

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
56-38 (COR)	Therese M. Terlaje	AN ACT RELATIVE TO INCLUDING PODIATRY UNDER THE GUAM BOARD OF MEDICAL EXAMINERS, AND TO ADOPT RULES AND REGULATIONS AND CODE OF ETHICS FOR PODIATRY BY ADDING A NEW SUBSECTION (9) AND AMENDINGSUBSECTION (7) OF §12202(a), AMENDING SUBSECTIONS (4), (7), (8) OF §12202(b), SUBSECTIONS (a)(1) AND (2) OF §12203, SUBSECTION (b)(1) AND (i)(2) OF §12205, AND ADDING A NEW SUBSECTION(10) AND (11) TO §12215(a), ALL OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED.	2/10/25 11:00 a.m.						

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

Bill No. 56-38 (COR)

Introduced by:

Therese M. Terlaje 

**AN ACT RELATIVE TO INCLUDING PODIATRY
UNDER THE GUAM BOARD OF MEDICAL
EXAMINERS, AND TO ADOPT RULES AND
REGULATIONS AND CODE OF ETHICS FOR
PODIATRY BY ADDING A NEW SUBSECTION (9) AND
AMENDING SUBSECTION (7) OF §12202(a),
AMENDING SUBSECTIONS (4), (7), (8) OF §12202(b),
SUBSECTIONS (a)(1) AND (2) OF §12203, SUBSECTION
(b)(1) AND (i)(2) OF §12205, AND ADDING A NEW
SUBSECTION(10) AND (11) TO §12215(a), ALL OF
CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Findings and Intent. *I Liheslaturan Guåhan* recognizes the critical role podiatrists play in Guam's healthcare system, providing specialized medical care for conditions affecting the foot, ankle, and lower extremities. Their expertise includes diagnosing and treating injuries, managing chronic conditions such as diabetes-related foot complications, performing surgical procedures, and prescribing medications.

I Liheslaturan Guåhan finds that, despite their surgical and medical responsibilities, podiatrists in Guam are currently regulated under the Guam Board of Allied Health Examiners. While this board oversees a variety of health professions, podiatry is distinct in its training, scope of practice, and integration into medical care.

1 In many U.S. jurisdictions, podiatrists are regulated under state medical boards that
2 reflect the medical nature of their work.

3 *I Liheslaturan Guåhan* finds that there is a need for a regulatory framework that
4 aligns podiatry with other physician-level professions. Given their ability to diagnose,
5 perform surgery, and prescribe controlled substances, podiatrists would be more
6 appropriately regulated under the Guam Board of Medical Examiners, which sets
7 standards for medical practice, ethical conduct, and patient safety.

8 *Liheslaturan Guåhan* finds that transferring podiatrists from the Guam Board
9 of Allied Health Examiners to the Guam Board of Medical Examiners will improve
10 the efficiency and consistency of medical licensing and oversight. This transition will
11 ensure that podiatrists are subject to the same professional standards as other medical
12 practitioners, fostering greater collaboration within the healthcare system and
13 enhancing public confidence in their care.

14 Therefore, it is the intent of *I Liheslaturan Guåhan* to amend the regulatory
15 structure for podiatry, placing it under the authority of the Guam Board of Medical
16 Examiners to ensure appropriate oversight, consistency in medical licensing, and
17 alignment with national best practices.

18 **Section 2.** Transfer of Jurisdiction with Respect to the Profession of Podiatry from the
19 Guam Board of Allied Health Examiners to the Guam Board of Medical Examiners.

20 (a) Jurisdiction with respect to the licensure and practice of podiatry presently
21 located in Articles 17 of Chapter 12, Title 10 ,Guam Code Annotated, is
22 transferred from the Guam Board of Allied Health Examiners to the Guam
23 Board of Medical Examiners to be placed in Article 2 Chapter 12 Title 10,
24 Guam Code Annotated, to be codified as determined by the Compiler of
25 Laws as authorized by 1 GCA § 1606.

26 (b) Subsection 12802(a)(9) of Article 8, Chapter 12, Title 10, Guam Code
27 Annotated, is repealed and reenacted as a new subsection (8) to §12202(a)

of Article 2, Chapter 12, Title 10, Guam Code Annotated and the remaining subsections of §12802(a) renumbered as determined by the Compiler of Laws as authorized by 1GCA §1606.

