

*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
<b>219-38 (COR)</b>	Shelly V. Calvo	AN ACT TO <i>AMEND</i> SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO <i>ADD</i> NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO <i>AMEND</i> § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE "BABY ALEXYA LAW REFORM ACT OF 2025.	11/7/25 10:25 a.m.  ^11/18/25 3:40 p.m.	11/20/25	Committee on Health and Veterans Affairs.	Request: 11/20/25  11/24/25	1/16/26 9:00 a.m.	3/3/26	



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan* | 38th Guam Legislature  
 Chairperson, Committee on Health and Veterans Affairs

February 25, 2026

**The Honorable Frank Blas Jr., Speaker**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
 163 Hagåtña, Guåhan  
 Chalan Santo Papa

VIA: **The Honorable V. Anthony Ada, Vice Speaker**   
 Chairperson, Committee on Rules

RE: Committee Report on Public Hearing relative to **Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD NEW* § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.

**Håfa Adai** Speaker Blas,

Transmitted herewith is the Committee Report on Public Hearing relative to **Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD NEW* § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.

Committee votes are as follows:

- 2   TO DO PASS
- TO NOT PASS
- 6   TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE



COMMITTEE ON RULES

**RECEIVED:**  
 February 25, 2026 1:43 p.m.  
*Marie Crisostomo*



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature*  
Chairperson, Committee on Health and Veterans Affairs

Sincerely,

Senator Sabrina Salas Matanane *Smat*

Chairwoman, Committee on Health and Veterans Affairs



Office of Legislative Secretary

**SENATOR SABRINA SALAS MATANANE**

*I Mina'trentai Ocho Na Liheslaturan Guåhan* | 38th Guam Legislature  
Chairperson, Committee on Health and Veterans Affairs

## **COMMITTEE REPORT**

**Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD* NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan* | 38th Guam Legislature  
Chairperson, Committee on Health and Veterans Affairs

January 26, 2026

To: **ALL MEMBERS**  
Committee on Health and Veterans Affairs

From: **Senator Sabrina Salas Matanane**  
Chairwoman, Committee on Health and Veterans Affairs

Subject: Committee Report on **Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD NEW* § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.

Transmitted herewith for your consideration is the Committee Report on **Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD NEW* § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.

- COR Referral Memorandum
- Notice of Hearing
- Hearing Agenda
- Hearing Sign-in Sheet
- Submitted Testimonies and Supporting Documents
- Committee Report Vote Sheet
- Committee Report Digest
- Copy of Bill No. 219-38 (COR)
- Fiscal Note

Please take appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please contact the Office of Senator Sabrina Salas Matanane.



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan* | 38th Guam Legislature  
Chairperson, Committee on Health and Veterans Affairs

Sincerely,

Senator Sabrina Salas Matanane *Smat*

Chairwoman, Committee on Health and Veterans Affairs




# COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson  
*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
38<sup>th</sup> Guam Legislature

November 20, 2025

**To:** **Rennae V. C. Meno**  
Clerk of the Legislature

**Attorney Darleen Hiton**  
Legislative Legal Counsel

**From:** **Vice Speaker V. Anthony Ada**   
Chairperson, Committee on Rules

**Subject:** **Referral of Bill No. 219-38 (COR)**

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*Håfa Adai,*

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 219-38 (COR)** – Shelly V. Calvo. – “AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD* NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.”

Please ensure that the subject bill is referred to the Committee on Health and Veterans Affairs chaired by Senator Sabrina Salas Matanane. I also request that the same be copied to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan* | 38th Guam Legislature  
Chairperson, Committee on Health and Veterans Affairs

January 9, 2026

**MEMORANDUM**

**To:** All Senators, Stakeholders, Media

**From:** Senator Sabrina Salas Matanane  
Chairperson, Committee on Health and Veterans Affairs

**Subject:** First Notice of Public Hearing: Friday January 16, 2026, 9:00 A.M.

*Håfa Adai!*

The Committee on Health and Veterans Affairs will conduct a Public Hearing on Friday January 16, 2026, beginning at 9:00 A.M., in the Public Hearing Room of the Guam Congress Building.

The Committee will hear and accept testimony on the following:

**9:00 A.M.**

Office of the Governor - Appointment and Supporting Documents for Annie U. Bordallo, MD, Member, (Physician-Representative), Guam Board of Medical Examiners.

**Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD* NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.

**How to Participate:** Written testimony may be delivered to the Office of Senator Sabrina Salas Matanane at the Guam Congress Building, 163 *Chalan Santo Papa Hagåtña*, Guam 96910 or via email to [Office.SenatorBri@guamlegislature.gov](mailto:Office.SenatorBri@guamlegislature.gov). The Committee requests that testimonies be submitted at least forty-eight (48) hours prior to the scheduled hearing. Please confirm your attendance by contacting the Office of Senator Sabrina Salas Matanane via email at [Office.SenatorBri@guamlegislature.gov](mailto:Office.SenatorBri@guamlegislature.gov) or via voice call at (671) 989-2572.

**Special Accommodations:** In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodations should contact Annie San Nicolas, at the Office of Senator Sabrina Salas Matanane.

**Watch Live/Record:** The hearing will be broadcast on local television, GTA Channel 21, Docomo Channel 117, and streamed online via *I Liheslaturan Guåhan's* live feed on YouTube. After the hearing, a hearing recording will also be available online via Guam Legislature Media on YouTube.



Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

## First Notice of Public Hearing: Friday January 16, 2026, 9:00 A.M.

2 messages

Office of Legislative Secretary Senator Sabrina Salas Matanane

Fri, Jan 9, 2026 at

<office.senatorbri@guamlegislature.gov>

8:00 AM

To: Audio / Video <av@guamlegislature.gov>, mis@guamlegislature.gov, Ed Pocaigue <sgtarms@guamlegislature.gov>, phnotice@guamlegislature.gov, 38th Committee On Rules <committeeonrules@guamlegislature.gov>

Bcc: Isaiah Aguon <isaiah.aguon@guamlegislature.gov>, ann.sn@guamlegislature.gov

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**Office of Legislative Secretary**  
**SENATOR SABBINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guahan | 38th Guam Legislature*  
 Chairperson, Committee on Health and Veterans Affairs  
 163 W. Chalan Santo Papa, Hagåtña, Guam 96910  
 office.senatorbri@guamlegislature.gov  
 671-989-2572

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**PH 01.09 First Notice 2026.01.16.pdf**  
 363K

**Ed Pocaigue** <sgtarms@guamlegislature.gov> Fri, Jan 9, 2026 at 8:23 AM  
 To: Office of Legislative Secretary Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Hafa Adai,

Posted on calendar.

[Quoted text hidden]

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**Edward S. Pocaigue, Jr.**  
 Sergeant-at-Arms  
*I Mina'trentai Ocho Na Liheslaturan Guahan*  
 Guam Congress Building, 1st Floor  
 163 Chalan Santo Papa  
 Hagåtña, Guam 96910  
 1-671-969-3514  
 sgtarms@guamlegislature.gov

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# First Notice of Public Hearing: Friday January 16, 2026, 9:00 A.M.


 PRINT

**First Notice of Public Hearing: Friday January  
16, 2026, 9:00 A.M.**

**PUBLIC HEARING**



 **Posted on:** 01/09/2026 08:00 AM

 **Posted by:** Annie San Nicolas, Administrative Office/Committee  
Director

 **Public Hearing Date:** 01/16/2026 09:00 AM

 **Department(s):**  
**GUAM LEGISLATURE (/notices?department\_id=92)**

 **Division(s):**  
OFFICE OF SENATOR SABRINA SALAS MATANANE (/notices?  
division\_id=295)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic\_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type\_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

The Committee on Health and Veterans Affairs will conduct a Public Hearing on Friday January 16, 2026, beginning at 9:00 A.M., in the Public Hearing Room of the Guam Congress Building.

The Committee will hear and accept testimony on the following:

**9:00 A.M.**

Office of the Governor - Appointment and Supporting Documents for Annie U. Bordallo, MD, Member, (Physician-Representative), Guam Board of Medical Examiners.

**Bill No 219-38 (COR)**

**([https://guamlegislature.gov/38th\\_Guam\\_Legislature/Bills\\_Introduced\\_38th/Bill%20No.%20219-38%20\(COR\)%20Referred%20Version.pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20219-38%20(COR)%20Referred%20Version.pdf)) - Shelly V. Calvo (<http://guamlegislature.gov/about-svc/>) - AN ACT TO AMEND SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO ADD NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO AMEND § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE "BABY ALEXYA LAW REFORM ACT OF 2025. ([http://guamlegislature.gov/38th\\_Guam\\_Legislature/Bills\\_Introduced\\_38th/Bill%20No.%20219-38%20\(COR\)%20Referred%20Version.pdf](http://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20219-38%20(COR)%20Referred%20Version.pdf))**

**How to Participate:** Written testimony may be delivered to the Office of Senator Sabrina Salas Matanane at the Guam Congress Building, 163 *Chalan Santo Papa Hagåtña*, Guam 96910 or via email to [Office.SenatorBri@guamlegislature.gov](mailto:Office.SenatorBri@guamlegislature.gov) (<mailto:Office.SenatorBri@guamlegislature.gov>). The Committee requests that testimonies be submitted at least forty-eight (48) hours prior to the scheduled hearing. Please confirm your attendance by contacting the Office of Senator Sabrina Salas Matanane via email at [Office.SenatorBri@guamlegislature.gov](mailto:Office.SenatorBri@guamlegislature.gov) (<mailto:Office.SenatorBri@guamlegislature.gov>) or via voice call at (671) 989-2572.

