
Therese M. Terlaje
William A. Parkinson
V. Anthony Ada
Vincent A.V. Borja
Sabrina Salas Matanane
Joe S. San Agustin
Tina Rose Muña Barnes
Sabina Flores Perez
Frank F. Blas, Jr.
Eulogio Shawn Gumataotao
Christopher M. Dueñas
Jesse A. Lujan
Chris Barnett
Telo T. Taitague

**AN ACT TO *ADD* NEW §§ 13321.1 AND 13321.2 TO ARTICLE
3, CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED,
RELATIVE TO ESTABLISHING THE FOSTER CARE BILL
OF RIGHTS; AND TO CITE THIS ACT AS THE “FOSTER
CARE BILL OF RIGHTS ACT OF 2025.”**

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

2 **Section 1. Short Title.** This Act may be cited as the “Foster Care Bill of
3 Rights Act of 2025.”

4 **Section 2.** A new § 13321.1 of Chapter 13, Title 19, Guam Code Annotated,
5 is hereby *added* to read as follows:

1 **“§ 13321.1. Foster Children’s Bill of Rights.**

2 A foster child’s rights include, but are not limited to, the following:

3 (a) The right to appropriate care and treatment in the least
4 restrictive setting available that can meet the child’s needs according to
5 the best judgment of the parents, the caseworker, and the court.

6 (b) The right to live in a safe, healthy and comfortable
7 placement where the child can receive reasonable protection from harm
8 and appropriate privacy for personal needs and where the child is
9 treated with respect.

10 (c) The right to know why the child is in foster care and what
11 will happen to the child and to the child’s family, including siblings,
12 and case plans in a way that is appropriate based on the child’s age.

13 (d) The right to be placed with a foster family that can
14 accommodate the child’s communication needs.

15 (e) The right to visit and contact family members, unless
16 prohibited by court order or by Child Protective Services.

17 (f) The right to make and receive confidential telephone calls
18 and send and receive unopened mail, unless prohibited by court order.

19 (g) The right to be disciplined in a manner that is appropriate
20 to the child’s level of maturity.

21 (h) The right to attend community, school and religious
22 services and activities of the child’s choice to the extent that it is
23 appropriate for the child, as planned and discussed with the child’s case
24 worker and based on caregiver availability if transportation is available
25 through a responsible party.

26 (i) The right to go to school and receive an education that fits
27 the child’s age and individual needs.

1 (j) The right to training in life skills such as personal care,
2 hygiene and grooming.

3 (k) The right to clothing that fits comfortably and is adequate
4 to protect the child against natural elements such as rain, wind, cold,
5 and sun.

6 (l) The right to have personal possessions at home that are not
7 offensive to the foster family and to acquire additional possessions with
8 reasonable limits, as planned and discussed with the child's foster
9 parent and case worker, and based on caregiver ability.

10 (m) The right to personal space, in the foster home preferably,
11 in the child's bedroom for storing clothing and belongings.

12 (n) The right to healthy foods in healthy portions that are
13 appropriate for the child's age and culture.

14 (o) The right to comply with any approved visitation plan, at
15 the child's discretion, and to have any restrictions explained to the child
16 in a manner and level of details deemed age appropriate by the foster
17 parent in agreement with the caseworker and documented in the child's
18 record.

19 (p) If the child is six (6) years of age or older, the right to
20 receive contact information of the child's case worker, attorney or
21 advocate and to speak with them in private if necessary.

22 (q) The right to review and participate or request the guardian
23 ad litem to participate on their behalf in his or her own case plan if he
24 or she is at least fourteen (14) years of age, and to receive information
25 about his or her out-of-home placement and case plan, including being
26 told of changes to the plan.

27 (r) The right to have fair and equal access to all available
28 services, placement, care, treatment, and benefits, and not to be

1 subjected to discrimination or harassment on the basis of actual or
2 perceived race, ethnic group identification, ancestry, national origin,
3 color, religion, sex, sexual orientation, gender identity, mental or
4 physical disability, or HIV status.

5 (s) The right to attend the child's court hearing and speak to
6 the judge.

7 (t) The right to have the child's records and personal
8 information kept private and discussed only when it is about the child's
9 care.

10 (u) The right to be free of unnecessary or excessive
11 medication, provided that prescribed medication must be taken as
12 recommended by the child's health care provider.

13 (v) The right to receive emotional, mental health care or
14 chemical dependency treatment, as planned and discussed with the
15 child's case worker, as is financially reasonable for the foster parent.

16 (w) The right to report a violation of personal rights specified
17 in this section without fear of punishment, interference, coercion or
18 retaliation.

19 (x) The right to understand and have a copy of the Foster
20 Children's Bill of Rights listed in this section. The Foster Children's
21 Bill of Rights must be posted in a conspicuous place in all secure
22 facilities and/or residential placement facilities."

23 **Section 3.** A new § 13321.2 of Chapter 13, Title 19, Guam Code Annotated,
24 is hereby *added* to read as follows:

25 **"§ 13321.2. Foster Parents' Bill of Rights.**

26 A foster parent's rights include, but are not limited to:

1 (a) The right to be treated with dignity, respect, trust, value,
2 and consideration as a primary provider of foster care and a member of
3 the professional team caring for foster children.