(c) All Guam statutes and administrative rules and regulations not specifically identified or mentioned in this enactment which refer to the jurisdiction and authority of the Guam Board of Allied Health Examiners over the licensure, practice, and discipline podiatrists or doctors of podiatry are amended to reflect the transfer of jurisdiction from the Guam Board of Allied Health Examiners to the Guam Board of Medical Examiners, which shall henceforward perform all functions with respect to licensure, discipline, rulemaking concerning this one profession formerly performed by the Guam Board of Allied Health Examiners.

Section 3. Subsection (7) of §12202(a) of Article 2, Chapter 12, Title Guam Code Annotated is *amended* to read as follows:

“(7) using the designation Doctor, Doctor of Medicine, Doctor of Osteopathy, Physician, Surgeon, Physician and Surgeon, Doctor of Podiatry, Podiatrist, Dr., M.D., D.O., D.P.M. or any combination thereof in the conduct of any occupation or profession pertaining to the prevention, diagnosis or treatment of human disease or condition, unless such a designation additionally contains the description of another branch of the healing arts for which one holds a valid license in the jurisdiction.”

Section 4. Subsection (4) of §12202(b) of Article 2, Chapter 12, Title 10, Guam Code Annotated is *amended* to read as follows:

“(4) those practicing dentistry, nursing, optometry, ~~podiatry~~, psychology or any other of the healing arts in accord with, and as provided by the laws of Guam;”

Section 5. Subsections (7) and (8) of §12202(b) of Article 2, Chapter 12, Title 10, Guam Code Annotated are hereby *amended* to read:

1 “(7) those fully licensed to practice medicine or podiatry in another jurisdiction
2 of the United States who briefly render emergency medical treatment or briefly
3 provide critical medical service at the specific lawful direction of a medical institution
4 or Federal agency that assumes full responsibility for that treatment or service and is
5 approved by the state medical board.”

6 (8) A licensed physician or podiatrist who resides outside of Guam within a
7 State, Federal jurisdiction or country is not subject to Guam medical licensure
8 requirements where said licensed physician is providing consultation to a Guam
9 licensed physician through the use of telemedicine technology if:

10 (A) the non-resident licensed consulting physician or podiatrist operates no
11 clinical practice or office on Guam;

12 (B) the non-resident licensed consulting physician or podiatrist does not render
13 any final written or otherwise documented final medical opinion concerning the
14 diagnosis or treatment of a patient on Guam directly to the patient; and

15 (C) the non-resident licensed consulting physician or podiatrist does not render
16 any treatment to any patient on Guam.

17 (D) The non-resident licensed consulting physician or podiatrist may render
18 care and provide final diagnostic and treatment decisions without an active
19 Guam license if the consultant is to act as a receiving physician, podiatrist, or
20 physician assistant for the patient in the consultant’s jurisdiction.

21 (E) The non-resident licensed consulting physician or podiatrist may render care
22 and provide diagnostic and treatment recommendations without an active Guam
23 license if the consulting physician or podiatrist acts jointly and directly with the
24 local attending physician or podiatrist of the patient who is the subject of the
25 consultation.

1 (F) The non-resident licensed consulting physician or podiatrist rendering
2 consultation shall abide by all local and federal laws with regard to patient
3 confidentiality.”.

4 **Section 6.** Subsection (a)(1) and (2) of §12203 of Article 2, Chapter 12, Title 10, Guam
5 Code Annotated are *amended* to read as follows:

6 “(a) There is established, in and for the government of Guam, a Guam Board of
7 Medical Examiners (~~BOARD~~) (Board) composed of ~~seven (7)~~ eight (8)
8 members who shall be nominated and appointed by *I Maga’lahen Guåhan*, with
9 the advice and consent of *I Liheslaturan Guåhan*.

10 (1) At least six (6) of the ~~seven (7)~~ eight (8) members shall be physicians,
11 Doctors of osteopathy, or surgeons licensed in Guam, and one (1) shall be a
12 podiatrist licensed in Guam. The members of the Board who are licensed
13 healthcare providers shall be persons of recognized professional ability and
14 integrity, and shall have practiced in Guam for at least five (5) consecutive years
15 immediately preceding the appointment.”

16 (2) All members of the Board shall be citizens or permanent residents of
17 the United States who have resided in Guam for at least five (5) consecutive
18 years immediately preceding the appointment.”

19 **Section 7.** Subsection (1) of §12205(b), Article 2, Chapter 12, Title 10, Guam Code
20 Annotated is hereby *amended* to read as follows:

21 “(1) The applicant shall possess the degree of Doctor of Medicine or Osteopathy
22 or Podiatry from a medical college or school located in the United States, its territories
23 or possessions, or Canada that was approved by the Board or by a private nonprofit
24 accrediting body approved by the Board at the time the degree was conferred.”