**Special Accommodations:** In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodations should contact Annie San Nicolas, at the Office of Senator Sabrina Salas Matanane.

**Watch Live/Record:** The hearing will be broadcast on local television, GTA Channel 21, Docomo Channel 117, and streamed online via *I Liheslaturan Guåhan's* live feed on YouTube. After the hearing, a hearing recording will also be available online via Guam Legislature Media on YouTube.



**Notice of Public Hearing**  
**Friday January 16, 2026, 9:00 A.M.**

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The Committee on Health and Veterans Affairs will conduct a Public Hearing on Friday January 16, 2026, beginning at 9:00 A.M., in the Public Hearing Room of the Guam Congress Building.

The purpose of this Public Hearing is to hear the following topics:

Office of the Governor - Appointment and Supporting Documents for Annie U. Bordallo, MD, Member, (Physician-Representative), Guam Board of Medical Examiners.

**Bill No 219-38 (COR) - Shelly V. Calvo - AN ACT TO AMEND SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO ADD NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO AMEND § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE "BABY ALEXYA LAW REFORM ACT OF 2025.**

# SENATOR SABRINA SALAS MATANANE

## COMMITTEE ON HEALTH AND VETERANS AFFAIRS



**How to Participate:** Written testimony may be delivered to the Office of Senator Sabrina Salas Matanane at the Guam Congress Building, 163 *Chalan Santo Papa Hagåtña*, Guam 96910 or via email to [Office.SenatorBri@guamlegislature.gov](mailto:Office.SenatorBri@guamlegislature.gov). The Committee requests that testimonies be submitted at least forty-eight (48) hours prior to the scheduled hearing.

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**GUAM LEGISLATURE  
AUDIO VISUAL DEPARTMENT  
PUBLIC ANNOUNCEMENT REQUEST FORM**

**Office Submitting Request:** Senator Sabrina Salas Matanane

**Date of Request:** January 8, 2026

**POINT OF CONTACT**

**Name:** Annie San Nicolas

**Contact #:**

**Email:** ann.sn@guamlegislature.gov

**PUBLIC HEARING DETAILS**

**Notice Type:** Public Hearing  Informational Briefing  Roundtable Discussion

Oversight Hearing  Committee Meeting  Other: \_\_\_\_\_

**Notice Title / Bill(s) / Resolution(s) / Appointment:**

**Date of Event:** Friday January 16, 2026 **Start Time:** 9:00 AM/PM

**Run Dates:** January 8, 2026 - January 16, 2026

**Location:** Guam Congress Building, Public Hearing Room

**MEDIA HANDLING**

**Recording Format:**  MP4  MP3  Other: \_\_\_\_\_

**Delivery Method:**  Email  USB Drive  Cloud Link  Other: \_\_\_\_\_

**CERTIFIED BY AV:**

**Name:** *Ruby Jones*  
**Posted on/Air Date:** 1/8/26-1/16/26

**Signature:**



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan* | 38th Guam Legislature  
Chairperson, Committee on Health and Veterans Affairs

January 14, 2026

**MEMORANDUM**

**To:** All Senators, Stakeholders, Media

**From:** Senator Sabrina Salas Matanane  
Chairperson, Committee on Health and Veterans Affairs

**Subject:** Second Notice of Public Hearing: Friday January 16, 2026, 9:00 A.M.

*Håfa Adai!*

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The Committee will hear and accept testimony on the following:

**9:00 A.M.**

Office of the Governor - Appointment and Supporting Documents for Annie U. Bordallo, MD, Member, (Physician-Representative), Guam Board of Medical Examiners.

**Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD* NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.

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Sabrina Salas Matanane &lt;office.senatorbri@guamlegislature.gov&gt;

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## Second Notice of Public Hearing: Friday January 16, 2026, 9:00 A.M.

2 messages

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**Office of Legislative Secretary Senator Sabrina Salas Matanane**

Wed, Jan 14, 2026 at

&lt;office.senatorbri@guamlegislature.gov&gt;

8:00 AM

To: Audio / Video &lt;av@guamlegislature.gov&gt;, 38th Committee On Rules &lt;committeeonrules@guamlegislature.gov&gt;, mis@guamlegislature.gov, Ed Pocaigue &lt;sgtarms@guamlegislature.gov&gt;, phnotice@guamlegislature.gov

Bcc: Isaiah Aguon &lt;isaiah.aguon@guamlegislature.gov&gt;, ann.sn@guamlegislature.gov

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**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guahan | 38th Guam Legislature*  
 Chairperson, Committee on Health and Veterans Affairs  
 163 W. Chalan Santo Papa, Hagåtña, Guam 96910  
 office.senatorbri@guamlegislature.gov  
 671-989-2572

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**PH 01.14 Second Notice 2026.01.16.pdf**  
 363K

**Ed Pocaigue** <sgtarms@guamlegislature.gov> Wed, Jan 14, 2026 at 8:03 AM  
 To: Office of Legislative Secretary Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Hafa Adai,

Calendar updated.

[Quoted text hidden]

--



**Edward S. Pocaigue, Jr.**  
 Sergeant-at-Arms  
*I Mina'trentai Ocho Na Liheslaturan Guahan*  
 Guam Congress Building, 1st Floor  
 163 Chalan Santo Papa  
 Hagåtña, Guam 96910  
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# Second Notice of Public Hearing: Friday January 16, 2026, 9:00 A.M.

 PRINT

## Second Notice of Public Hearing: Friday January 16, 2026, 9:00 A.M.

**PUBLIC HEARING**



 **Posted on:** 01/13/2026 01:15 PM

 **Posted by:** Annie San Nicolas

 **Public Hearing Date:** 01/16/2026 09:00 AM

 **Department(s):**  
**GUAM LEGISLATURE (/notices?department\_id=92)**

 **Division(s):**  
OFFICE OF SENATOR SABRINA SALAS MATANANE (/notices?division\_id=295)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic\_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type\_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

The Committee on Health and Veterans Affairs will conduct a Public Hearing on Friday January 16, 2026, beginning at 9:00 A.M., in the Public Hearing Room of the Guam Congress Building.

The Committee will hear and accept testimony on the following:

**9:00 A.M.**

**Office of the Governor - Appointment and Supporting Documents for Annie U. Bordallo, MD, Member, (Physician-Representative), Guam Board of Medical Examiners.**

**Bill No 219-38 (COR)**

**([https://guamlegislature.gov/38th\\_Guam\\_Legislature/Bills\\_Introduced\\_38th/Bill%20No.%20219-](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20219-38%20(COR)%20Referred%20Version.pdf)**

**38%20(COR)%20Referred%20Version.pdf) - Shelly V. Calvo**

**(<http://guamlegislature.gov/about-svc/>) - AN ACT TO AMEND**

**SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO ADD NEW §**

**82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND**

**TO AMEND § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE**

**10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING**

**PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT**

**TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS**

**ACT AS THE "BABY ALEXYA LAW REFORM ACT OF 2025.**

**([http://guamlegislature.gov/38th\\_Guam\\_Legislature/Bills\\_Introduced\\_38th/Bill%20No.%20219-](http://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20219-38%20(COR)%20Referred%20Version.pdf)**

**38%20(COR)%20Referred%20Version.pdf)**

**How to Participate:** Written testimony may be delivered to the Office of Senator Sabrina Salas Matanane at the Guam Congress Building, 163 *Chalan Santo Papa Hagåtña*, Guam 96910 or via email to [Office.SenatorBri@guamlegislature.gov](mailto:Office.SenatorBri@guamlegislature.gov)

(<mailto:Office.SenatorBri@guamlegislature.gov>). The Committee requests that testimonies be submitted at least forty-eight (48)

hours prior to the scheduled hearing. Please confirm your

attendance by contacting the Office of Senator Sabrina Salas

Matanane via email at [Office.SenatorBri@guamlegislature.gov](mailto:Office.SenatorBri@guamlegislature.gov)

(<mailto:Office.SenatorBri@guamlegislature.gov>) or via voice call at (671) 989-2572.

**Special Accommodations:** In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodations should contact Annie San Nicolas at the Office

accommodations should contact Anne San Nicolas, at the Office of Senator Sabrina Salas Matanane.

**Watch Live/Record:** The hearing will be broadcast on local television, GTA Channel 21, Docomo Channel 117, and streamed online via *I Liheslaturan Guåhan's* live feed on YouTube. After the hearing, a hearing recording will also be available online via Guam Legislature Media on YouTube.



**Notice of Public Hearing**  
**Friday January 16, 2026, 9:00 A.M.**

The Committee on Health and Veterans Affairs will conduct a Public Hearing on Friday January 16, 2026, beginning at 9:00 A.M., in the Public Hearing Room of the Guam Congress Building.

The purpose of this Public Hearing is to hear the following topics:

Office of the Governor - Appointment and Supporting Documents for Annie U. Bordallo, MD, Member, (Physician-Representative), Guam Board of Medical Examiners.

**Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO AMEND SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO ADD NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO AMEND § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE "BABY ALEXYA LAW REFORM ACT OF 2025.