4 (b) The right to not be discriminated against on the basis of
5 religion, race, color, creed, sex, national origin, age or physical
6 disability.

7 (c) The right to receive an explanation from the Department
8 of Public Health and Social Services' ("Department") Bureau of Social
9 Services Administration (BOSSA) concerning the rights enumerated in
10 this section.

11 (d) The right to a concise written explanation of their role as
12 foster parents in partnership with children and their families, and the
13 Department; the role of the Department; and the rights and role of the
14 members of the birth family of a child in foster care.

15 (e) The right to training and support for the purpose of
16 improving skills in providing daily care and meeting the needs of the
17 child in foster care.

18 (f) The right to provide input to the Department in identifying
19 the types of resources and services that would meet the needs of
20 children currently in their care and of their families, and advocate for
21 the same without threat of reprisal.

22 (g) The right to information concerning behavioral problems,
23 health history, educational status, cultural and family background, and
24 other issues relative to the child which are known to the Department at
25 the time the child is placed in foster care prior to the child's placement
26 with a foster parent or parents. When the Department knows such
27 information after placement, the Department shall make that
28 information available to the foster parent as soon as practicable.

1 (h) The right to an explanation of the plan concerning the
2 placement of a child in the foster parent's home. For emergency
3 placements where time does not allow prior preparation of the
4 explanation, the Department shall provide such explanation within
5 seventy-two (72) hours. Prior to placement, the Department shall allow
6 the foster parent to review information concerning the child, including,
7 but not limited to, assessments, evaluations, and case plans, and allow
8 the foster parent to assist in determining if the child would be a proper
9 placement for the prospective foster family. For emergency placements
10 where time does not allow prior review of the information, the
11 Department shall provide the information within seventy-two (72)
12 hours of placement. Confidential information shall be kept confidential
13 by the foster parents.

14 (i) The right to a BOSSA staff member representing the
15 Department on call twenty-four (24) hours a day, seven (7) days a week,
16 for the purpose of aiding the foster parent in receiving departmental
17 assistance.

18 (j) The right to foster care maintenance payments, subject to
19 the availability of funds.

20 (k) The right to accept or refuse placement within their home,
21 or to request the removal of a child from their home for good cause
22 without threat of reprisal for acting on such good cause.

23 (l) The right to information of scheduled meetings and
24 appointments concerning the foster child and permission for the foster
25 parent to actively participate in and provide input in the case planning
26 and decision-making process regarding the child in foster care,
27 including, but not limited to, individual service planning meetings,

1 foster care reviews, individual educational planning meetings, and
2 medical appointments.

3 (m) The right to notice and an opportunity to be heard,
4 including timely information concerning all court hearings. The
5 notification shall be made upon receipt of this information by the
6 Department. Although not a party to the case, the foster parent may
7 attend court hearings at the discretion of the judge.

8 (n) The right to communicate with professionals who work
9 with the foster child, including, but not limited to, therapists,
10 physicians, and teachers who work directly with the child.

11 (o) The right to communicate with the child's birth family,
12 other foster parents of the child, and prospective and finalized adoptive
13 parents of the child with case worker approval and facilitation, and
14 without the threat of reprisal.

15 (p) The right to necessary information on an ongoing basis
16 which is relevant to the care of the child, including timely information
17 on changes in the case plan or termination of the placement and reasons
18 for the changes or termination of placement to the foster parent, except
19 in the instances of immediate response of child protective service.

20 (q) The right to priority consideration as the resource for a
21 child in a foster parent's home who becomes free for adoption or
22 another planned permanent living arrangement if the child was in the
23 home for at least twelve (12) months.

24 (r) The right to a period of respite upon the request of a foster
25 parent. The foster parent shall provide reasonable notice of a request
26 for respite.

27 (s) The right to be provided a fair and timely investigation of
28 complaints concerning the operation of a foster home.

1 (t) The right to an explanation of a corrective action plan or
2 policy violation relating to foster parents.

3 (u) The right to copies of all information relative to their
4 family and services contained in the personal foster home record.

5 (v) The right to mediation procedures that may be developed
6 and adopted by the Department. The foster parent may request
7 mediation in accordance with any mediation policy adopted by the
8 Department without threat of reprisal.

9 (w) The right to receive an evaluation on the foster parent's
10 performance based on licensing standards.

11 (x) The right to be apprised of information, laws, and
12 guidelines on the obligations, responsibilities, and opportunities of
13 foster parenting and to be kept informed of any changes in laws,
14 policies, and procedures regarding foster parenting by BOSSA in a
15 timely manner and at least annually.

16 (y) The right to have a copy of the Foster Parents' Bill of
17 Rights listed in this Section."

18 **Section 4. Effective Date.** This Act shall take effect immediately upon
19 enactment.

20 **Section 5. Severability.** If any provision of this Act or its application to any
21 person or circumstance is found to be invalid or inorganic, such invalidity shall not
22 affect other provisions or applications of this Act that can be given effect without
23 the invalid provision or application, and to this end the provisions of this Act are
24 severable.