25 **Section 8.** Subsection (2) of §12205(i), Article 2, Chapter 12, Title 10, Guam Code
26 Annotated is hereby *amended* to read as follows:

1 “(2) The Board shall review and verify medical credentials and screen applicant
2 records through recognized national physician information services (e.g. the
3 Federation of State Medical Boards’ Board Action Data Bank and Credentials
4 Verification Service, the files of the American Medical Association, the American
5 Osteopathic Association, the American Podiatry Association, and other national data
6 banks and information resources).”

7 **Section 9. Repeal of Administrative Rules and Regulations.** All references found
8 within any rules and regulations presently located at Title 25 Guam Administrative
9 Rules and Regulations Chapter 10 governing the licensure, practice, and supervision
10 of podiatry are repealed.

11 **Section 10. Approval of Administrative Rules and Regulations for Podiatry.**
12 Additions to 25 GARR Chapter 11, the Guam Board of Medical Examiners
13 Administrative Rules and Regulations governing the licensure and practice of
14 Podiatry, attached hereto as Exhibit A, are approved. GBME may repeal, amend, or
15 add to these rules pursuant to 5 GCA Chapter 9 Administrative Adjudication Law
16 (AAL).

17 **Section 11. Codes of Professional Conduct and Ethics.** The Guam Board of Medical
18 Examiners Code of Professional Conduct and Ethics for Podiatrists, attached hereto
19 as Exhibit B, is approved. GBME may repeal, amend, or add to these rules pursuant
20 to 5 GCA Chapter 9 Administrative Adjudication Law (AAL).

21 **Section 12. Severability.** If any provision of this Act or its application to any person
22 or circumstance is found to be invalid or inorganic, such invalidity shall not 6 affect
23 other provisions or applications of this Act that can be given effect without the invalid
24 provision or application, and to this end the provisions of this Act are severable.

25 **Section 13. Effective Date.** This Act shall become immediately effective upon its
26 enactment.

EXHIBIT A

GUAM BOARD OF MEDICAL EXAMINERS

RULES AND REGULATIONS

FOR

PODIATRISTS

HEALTH PROFESSIONAL LICENSING OFFICE
DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES
194 Hernan Cortez Avenue, Suite 213
Hagåtña, Guam 96910
Tel: (671) 735-7405

**GUAM BOARD OF MEDICAL EXAMINERS
ADMINISTRATIVE RULES & REGULATIONS**

The following rules shall be added to 25 GAR Chapter 11.

§ _____ RULES APPLICABLE TO TO PODIATRISTS

§ _____. Definition – Podiatric Medicine

Podiatric medicine means the diagnosis, medical, surgical, mechanical, manipulative, and electrical treatment of the human foot and ankle, including the tendons that insert into the foot, and the nonsurgical treatment of the muscles and tendons of the leg governing the functions of the foot.

§ _____. Scope of Practice.

(a) A license to practice podiatric medicine on Guam authorizes the holder to practice podiatric medicine as defined in these Rules.

(b) No doctor of podiatric medicine shall do any amputation of the foot in total. Surgical debridement with plastic repairs or reconstruction of diseased, traumatized or devitalized, nonviable or necrotic tissue shall be the standard of treatment for these diseased processes.

(c) Doctors of podiatric medicine practicing within the framework of this policy statement are subject to all laws governing gross negligence, incompetence and repeated negligent acts

§ _____. Podiatric Medicine [RESERVED]

§ _____. RENEWAL OF LICENSE – PODIATRIST

(a) Licenses expire biennially on December 31st of even numbered years and may be renewed upon payment of a renewal fee and proof of completion of continuing education requirements as stated in these rules and regulations. The Board staff shall, no later than September 1st of each even-numbered year, mail a notice of renewal along with a renewal form to the licensee's latest address on file with the Board. Failure of the Board staff to send renewal notices and forms does not excuse the licensee from failing to file the forms, documentation, and fees required to renew their license. A new certificate or other evidence of current licensure may be mailed to all persons completing renewal requirements as stated herein.

(b) An individual licensed on or after October 1 of the renewal year is not required to renew or provide proof of continuing education until the following renewal term.

(c) In addition to payment of required fees and proof of continuing education, additional documentation is required of the following allied health professionals:

(1) *Podiatrists* must, at the time of license renewal, provide proof or otherwise certify that they possess a current certificate in basic cardiopulmonary resuscitation ("CPR") or Basic Life Support ("BLS"). Failure to maintain current CPR or BLS certification shall result in the automatic suspension of the Podiatrist's license.