# SENATOR SABRINA SALAS MATANANE

## COMMITTEE ON HEALTH AND VETERANS AFFAIRS



**How to Participate:** Written testimony may be delivered to the Office of Senator Sabrina Salas Matanane at the Guam Congress Building, 163 *Chalan Santo Papa Hagåtña*, Guam 96910 or via email to [Office.SenatorBri@guamlegislature.gov](mailto:Office.SenatorBri@guamlegislature.gov). The Committee requests that testimonies be submitted at least forty-eight (48) hours prior to the scheduled hearing.

Please confirm your attendance by contacting the Office of Senator Sabrina Salas Matanane via email at [Office.SenatorBri@guamlegislature.gov](mailto:Office.SenatorBri@guamlegislature.gov) or via voice call at (671) 989-2572.

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**GUAM LEGISLATURE  
AUDIO VISUAL DEPARTMENT  
PUBLIC ANNOUNCEMENT REQUEST FORM**

**Office Submitting Request:** Senator Sabrina Salas Matanane

**Date of Request:** January 8, 2026

**POINT OF CONTACT**

**Name:** Annie San Nicolas

**Contact #:**

**Email:** ann.sn@guamlegislature.gov

**PUBLIC HEARING DETAILS**

**Notice Type:** Public Hearing  Informational Briefing  Roundtable Discussion

Oversight Hearing  Committee Meeting  Other: \_\_\_\_\_

**Notice Title / Bill(s) / Resolution(s) / Appointment:**

**Date of Event:** Friday January 16, 2026 **Start Time:** 9:00 AM/PM

**Run Dates:** January 8, 2026 - January 16, 2026

**Location:** Guam Congress Building, Public Hearing Room

**MEDIA HANDLING**

**Recording Format:**  MP4  MP3  Other: \_\_\_\_\_

**Delivery Method:**  Email  USB Drive  Cloud Link  Other: \_\_\_\_\_

**CERTIFIED BY AV:**

**Name:** *Ruby Jones*  
**Posted on/Air Date:** 1/8/26-1/16/26

**Signature:**



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan* | 38th Guam Legislature  
Chairperson, Committee on Health and Veterans Affairs

January 12, 2026,

**TRANSMITTED VIA EMAIL:**

**Carissa Pangelinan**

Director, GBHWC

[Carissa.pangelinan@gbhwc.guam.gov](mailto:Carissa.pangelinan@gbhwc.guam.gov)

**James Cooper-Nurse**

Deputy Director, GBHWC

[james.cooper-nurse@gbhwc.guam.gov](mailto:james.cooper-nurse@gbhwc.guam.gov)

**Dr. Ricardo Eusebio**

Medical Director, GMHA

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**Dr. Nathaniel Berg**

Chairperson, Guam Board of Medical Examiners

[nberg@](mailto:nberg@)

**Dr. Annie Bordallo**

[aubordallo](mailto:aubordallo)

**Sarah Elmore Hernandez**

Director of Policy, Planning, & Community Relations

[sehernandez@guamcourts.gov](mailto:sehernandez@guamcourts.gov)

**Subject:** Invitation to Public Hearing on Friday January 16, 2026, at 9:00 A.M.

Håfa Adai,

The Committee on Health and Veterans Affairs has scheduled a Public Hearing on Friday January 16, 2026, beginning at 9:00 A.M., in the Public Hearing Room of the Guam Congress Building. Your attendance is requested to provide insights on the following agenda items:

9:00 A.M.

**Office of the Governor - Appointment and Supporting Documents for Annie U. Bordallo, MD, Member, (Physician-Representative), Guam Board of Medical Examiners.**

**Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD* NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.

The Committee requests that all written testimony and presentations be submitted forty-eight (48) hours prior to the hearing. Additionally, you are welcome to invite other officials who may be able to contribute to the discussion.



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan* | **38th Guam Legislature**  
Chairperson, Committee on Health and Veterans Affairs

If your office requires any assistance or accommodation that can be provided by my office or the 38<sup>th</sup> Guam Legislature, please contact my office via email or voice call.

Should you have any questions or concerns, you may contact my office at 671-989-2572 or email [office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov).

*Smat*

Senator Sabrina Salas Matanane  
38<sup>th</sup> Guam Legislature

Cc:

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Sabrina Salas Matanane &lt;office.senatorbri@guamlegislature.gov&gt;

---

**Invitation to Public Hearing January 16, 2026 at 9:00 AM**

1 message

**Office of Legislative Secretary Senator Sabrina Salas Matanane**Mon, Jan 12, 2026 at  
8:00 AM

&lt;office.senatorbri@guamlegislature.gov&gt;

To: Breanna Sablan &lt;breanna.sablan@dphss.guam.gov&gt;, "Theresa C. Arriola" &lt;theresa.c.arriola@dphss.guam.gov&gt;, Carissa Pangelinan &lt;carissa.pangelinan@gbhwc.guam.gov&gt;, "James P. Cooper-Nurse" &lt;james.cooper-nurse@gbhwc.guam.gov&gt;, Ricardo Eusebio &lt;ricardo.eusebio@gmha.org&gt;, "Aguon, Joleen, MD" &lt;joleen.aguon@gmha.org&gt;, nberg, Annie Bordallo &lt;aubordallo, sehernandez@guamcourts.gov

Cc:

Håfa Adai,

The Committee on Health and Veterans Affairs has scheduled a Public Hearing on Friday January 16, 2026, beginning at 9:00 A.M., in the Public Hearing Room of the Guam Congress Building. Your attendance is requested to provide insights on the following agenda items:

9:00 A.M.

**Office of the Governor - Appointment and Supporting Documents for Annie U. Bordallo, MD, Member, (Physician-Representative), Guam Board of Medical Examiners.**

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If your office requires any assistance or accommodation that can be provided by my office or the 38<sup>th</sup> Guam Legislature, please contact my office via email or voice call.

Should you have any questions or concerns, you may contact my office at 671-989-2572 or email [office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov).

A handwritten signature in red ink that reads 'Smat'.

Senator Sabrina Salas Matanane

38<sup>th</sup> Guam Legislature

--



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guahan | 38th Guam Legislature*  
Chairperson, Committee on Health and Veterans Affairs  
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**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan* | **38th Guam Legislature**  
Chairperson, Committee on Health and Veterans Affairs

## **Public Hearing**

Friday January 16, 2026 9:00 AM  
Public Hearing Room, Guam Congress Building

### **Agenda**

Office of the Governor - Appointment and Supporting Documents for Annie U. Bordallo, MD, Member, (Physician-Representative), Guam Board of Medical Examiners.

**Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD NEW* § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.

This Public Hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117 and stream online via I Liheslaturan Guåhan's live feed.



The Office of the Legislative Secretary  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature*  
 Chairwoman, Committee on Health and Veterans Affairs

**PUBLIC HEARING**

Friday January 16, 2026 9:00 AM  
 Public Hearing Room, Guam Congress Building

Office of the Governor - Appointment and Supporting Documents for Annie U. Bordallo, MD, Member, (Physician-Representative), Guam Board of Medical Examiners.

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Check all that apply. Please provide staff with written testimony for photocopying.

Name (Please Print)	Agency /Organization	Contact Information	Bill No./Doc No.	Participation	Stance
Justice Maraman	JOG		Annie Bordallo 219-38 (COR)	<input type="checkbox"/> Observing <input checked="" type="checkbox"/> Written <input checked="" type="checkbox"/> Verbal	<input checked="" type="checkbox"/> In Support <input type="checkbox"/> Not In Support
Danielle Rasete	JOG		Annie Bordallo 219-38 (COR)	<input type="checkbox"/> Observing <input checked="" type="checkbox"/> Written <input checked="" type="checkbox"/> Verbal	<input checked="" type="checkbox"/> In Support <input type="checkbox"/> Not In Support
Andrew Perez	JOG - OPG		Annie Bordallo 219-38 (COR)	<input type="checkbox"/> Observing <input type="checkbox"/> Written <input checked="" type="checkbox"/> Verbal	<input checked="" type="checkbox"/> In Support <input type="checkbox"/> Not In Support
Jayne Flores	BWA		Annie Bordallo 219-38 (COR)	<input type="checkbox"/> Observing <input checked="" type="checkbox"/> Written <input checked="" type="checkbox"/> Verbal	<input checked="" type="checkbox"/> In Support <input type="checkbox"/> Not In Support
			Annie Bordallo 219-38 (COR)	<input type="checkbox"/> Observing <input type="checkbox"/> Written <input type="checkbox"/> Verbal	<input type="checkbox"/> In Support <input type="checkbox"/> Not In Support
			Annie Bordallo 219-38 (COR)	<input type="checkbox"/> Observing <input type="checkbox"/> Written <input type="checkbox"/> Verbal	<input type="checkbox"/> In Support <input type="checkbox"/> Not In Support
			Annie Bordallo 219-38 (COR)	<input type="checkbox"/> Observing <input type="checkbox"/> Written <input type="checkbox"/> Verbal	<input type="checkbox"/> In Support <input type="checkbox"/> Not In Support
			Annie Bordallo 219-38 (COR)	<input type="checkbox"/> Observing <input type="checkbox"/> Written <input type="checkbox"/> Verbal	<input type="checkbox"/> In Support <input type="checkbox"/> Not In Support



**LOURDES A. LEON GUERRERO**  
Governor  
**JOSHUA F. TENORIO**  
Lieutenant Governor

## **GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER**

*Sagan Salut Tataotao yan Hinemlo' Guahan*

790 Gov. Carlos G. Camacho Rd.

Tamuning, Guam 96913

TEL: (671) 647-1901

FAX: (671) 649-6948



**CARISSA E. PANGELINAN, EdD**  
Director  
**JAMES P. COOPER-NURSE, PhD**  
Deputy Director

January 15, 2026

Honorable Shelly V. Calvo  
Chairperson, Committee on Child Welfare & Disability Services  
38th Guam Legislature  
Guam Congress Building  
163 W. Chalan Santo Papa Hagatna, Guam 96910

**Subject: Testimony for Bill 219-38 Baby Alexya Law Reform Act of 2025**

*Buenas yan Hafa Adai Senator Calvo,*

Guam Behavioral Health and Wellness Center (GBHWC) appreciates the opportunity to comment on Bill 219-38 an act to amend subsection (k) of §82a201 of Article 2; to add new § 82A402, § 82A403, and § 82A404 to Article 4; and to amend § 82a501 of Article 5; all of Chapter 82A, Title 10, Guam Code Annotated, relative to expanding petitioning authority for Assisted Outpatient Treatment (AOT) under the Baby Alexya Law; also known as the “Baby Alexya Law Reform Act of 2025”.