**GUAM BOARD OF MEDICAL EXAMINERS
ADMINISTRATIVE RULES & REGULATIONS**

§ _____. Continuing Education

(a) Minimum continuing education requirements. In order to qualify for renewal of a podiatrist license, a minimum of thirty (50) credit hours of continuing education must be earned during each two (2) year licensure period, of which a minimum of thirty (30) credit hours must be directly related to the licensee's profession within each two (2) year licensure period.

§ _____. Approved Continuing Education Programs. The following are approved by the Board as continuing education programs:

(a) programs which are approved by the American Podiatric Medical Association and its affiliated organizations;

(b) programs that qualify for Category I Credit of the American Medical Association and the American Osteopathic Association and their affiliated organizations;

(c) programs offered by approved colleges or schools of podiatric medicine, medicine and osteopathic medicine;

(d) podiatric residency program or clinical fellowship in a hospital approved for podiatric residencies (Completion of a residency program or clinical fellowship shall be credit for fifty (50) hours of approved continuing education.);

and (e) programs offered by other individuals, organizations and institutions approved by the Board on a case-by-case basis.

§ _____. Denial, Suspension, or Revocation of Licensure.

(a) Notwithstanding any other provision of law or rule, the Board of Medical Examiners is authorized to refuse, revoke, or suspend the license of a podiatrist for any of the following reasons:

(1) Conviction of felony in Guam or any other state, territory, or country. Conviction as used in this paragraph shall include a finding or verdict of guilty, an admission of guilt, or a plea of nolo contendere;

(2) Habitually using any habit-forming drug such as opium or any of its derivatives, morphine, heroin, cocaine, or any habit-forming drug;

(3) Fraud or deceit in obtaining initial approval as a podiatrist, or in the practice of the podiatry profession;

(4) Professional misconduct of incompetence, or gross carelessness or manifest incapacity in the practice of medicine;

(5)

(6) Having his/her approval to serve as a podiatrist revoked or suspended or having any other disciplinary action taken, or an application for approval refused, revoked, or suspended by the proper regulatory authority of another state, territory, or country;

(7) Violating a lawful regulation promulgated by the Board or violating a lawful of the Board, previously entered by the Board in a disciplinary proceeding.

**GUAM BOARD OF MEDICAL EXAMINERS
ADMINISTRATIVE RULES & REGULATIONS**

(b) Disciplinary measures: When the Guam Board of Medical Examiners determines that the approval of a podiatrist may be refused, revoked, or suspended under the terms of this Act, it may:

- (1) Deny the application for approval;
- (2) Administer a public or private reprimand;
- (3) Revoke, suspend, limit, or otherwise restrict licensure and/or registration;
- (4) Require a podiatrist to submit to the care, counseling, or treatment of a physician or physicians designated by the Board;
- (5) Suspend enforcement of its finding thereof and place the podiatrist on probation with the right to vacate the probationary order;
- (6) Restore or reissue, at its discretion, a license to serve as a podiatrist, and impose the disciplinary or corrective measure which it might have originally imposed.

EXHIBIT B

GUAM BOARD OF MEDICAL EXAMINERS

CODES OF PROFESSIONAL CONDUCT & ETHICS

HEALTH PROFESSIONAL LICENSING OFFICE
DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES
194 Hernan Cortez Avenue, Suite 213
Hagåtña, Guam 96910
Tel: (671) 735-7405

**GUAM BOARD OF MEDICAL EXAMINERS
ADMINISTRATIVE RULES & REGULATIONS**

25 GAR§ _____. CODES OF PROFESSIONAL CONDUCT/ ETHICS

(a) All licensees, registrants, and certificate holders shall comply with the following Codes of Professional Conduct:

(1) **DOCTORS OF MEDICINE.[RESERVED]**

(2) **DOCTORS OF OSTEOPATHY. [RESERVED]**

(3) **DOCTORS OF PODIATRY.** The Code of Professional Conduct for Podiatrists licensed by the Board shall be the American Podiatric Medical Association – Code of Ethics (2013) as adopted as of the effective dates of these rules, and any revisions made hereafter thereto. These Rules shall be known as the Code of Professional Conduct for Podiatrist and by reference thereto shall have the full force and effect of a regulation of the Board. In the event of a conflict between the Code of Professional Conduct for Podiatrist and any statute enacted by the Guam Legislature or any rule promulgated by this Board the more recent in time statute or rule shall control.