The Substance Abuse and Mental Health Services Administration (SAMHSA) awarded GBHWC a four-year AOT grant with a target of serving approximately 20 clients per year. The funding is intended for a small, pilot-level caseload designed to test the AOT model on Guam, build internal capacity, and evaluate outcomes. There are concerns that if Chapter 82A is amended to broadly expand “petitioner” status under § 82A201(k) to many different stakeholders, the law may unintentionally create far more AOT petitions than our program was resourced to handle. Each petition requires a clinical review, a current psychiatric evaluation, coordination with counsel, ongoing case management and follow-up.

With only one AOT team and a capped demonstration caseload, the central question becomes: Who will carry this workload, and at what point do we compromise quality and fidelity? For this reason, GBHWC recommends that any expansion of petitioning authority be carefully scaled to our actual grant capacity and implementation phase, or paired with additional resources and staffing.

Additionally, while § 82A201(k) appropriately recognizes that “adult family members, roommates, licensed mental health professionals, agency directors, hospital administrators, legal officers, peace officers, parole and probation officers, and the Guam Public Guardian” may identify high-risk individuals, GBHWC is concerned that such a broadened list of individuals who may petition may shift the program away from its original intent as a clinical civil commitment tool, as stated in Chapter 82A. Otherwise, the current 72-hour involuntary hold, stated in GCA Title 10, Chapter 82, may be a sufficient tool to identify and treat high-risk individuals that meets the intention of the bill.



**LOURDES A. LEON GUERRERO**  
Governor  
**JOSHUA F. TENORIO**  
Lieutenant Governor

## **GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER**

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**GUAM BEHAVIORAL  
HEALTH AND WELLNESS  
CENTER**

**CARISSA E. PANGELINAN, EdD**  
Director

**JAMES P. COOPER-NURSE, PhD**  
Deputy Director

GBHWC also recommends that any expanded petitioning authority in § 82A201(k) remains dependent on a recommendation from a qualified mental health professional so that AOT is used only when it is clinically appropriate and not for other purposes.

We note that the amended § 82A501 allows the court to proceed with a “Continuance Assisted Treatment Hearing” even if the “subject of the petition does not appear” so long as “appropriate attempts to elicit the attendance of the subject have failed.” GBHWC recommends clarifying what constitutes “appropriate attempts” and ensuring this provision is implemented consistently with the existing Patient Bill of Rights and emergency and assisted treatment hearing protections created under the original Baby Alexya Law in Chapter 82A.

In 2019, Treatment Advocacy Center’s (TAC) Policy Director, Brian Stettin, advised GBHWC that AOT is part of the mental health civil commitment framework and fits most naturally within Chapter 82, rather than as a completely separate Chapter 82A. He identified four reasons:

1. Chapter 82 is meant to encompass all aspects of mental health law, and AOT fits under that umbrella;
2. Separating AOT into its own chapter can send the wrong signal that AOT is primarily a “law-and-order” measure rather than a tool to help people with mental illness;
3. Keeping inpatient and outpatient commitment together in Chapter 82 reinforces that they are points on the same continuum of care; and
4. Placing AOT within Chapter 82 allows Guam to use existing definitions and burdens of proof, avoiding conflicting standards or redundant language.

GBHWC hopes that any reform to the Baby Alexya Law will incorporate technical guidance offered by TAC, especially feedback received during their scheduled visit to Guam on February 24-27, 2026. This will ensure that AOT is framed first and foremost as a clinical, recovery-oriented civil commitment option.

We would like to sincerely thank you for the opportunity to provide testimony. We look forward to continued collaboration in ensuring that all individuals have equitable access to the services they need.

*Un Dangkolo Na Si Yu'os Ma'ase*

Carissa E. Pangelinan, EdD  
Director



# Judiciary of Guam

Administrative Office of the Courts  
Guam Judicial Center • 120 West O'Brien Dr • Hagåtña, Gu. 96910  
Tel: (671) 475-3544



HON. ROBERT J. TORRES  
CHIEF JUSTICE

HON. ALBERTO C. LAMORENA, III  
PRESIDING JUDGE

DANIELLE T. ROSETE, ESQ.  
ADMINISTRATOR OF THE COURTS

January 14, 2026

Transmitted via Electronic Mail  
[office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov)

The Honorable Sabrina Salas Matanane  
Chairperson, Committee on Health and Veterans Affairs  
163 W Chalan Santo Papa  
Hagåtña, Guam 96910

## Re: Judiciary Testimony on Bill No. 219-38 (COR)

Dear Madam Chair and Members of the Committee:

Thank you for the opportunity to provide testimony on **Bill No. 219-38 (COR)**. The Judiciary recognizes the seriousness of the issues addressed by this measure and the Legislature's intent to strengthen Guam's Assisted Outpatient Treatment (AOT) framework in a manner that promotes public safety while respecting individual rights. Because AOT proceedings involve compelled medical treatment and court oversight, clear procedures and due-process protections are essential.

To this end, the Judiciary respectfully offers the following section-specific comments and proposed amendments. These comments reflect input gathered from our judicial officers and staff who examined the measures' potential impact on court operations and the individuals we serve.

### Section 2 — Legislative Findings and Intent

In Section 2, the Judiciary suggests that the Findings and Intent expressly affirm principles of least restrictive care and recovery-oriented treatment. Clarifying these guiding principles would help anchor the statute in established mental-health standards and provide direction to the court when weighing petitions that involve significant liberty interests.

### Section 3 — Amendment to § 82A201(k): Definition of "Petitioner"

With respect to the expanded categories of petitioners, the Judiciary recommends consideration of additional safeguards.

First, when expanding petitioning authority to non-clinical petitioners, the Legislature may wish to consider requiring standardized training for such petitioners and establishing an oversight mechanism to monitor petition filings. These measures would promote consistency and reduce the risk of inappropriate or unsupported petitions. The Judiciary has provided training for guardians and is willing to assist in

training petitioners as to the guardianship law and responsibilities of guardians. The Public Guardian could assist in the development of a program, deferring to medical professionals on other aspects.

Second, under proposed subsection (k)(1), the term “*resides*” could benefit from clarification. Specifying whether the term refers to a long-term caregiver, household member, or other defined relationship would reduce ambiguity and help prevent potential misuse.

Third, under subsection (k)(6), the Judiciary recommends removing the inclusion of peace officers as petitioners. Peace officers are trained primarily in public safety and law enforcement rather than mental-health diagnosis. Granting petitioning authority may blur the line between policing and medical decision-making and risks transforming AOT into a quasi-criminal mechanism rather than a medical safeguard.

Finally, the inclusion of judges and attorneys as petitioners raises potential conflict-of-interest concerns, particularly where those individuals may later be involved in adjudicating or representing the subject of the petition. We therefore recommend removing subsections (8), (9), and (10), and replacing them with the following language:

“(8) A legal officer or attorney may petition only if not involved in adjudicating or defending the subject in the same proceeding.”

#### **Section 4 — New § 82A402: Petition to the Court**

In Section 4, the Judiciary recommends adding a new subsection to strengthen clinical safeguards when an examination is refused.

Proposed additional subsection (d):

“If the subject of the petition refuses examination, a second licensed mental health professional must review the petition and affirm the necessity of Assisted Outpatient Treatment before filing.”

This additional review would provide an important check in cases where direct examination is not possible.

#### **Section 5 — New § 82A403: Service**

In Section 5, the Judiciary recommends adding a new subsection to clarify service requirements and provide respondents with adequate notice. Clear notice timelines are critical to meaningful participation and preparation.

Proposed subsection (e):

“Notice shall be served by certified mail or personal delivery at least seventy-two (72) hours before the hearing.”

#### **Section 6 — New § 82A404: Right to Counsel**

While § 82A404 establishes a right to counsel, it does not explicitly require the appointment of counsel for indigent respondents. To ensure meaningful representation, the Judiciary recommends clarifying that counsel shall be appointed when the respondent is unable to afford representation.

#### **Section 7 — Amendment to § 82A501: Hearing and Orders**

The Judiciary recommends amending subsection (a) to allow additional preparation time:

“The hearing shall be scheduled no later than seven (7) days from receipt of the petition.”

Additionally, subsection (c) would benefit from clarification regarding:

- the duration of an AOT order,
- requirements for periodic review, and
- a process by which respondents may appeal or request modification of an order.

Absent these safeguards, ongoing restraints may raise due-process concerns.

With respect to subsection (d), the Judiciary recommends clarifying the standard for in absentia proceedings.

Proposed amendment:

“In absentia hearings may proceed only after documented efforts to contact the subject and judicial findings of necessity.”

### **Section 8 — Effective Date**

The Judiciary suggests consideration of a sunset clause requiring legislative review of the Act after three (3) years, allowing policymakers to evaluate implementation, outcomes, and unintended consequences.

### **General Due-Process Consideration**

Finally, the Judiciary notes that the bill does not specify the standard of proof applicable at AOT hearings. Leaving this undefined creates uncertainty and may invite constitutional challenge. Involuntary treatment proceedings generally require clear and convincing evidence, as articulated by the U.S. Supreme Court in Addington v. Texas, 441 U.S. 418 (1979). Clarifying the applicable standard would strengthen the statute and provide guidance to the court.

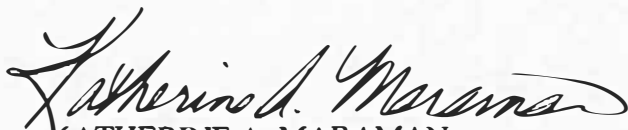
### **Sequential Intercept Model**

Recently, training on SAMHSA’s (Substance Abuse and Mental Health Services Administration) Sequential Intercept Model for intervention for persons with mental illness or disabilities concluded. Many executive and judicial agencies pledge to work towards implementing this model on Guam. This legislation will assist in implementing this plan for Guam.

### **Conclusion**

The Judiciary appreciates Senator Calvo and other members’ efforts to strengthen Guam’s Assisted Outpatient Treatment framework. We respectfully offer our assistance with any drafting or clarification that may be needed as the bills move forward.

Senseramente,

  
KATHERINE A. MARAMAN  
Associate Justice



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan* | 38th Guam Legislature  
 Chairperson, Committee on Health and Veterans Affairs

**COMMITTEE VOTE SHEET**

**Public Hearing relative Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD NEW* § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Sabrina Salas Matanane Chairperson	E-VOTE 2.25.26 <i>Smatt</i>			X		
Vice Speaker V. Anthony Ada Vice Chair, Committee on Health	E-VOTE 2.19.26			X		
Senator Vincent A.V. Borja Vice Chair, Committee on Veterans Affairs	E-VOTE 2.19.26			X		
Speaker Frank F. Blas, Jr. Member	E-VOTE 2.18.26			X		
Senator Jesse A. Lujan Member	E-VOTE 2.19.26	X				
Senator Shelly V. Calvo Member	E-VOTE 2.18.26	X				
Senator Christopher M. Duenas Member	E-VOTE 2.18.26			X		
Senator Eulogio Shawn Gumataotao Member	E-VOTE 2.18.26			X		
Senator Tina Rose Muna Barnes Member						



Sabrina Salas Matanane &lt;office.senatorbri@guamlegislature.gov&gt;

## URGENT: Request for E-Vote: Committee Report-219-38 (COR)

11 messages

Office of Legislative Secretary Senator Sabrina Salas Matanane

Wed, Feb 18, 2026 at  
2:40 PM

<office.senatorbri@guamlegislature.gov>

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>, Vice Speaker Tony Ada <vicespeakertonyada@guamlegislature.gov>, Senator Tina Rose Muña-Barnes <senator.munabarnes@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Chris Duenas <senator.duenas@guamlegislature.gov>, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, Office of Senator Borja <contact@senatorvinceborja.com>, Senator Jesse Lujan <senator.lujan@guamlegislature.gov>  
Bcc: Ann San Nicolas <ann.sn@guamlegislature.gov>, senator.sabrina@guamlegislature.gov, Sergio Salas <sergio.salas@guamlegislature.gov>, joesir@guamlegislature.gov

Hafa Adai Committee Members:

Please see attached Committee Report relative to **Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD* NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE "BABY ALEXYA LAW REFORM ACT OF 2025.

- TO DO PASS
- TO NOT PASS
- TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Please submit your response **ASAP**. Your responses will be logged into the vote sheet which will be submitted as part of the final Committee Report to the Committee on Rules.

Please contact our office if you have any questions or concerns.

--

**Annie San Nicolas**

Administrative Officer/Committee Director



Office of Legislative Secretary  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature*  
Chairperson, Committee on Health and Veterans Affairs  
163 W. Chalan Santo Papa, Hagåtña, Guam 96910  
• office.senatorbri@guamlegislature.gov  
• 671-989-2572

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 **Committee Report 219-38 vote (1).pdf**  
8282K

**Speaker Frank Blas Jr.** <speakerblas@guamlegislature.gov> Wed, Feb 18, 2026 at 3:47 PM  
To: Office of Legislative Secretary Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>  
Cc: Vice Speaker Tony Ada <vicespeakertonyada@guamlegislature.gov>, Senator Tina Rose Muña-Barnes <senator.munabarnes@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Chris Duenas <senator.duenas@guamlegislature.gov>, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, Office of Senator Borja <contact@senatorvinceborja.com>, Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Hafa Adai,

To report out only.

Very Respectfully,



## Office of Speaker Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guåhan 38<sup>th</sup> Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

[speakerblas@guamlegislature.gov](mailto:speakerblas@guamlegislature.gov)

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**Office of Senator Shelly Calvo** <officeofsenatorshellycalvo@guamlegislature.gov>

Wed, Feb 18, 2026 at  
3:49 PM

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>  
Cc: Office of Legislative Secretary Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>, Vice Speaker Tony Ada <vicespeakertonyada@guamlegislature.gov>, Senator Tina Rose Muña-Barnes <senator.munabarnes@guamlegislature.gov>, Senator Chris Duenas <senator.duenas@guamlegislature.gov>, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, Office of Senator Borja <contact@senatorvinceborja.com>, Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Hafa adai,

- TO DO PASS

Respectfully,


**Office of the People | Senator Shelly V. Calvo**
**Majority Whip & Chairwoman**

*Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation & Hagåtña Restoration*

**38th Guam Legislature**

163 Chalan Santo Papa, Hagåtña, Guam 96910

T +1 (671) 989-5682

E [officeofsenatorshellycalvo@guamlegislature.gov](mailto:officeofsenatorshellycalvo@guamlegislature.gov)

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**Senator Shawn Gumataotao** <[office.senatorshawn@guamlegislature.gov](mailto:office.senatorshawn@guamlegislature.gov)>

Wed, Feb 18, 2026 at 4:26 PM

To: Office of Legislative Secretary Senator Sabrina Salas Matanane <[office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov)>

Cc: "Speaker Frank Blas Jr." <[speakerblas@guamlegislature.gov](mailto:speakerblas@guamlegislature.gov)>, Vice Speaker Tony Ada

<[vicespeakertonyada@guamlegislature.gov](mailto:vicespeakertonyada@guamlegislature.gov)>, Senator Tina Rose Muña-Barnes

<[senator.munabarnes@guamlegislature.gov](mailto:senator.munabarnes@guamlegislature.gov)>, Office of Senator Shelly Calvo

<[officeofsenatorshellycalvo@guamlegislature.gov](mailto:officeofsenatorshellycalvo@guamlegislature.gov)>, Senator Chris Duenas <[senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov)>, Office of

Senator Borja <[contact@senatorvinceborja.com](mailto:contact@senatorvinceborja.com)>, Senator Jesse Lujan <[senator.lujan@guamlegislature.gov](mailto:senator.lujan@guamlegislature.gov)>

To Report Out Only

On Wed, Feb 18, 2026 at 2:40 PM Office of Legislative Secretary Senator Sabrina Salas Matanane <[office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov)> wrote:

[Quoted text hidden]

--

Office of Senator Eulogio Shawn Gumataotao

Chairman, Committee on Public Safety, Emergency Management, and Guam National Guard

38th Guam Legislature

[120 Father Duenas Avenue](#) Capitol Plaza Building, Suite 103, Hagåtña, Guam 96910

(671) 647-1409/1411

**Senator Chris Duenas** <[senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov)>

Wed, Feb 18, 2026 at 4:38 PM

To: Senator Shawn Gumataotao <[office.senatorshawn@guamlegislature.gov](mailto:office.senatorshawn@guamlegislature.gov)>

Cc: Office of Legislative Secretary Senator Sabrina Salas Matanane <[office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov)>, "Speaker

Frank Blas Jr." <[speakerblas@guamlegislature.gov](mailto:speakerblas@guamlegislature.gov)>, Vice Speaker Tony Ada <[vicespeakertonyada@guamlegislature.gov](mailto:vicespeakertonyada@guamlegislature.gov)>,

Senator Tina Rose Muña-Barnes <[senator.munabarnes@guamlegislature.gov](mailto:senator.munabarnes@guamlegislature.gov)>, Office of Senator Shelly Calvo

<[officeofsenatorshellycalvo@guamlegislature.gov](mailto:officeofsenatorshellycalvo@guamlegislature.gov)>, Office of Senator Borja <[contact@senatorvinceborja.com](mailto:contact@senatorvinceborja.com)>, Senator

Jesse Lujan <[senator.lujan@guamlegislature.gov](mailto:senator.lujan@guamlegislature.gov)>

To Report Out Only

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**Office of Senator Christopher M. Dueñas**

*Chairman, Committee on Finance and Government Operations*

[259 Martyr St., Hagatna, Guam 96910](#)

[senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov)

(671) 989-9554

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**Office of Legislative Secretary Senator Sabrina Salas Matanane**  
<[office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov)>

Wed, Feb 18, 2026 at 5:04 PM

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>, Vice Speaker Tony Ada <vicespeakertonyada@guamlegislature.gov>, Senator Tina Rose Muña-Barnes <senator.munabarnes@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Senator Chris Duenas <senator.duenas@guamlegislature.gov>, Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>, Office of Senator Borja <contact@senatorvinceborja.com>, Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Hafa Adai Committee Members,

Please see revised Committee Report with a minor change to the table of contents.

Thank you,

Annie

On Wed, Feb 18, 2026 at 2:40 PM Office of Legislative Secretary Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov> wrote:

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 **Committee Report 219-38 E VOTE.pdf**  
8341K

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**Office of Senator Vince Borja** <contact@senatorvinceborja.com>  
Reply-To: Office of Senator Vince Borja <contact@senatorvinceborja.com>  
To: office.senatorbri@guamlegislature.gov  
Cc: speakerblas@guamlegislature.gov, vicespeakertonyada@guamlegislature.gov, senator.munabarnes@guamlegislature.gov, officeofsenatorshellycalvo@guamlegislature.gov, senator.duenas@guamlegislature.gov, office.senatorshawn@guamlegislature.gov, senator.lujan@guamlegislature.gov, office.senatorbri@guamlegislature.gov

Thu, Feb 19, 2026 at 8:47 AM

Hafa Adai,

TO REPORT OUT.

Please contact our office if you have any questions or concerns.

Respectfully,



**Office of Senator Vincent A.V. Borja**

Committee on Education, Libraries, & Public Broadcasting

**38th Guam Legislature**

Suite 502, DNA Bldg. 238 Archbishop Flores St.

Hagåtña, Guam 96910

T +1 (671) 969-8423

E [contact@senatorvinceborja.com](mailto:contact@senatorvinceborja.com)

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---

**Vice Speaker V. Anthony Ada** <vicespeakertonyada@guamlegislature.gov>

Thu, Feb 19, 2026 at 8:54 AM

To: Office of Senator Vince Borja <contact@senatorvinceborja.com>  
Cc: office.senatorbri@guamlegislature.gov, speakerblas@guamlegislature.gov, senator.munabarnes@guamlegislature.gov, officeofsenatorshellycalvo@guamlegislature.gov, senator.duenas@guamlegislature.gov, office.senatorshawn@guamlegislature.gov, senator.lujan@guamlegislature.gov

To report out only

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--



**Office of Vice Speaker V. Anthony Ada**

38th Guam Legislature  
*I Mina'trentai Ocho Na Liheslaturan Guahan*  
Guam Congress Building, 2nd Floor  
163 Chalan Santo Papa  
Hagåtña, Guam 96910  
**Phone:** (671) 989-0855  
**Email:** [vicespeakertonyada@guamlegislature.gov](mailto:vicespeakertonyada@guamlegislature.gov)

[Quoted text hidden]

**Senator Jesse Lujan** <[senator.lujan@guamlegislature.gov](mailto:senator.lujan@guamlegislature.gov)>

Thu, Feb 19, 2026 at 11:09 AM

To: "Vice Speaker V. Anthony Ada" <[vicespeakertonyada@guamlegislature.gov](mailto:vicespeakertonyada@guamlegislature.gov)>

Cc: Office of Senator Vince Borja <[contact@senatorvinceborja.com](mailto:contact@senatorvinceborja.com)>, [office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov),  
[speakerblas@guamlegislature.gov](mailto:speakerblas@guamlegislature.gov), [senator.munabarnes@guamlegislature.gov](mailto:senator.munabarnes@guamlegislature.gov),  
[officeofsenatorshellycalvo@guamlegislature.gov](mailto:officeofsenatorshellycalvo@guamlegislature.gov), [senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov),  
[office.senatorshawn@guamlegislature.gov](mailto:office.senatorshawn@guamlegislature.gov)

To do pass.

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**Office of Majority Leader Jesse A. Lujan**

*Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs*  
[259 Martyr St., Hagatna, Guam 96910](mailto:senator.lujan@guamlegislature.gov)  
[senator.lujan@guamlegislature.gov](mailto:senator.lujan@guamlegislature.gov)  
(671) 969-6525

**Speaker Frank Blas Jr.** <[speakerblas@guamlegislature.gov](mailto:speakerblas@guamlegislature.gov)>

Thu, Feb 19, 2026 at 12:51 PM

To: Senator Jesse Lujan <[senator.lujan@guamlegislature.gov](mailto:senator.lujan@guamlegislature.gov)>

Cc: "Vice Speaker V. Anthony Ada" <[vicespeakertonyada@guamlegislature.gov](mailto:vicespeakertonyada@guamlegislature.gov)>, Office of Senator Vince Borja  
<[contact@senatorvinceborja.com](mailto:contact@senatorvinceborja.com)>, [office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov), [senator.munabarnes@guamlegislature.gov](mailto:senator.munabarnes@guamlegislature.gov),  
[officeofsenatorshellycalvo@guamlegislature.gov](mailto:officeofsenatorshellycalvo@guamlegislature.gov), [senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov),  
[office.senatorshawn@guamlegislature.gov](mailto:office.senatorshawn@guamlegislature.gov)

To Report Out Only



**Speaker, Frank F. Blas, Jr.**

*I Mina'trentai Ocho na Liheslaturan Guahan 38<sup>th</sup> Guam Legislature*  
**Guam Congress Building, 163 Chalan Santo Papa, Hagatña**  
(671)969-6456  
[speakerblas@guamlegislature.gov](mailto:speakerblas@guamlegislature.gov)

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information in this e-mail or any attachment in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.

[Quoted text hidden]

**Office of Legislative Secretary Senator Sabrina Salas Matanane**

Wed, Feb 25, 2026 at 11:45 AM

<office.senatorbri@guamlegislature.gov>

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

Cc: Senator Jesse Lujan <senator.lujan@guamlegislature.gov>, "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Office of Senator Vince Borja <contact@senatorvinceborja.com>, senator.munabarnes@guamlegislature.gov, officeofsenatorshellycalvo@guamlegislature.gov, senator.duenas@guamlegislature.gov, office.senatorshawn@guamlegislature.gov

To Report Out Only.

[Quoted text hidden]

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Respectfully,

***Senator Sabrina Salas Matanane***

Legislative Secretary, 38th Guam Legislature  
Chairperson, Committee on Health and Veterans Affairs



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature*  
Chairperson, Committee on Health and Veterans Affairs  
163 W. Chalan Santo Papa, Hagåtña, Guam 96910  
office.senatorbri@guamlegislature.gov  
671-989-2572

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**The Office of the Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan* | 38th Guam Legislature  
Chairwoman, Committee on Health and Veterans Affairs

**COMMITTEE REPORT DIGEST**

**I. OVERVIEW:**

The Committee on Health and Veterans Affairs conducted a Public Hearing on Friday January 16, 2026, scheduled to begin at 9:30 A.M., in the Public Hearing Room of the Guam Congress Building.

Among other items, on the agenda for discussion was on **Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO AMEND SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO ADD NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO AMEND § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.

**Public Notice Requirements**

In accordance with Open Government Law, the public notice for this public hearing was disseminated via email to all senators and main media broadcasting outlets on January 9, 2026, and January 14, 2026. This public notice was also posted on the Guam Legislature website and the Public Notice Portal.

**Senators Present**

Senator Sabrina Salas Matanane, Chairperson of the Committee on Health and Veterans Affairs  
Senator Shawn Gumataotao  
Senator Telo T. Taitague  
Senator Therese M. Terlaje  
Senator Shelly Calvo

**Appearing before the Committee:**

Dr. Annie Bordallo  
Jayne Flores  
Hon. Justice Katherine Maraman  
Danielle Rosetti

**II. SUMMARY OF TESTIMONY AND DISCUSSION:**

*This Public Hearing was called to order at 9:00 A.M.*

**SENATOR SABRINA SALAS MATANANE**

BUENAS AND Hafa Adai. THE COMMITTEE ON HEALTH AND VETERANS AFFAIRS IS NOW CALLED TO ORDER. THE TIME IS 9:00 IN THE MORNING AND TODAY IS FRIDAY, JANUARY 16TH, 2026. THANK YOU ALL FOR JOINING US, WHETHER YOU'RE HERE IN PERSON OR TUNING IN ONLINE. THIS MORNING, WE'RE HOLDING BOTH A CONFIRMATION AND A PUBLIC HEARING ON THE FOLLOWING ITEMS. FIRST, THE GOVERNOR'S APPOINTMENT OF DR. ANNIE BORDALLO TO SERVE AS THE PHYSICIAN REPRESENTATIVE OF THE GUAM BOARD OF MEDICAL EXAMINERS. AS WELL, WE WILL BE HEARING BILL 219-38 COR INTRODUCED BY SENATOR SHELLY CALVO. IT IS AN ACT TO AMEND SUBSECTION K OF

**Committee Report Digest:** Public Hearing Office of the Governor - **Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO AMEND SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO ADD NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO AMEND § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXIA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXIA LAW REFORM ACT OF 2025.

Friday January 16, 2026, at 9:00 A.M.

Public Hearing Room, Guam Congress Building

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SUBSECTION 82A201 OF ARTICLE 2 TO ADD A NEW SUBSECTION 82A402, SUBSECTION 82A403 AND SUBSECTION 82A404 TO ARTICLE 4 AND TO AMEND SUBSECTION 82A501 OF ARTICLE 5, ALL OF CHAPTER 82A, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXIA LAW AND TO CITE THIS ACT AS THE BABY ALEXIA LAW REFORM ACT OF 20 25. NOTICE OF TODAY'S HEARING WAS PROVIDED TO SENATORS, STAKEHOLDERS, AND THE MEDIA IN FULL COMPLIANCE OF THE OPEN GOVERNMENT LAW. NOTICE WAS ALSO POSTED ON THE GUAM LEGISLATURE WEBSITE AND THE PUBLIC NOTICE PORTAL. ALL MATERIALS WERE UPLOADED TO THE COMMITTEE DRIVE AND ARE AVAILABLE IN PRINT UPON REQUEST. A RECORDING OF TODAY'S HEARING WILL ALSO BE ACCESSIBLE ON THE GUAM LEGISLATURE MEDIA YOUTUBE'S CHANNEL. BEFORE WE PROCEED, I WANT TO RECOGNIZE THE COMMITTEE MEMBERS THAT ARE PRESENT. WE HAVE SENATOR SHELLEY CALVO, SENATOR SHAWN GUMATAOTAO. IN ADDITION, WE ALSO HAVE SENATOR TELO TAITAGUE AND SENATOR THERESE TERLAJE. FOR TODAY'S HEARING, THE RULES ARE SIMPLE. IT'S THE SAME. EACH SENATOR HAS FIVE MINUTES TO ASK QUESTIONS. MEMBERS OF THE PUBLIC ARE ASKED TO APPROACH THE TABLE AND SPEAK CLOSELY INTO THE MICROPHONE AND STATE YOUR NAME AS WELL AS WHO YOU ARE REPRESENTING. WE WILL BEGIN WITH THE GOVERNOR'S APPOINTMENT OF DR. ANNIE BORDALLO TO SERVE ON THE GUAM BOARD OF MEDICAL EXAMINERS. IF THERE'S ANYONE HERE TO TESTIFY ON HER BEHALF, YOU ARE ASKED TO PLEASE COME TO THE TABLE. AND IF NOT, DR. BORDALLO, YOU MAY PROVIDE YOUR TESTIMONY ON YOUR APPOINTMENT IN GOOD MORNING.

**DR. ANNIE BORDALLO**

GOOD MORNING EVERYBODY, SENATORS. I'M HERE PRESENTING MYSELF TO SERVE ON THE MEDICAL BOARD. AS YOU ALL KNOW, I'VE BEEN A MEMBER OF THIS COMMUNITY FOR A LONG TIME, THE HEALTH CARE COMMUNITY, AND I'M HAPPY TO IN MY RETIREMENT SOMEHOW FIND SMALL WAYS TO CONTINUE TO SERVE, OUR COMMUNITY.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU. WE WILL NOW OPEN UP , FOR QUESTIONS , FROM MY COLLEAGUES., WE WILL BEGIN WITH , SENATOR GUMATAOTAO.

**SENATOR SHAWN GUMATAOTAO**

YES, THANK YOU MADAM CHAIR AND THANK YOU DOC FOR BEING WITH US THIS MORNING AND I DON'T HAVE ANY QUESTIONS. I KNOW THAT WHILE YOU ARE RETIRED BUT THE AT THIS IMPORTANT TIME EVEN IN 2026 JUST HAVING NOT TO BE TOO PHYSICIOUS BUT YOU'RE HAVING YOUR BRAINS IN THE ROOM YOUR EXPERIENCE TO BE ABLE TO SUPPORT THE ENTIRE FIELD IS DESPERATELY NEEDED AND I THINK THAT I MEAN I'M EXCITED THAT YOU KNOW YOU'RE GOING TO JUMP BACK IN THIS AND AGAIN I SUPPORT YOUR NOMINATION FROM THE GOVERNOR OF GUAM. SO THANK YOU MADAM CHAIR FOR THAT AND THANK YOU DOC FOR AGAIN FOR STEPPING FORWARD.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU SENATOR GUMATAOTAO. I GUESS I DO HAVE A QUESTION AND IT IS REGARDING I THINK WE'VE ALL SEEN A LOT OF THE MEDIA REPORTS REGARDING THE GUAM BOARD OF MEDICAL EXAMINERS AND THE TIMELY OR UNTIMELY RESOLUTION OF A LOT OF THE COMPLAINTS THAT HAVE

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BEEN FILED. SO IF CONFIRMED TO SIT ON THE GBME, HOW WILL YOU MOVE THAT PROCESS FORWARD OR WHAT DO YOU SEE AS SOME OF THE OBSTACLES?

**DR. ANNIE BORDALLO**

WELL, I THINK YOU KNOW FIRST OF ALL IS FILLING THE BOARD. SO I THINK HAVING QUORUMS, HAVING THE AVAILABILITY OF MORE MEMBERS KIND OF SPREADS THE LOAD OUT A LITTLE BIT MORE. IN TERMS OF THE TIMELINESS, IT'S ALWAYS LIKE EVERYBODY ELSE ABOUT RESOURCES AND HAVING THE PROPER RESOURCES TO BE ABLE TO DO THE TYPES OF INVESTIGATIONS THAT HAVE TO BE

DONE. I SERVED ON THE MEDICAL BOARD AS THE MEDICAL DIRECTOR AND SOMETIMES WE ACTUALLY NEED OUTSIDE EXPERTISE. THESE ARE REALLY HIGHLY CHARGED ISSUES AND SOMETIMES WE NEED ATTORNEYS, WE NEED OTHER TYPES OF EXPERTISE AND TRYING TO GET THE FUNDING THE WAY THE ORGANIZATION IS I THINK CAN BE IMPROVED AND I THINK CERTAINLY DR. BERG HAS WORKED WITH MANY OF YOU TO TRY TO GET LEGISLATION TO SOMEHOW MAKE THAT PROCESS A LITTLE BIT EASIER. BUT I THINK THAT'S LIKE MOST OF OUR ISSUES HERE. THE SYSTEM IS REALLY CONTRIBUTES A LOT TO THE DELAYS. IT'S NOT THE PEOPLE SERVING ON THE BOARD. IT'S JUST ACCESS TO THESE RESOURCES SOMETIMES ARE IS A LITTLE BIT MORE LIMITED THAN WE WOULD LIKE.

**SENATOR SABRINA SALAS MATANANE**

OTHER I GUESS ISSUES THAT I'VE HEARD ABOUT ARE POTENTIAL I GUESS CONFLICTS OF INTEREST AND SO HOW WOULD YOU ADDRESS AND MITIGATE THESE POTENTIAL CONFLICTS OF INTEREST AMONG BOARD MEMBERS WHEN EVALUATING COMPLAINTS OR DISCIPLINARY MATTERS TO ENSURE IMPARTIAL DECISION-MAKING.

**DR. ANNIE BORDALLO**

WELL AGAIN I THINK THAT'S WHY WE TRY TO RECRUIT OFF ISLAND SPECIALISTS AGAIN BALANCING THAT WITH PRACTICING IN OUR COMMUNITY IS A LOT DIFFERENT THAN PRACTICING IN LOS ANGELES. SO SOMETIMES IT'S REALLY WEIGHING THOSE KINDS OF THINGS. CONFLICT OF INTEREST LIVES IN OUR COMMUNITY BECAUSE WE'RE ALL RELATED SOMEHOW. WE WORK IN A SMALL COMMUNITY. WE ALL KNOW EACH OTHER. AND AGAIN I THINK YOU KNOW OBVIOUSLY SOME OF THESE CONFLICTS IS THERE'S A FEAR THERE'S FEAR IN TALKING ABOUT WHAT'S REALLY GOING ON IN OUR HEALTH CARE SYSTEM. WE LIVE IN A ENVIRONMENT OF TRYING TO FIND BLAME AND HOLDING PEOPLE RESPONSIBLE FOR BAD OUTCOMES WHEN THE REALITY OF WHERE WE LIVE IS OUR HEALTH CARE SYSTEM IS YOU KNOW SUBJECT TO SOMETIMES WE HAVE BAD OUTCOMES NO MATTER HOW WELL WE PERFORM AND I THINK JUST GENERALLY WE'VE EVERY WEEK WE'RE PART OF AN AMERICAN SYSTEM AND CULTURALLY THAT SYSTEM WE HAVE TO FIND BLAME AND THAT JUST ISN'T VERY HELPFUL. IT'S NOT HELPFUL FOR THE PATIENTS. IT'S NOT HELPFUL FOR THE PHYSICIANS. I THINK BECAUSE PEOPLE JUST WANT TO KNOW. THEY JUST WANT TO KNOW WHAT HAPPENED. THEY DON'T WANT TO THEY'RE NOT NECESSARILY TRYING TO GET PAYBACK. THEY'RE NOT NECESSARILY TRYING TO, BUT THE SYSTEM

DOESN'T ALLOW US TO HAVE THAT KIND OF OPEN COMMUNICATION BECAUSE THERE'S

ALWAYS THIS OVERLYING THING THAT IF YOU GET BLAMED, YOU'RE GOING TO LOSE YOUR LICENSE,

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YOU'RE GOING TO LOSE, YOU KNOW, YOUR PRACTICE, YOUR RESOURCES. AND THERE'S NOTHING EMOTIONALLY THAT CAN MAKE UP FOR THE LOSS OF A CHILD OR A LOVED ONE. AND SO THOSE ARE COMPETING THINGS THAT REALLY WE NEED TO HAVE A BETTER SYSTEM. AND WE DON'T WE DON'T HAVE A BETTER SYSTEM. AND UNTIL PEOPLE ARE WILLING TO COME UP WITH A BETTER SYSTEM, IT'S GOING TO BE LIKE THAT FOR A LONG TIME. AND I DON'T KNOW WHAT THE ANSWERS ARE, BUT I DO KNOW THAT GENERALLY EVERYBODY IS TRYING TO DO THE BEST THEY CAN IN A SYSTEM THAT DOESN'T HAVE ENOUGH RESOURCES. AND AGAIN, WE WORK IN THE MEDICAL FIELD. SO, YOU KNOW, THE GUY WHO PAINTS YOUR HOUSE WHO PAINTS IT THE WRONG COLOR, WELL, BIG DEAL. IT. WE LIVE IN AN ENVIRONMENT THAT WHEN WE MAKE MISTAKES, THE CONSEQUENCES ARE CAN BE QUITE SEVERE, BUT IT DOESN'T MEAN WE'RE MORE PERFECT OR THE MORE CAREFUL WE ARE, THAT WILL NEVER HAPPEN. IT HAPPENS BECAUSE WE'RE ALL HUMAN BEINGS WORKING IN A AND WE'RE ALL IMPERFECT AND OUR SYSTEM IS, YOU KNOW, EVEN BELOW IMPERFECT MAYBE SOMETIMES.

**SENATOR SABRINA SALAS MATANANE**

WELL, THANK YOU FOR THAT, , DR. BORDALLO, AND I KNOW THAT IF YOU ARE CONFIRMED, I HOPE TO HAVE THIS OPEN DIALOGUE AND CONVERSATION ON HOW TO FIX THE SYSTEM. , SENATOR TAITAGUE.

**SENATOR TELO TAITAGUE**

THANK YOU, MADAM CHAIR. , GOOD MORNING TO MY COLLEAGUES AND GOOD MORNING, ANNIE. IT'S GOOD TO SEE YOU. ANNIE, IS THIS THE FIRST TIME YOU'LL BE SITTING ON THE BOARD OF MEDICAL EXAMINERS?

**DR. ANNIE BORDALLO**

I SERVED ON THE BOARD WHEN I WAS THE MEDICAL DIRECTOR AT THE HOSPITAL. THE MEDICAL DIRECTOR SERVES AS A REPRESENTATIVE OF THE HOSPITAL ON THE BOARD.

**SENATOR TELO TAITAGUE**

WOULD THAT BE A VOTING MEMBER?

**DR. ANNIE BORDALLO**

YES.

**SENATOR TELO TAITAGUE**

IT'S A VOTING MEMBER POSITION WHEN YOU WERE SERVING BEFORE. OKAY.

**DR. ANNIE BORDALLO**

YES.

**SENATOR TELO TAITAGUE**

NOW, THE POSITION THAT YOU'RE TAKING FOR BOARD MEDICAL EXAMINERS IS FOR THE PHYSICIANS PART, RIGHT? AND HAS NOTHING TO DO YOU'RE RETIRED RIGHT NOW?

**DR. ANNIE BORDALLO**

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YES.

**SENATOR TELO TAITAGUE**

OKAY. SO, THERE'S NOTHING IN THE LAW THAT SAYS THEY HAVE TO BE AN ACTIVE PHYSICIAN, YOU KNOW. WELL.

**DR. ANNIE BORDALLO**

I HAVE TO BE ACTIVELY LICENSED. SO, I STILL MAINTAIN MY MEDICAL LICENSE AND I STILL HAVE PRIVILEGES AT THE HOSPITAL. SO, I CAN STILL TAKE CARE OF PATIENTS. IF I CHOOSE TO. YES.

**SENATOR TELO TAITAGUE**

OKAY. AND AND YOU'RE GOING TO MAINTAIN THAT THE LICENSE? YES. OKAY. SO IS THERE

SO MY QUESTION TO YOU BECAUSE WE'VE GONE THROUGH A LOT OF PUBLIC HEARINGS TOGETHER AND I THINK SOME A COUPLE ROUND TABLES TO DISCUSS YOU KNOW THE SITUATION WITH THE BOARD OF MEDICAL EXAMINATION BOARD OF EXAMINERS TO DISCUSS THE ELEPHANT IN THE ROOM BASICALLY AND THAT IS HOW MANY OF THESE COMPLAINTS THAT WERE THAT WERE NEVER PROSECUTED, NEVER THERE WAS NO CONVICTION MADE. YOU KNOW, THAT'S QUITE A BIT. I MEAN, FROM WHAT I HEAR, THERE WAS CLOSE TO 80 SO FAR THAT STILL NOTHING HAS COME ABOUT. HOW DO YOU ATTRIBUTE THAT SINCE YOU'VE BEEN ON THE BOARD ALREADY ONCE? HOW DO YOU ATTRIBUTE THAT TYPE OF OUTCOME, YOU KNOW, STATISTICS TO ALMOST ZERO? AND HOW WOULD YOU ENSURE FAIRNESS AND TRANSPARENCY IN DISCIPLINARY PROCEEDINGS TOO TO MOVE FORWARD? SO IT'S KIND OF A BIG ROUND QUESTION.

**DR. ANNIE BORDALLO**

WELL, I THINK AGAIN THE PERCEPTION, YOU KNOW, PUBLIC PERCEPTION OF THE MEDICAL HEALTH CARE SYSTEM HERE DOESN'T NECESSARILY ALIGN WITH THE ACTUAL JOB OF THE MEDICAL BOARD. SO, WHEN YOU TALK ABOUT PROSECUTION AND DISCIPLINARY ACTION, LET ME JUST SHARE A STATISTIC. I'M AN OBGYN. SO ABOUT 70% I TRAINED IN NEW JERSEY. SO IN THE EAST COAST THE LITIGATION RATE IS QUITE HIGH. SO I THINK 75% OF OBGYN RESIDENTS WILL BE SUED AT LEAST ONCE BEFORE THEY FINISH THEIR RESIDENCY. AND I TRAINED IN THE '90S, RIGHT? I CAME OUT HERE IN 93. LATE 80S, EARLY 90S. WHEN I CAME HERE, I HAD SEVEN OR EIGHT LAWSUITS. SO, THE PERCEPTION OUT THERE IN THE PUBLIC IS, WELL, HOW CAN YOU APPROVE A DOCTOR WITH A LICENSE? HE HAS SHE HAS SEVEN LAWSUITS. I DIDN'T LOSE ANY OF THOSE LAWSUITS. I WAS NEVER FOUND RESPONSIBLE. THEY ALL GOT DISMISSED. IN FACT, THE LAST ONE GOT DISMISSED 20 YEARS LATER. I MEAN, I WAS GOING BACK SOMETIMES FOR DEPOSITIONS OR WHATEVER. SO, I THINK BACK TO MY PREVIOUS COMMENTS OF PEOPLE WANT SOMEBODY TO BLAME. IF I ASKED YOU SENATORS, I'M SORRY, I WAS GOING TO SAY LADIES, BUT YOU SENATORS, HOW MANY COMPLAINTS YOU GET IN YOUR INBOX A DAY? I MEAN, PEOPLE COMPLAIN ABOUT A LOT OF THINGS. I THINK THERE ARE SORT OF ALLEYS OR LANES SO YOU CAN GO THROUGH MALPRACTICE OR ARBITRATION. I THINK THE MEDICAL BOARD OUR JOB IS REALLY TO TRY TO GET TO LICENSE PEOPLE AND TO MAKE SURE QUALIFIED PEOPLE COME TO BE LICENSED. I THINK PEOPLE CAN SUBMIT COMPLAINTS TO THE BOARD IN TERMS OF VIOLATING THE MEDICAL ACT PRACTICE ACT BUT I THINK INDIVIDUAL CASES THERE'S A LOT MORE INVESTIGATION THE AVERAGE MALPRACTICE CASE TAKES SEVEN YEARS TO GET THROUGH THE

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COURTS AND THAT'S WITH A WHOLE SYSTEM OF ATTORNEYS EXPERT WITNESSES JUDGES IS THE WHOLE THING. AND YOU'RE YOU THINK THAT THE MEDICAL BOARD WITH FOUR OR FIVE ACTIVELY PRACTICING PHYSICIANS TRYING TO REVIEW THESE CASES AND IT TAKES TIME BECAUSE HALF OF THE CASES WE HAVE A CONFLICT. SO HALF OF THE PEOPLE CAN'T PARTICIPATE. HALF OF THOSE SPECIALTIES WERE NOT. SO, IT'S HARD FOR ME TO MAKE DETERMINATIONS ON AN ORTHOPEDIC CASE BECAUSE I'M NOT AN ORTHOPEDIC SURGEON. AND WHEN WE ONLY HAVE ONE, I CAN'T ASK HIM TO GIVE ME AN OPINION ABOUT HIS CASE. SO, I THINK THERE'S A LOT OF CONTRIBUTING FACTORS. IT'S NOT JUST, HEY, THERE'S 80 CASE. ARE YOU TELLING ME NOT OUT OF THOSE 80 THERE WASN'T ONE MISTAKE THAT WE SHOULD HAVE? THERE ARE PLENTY OF MISTAKES, BUT MUCH LIKE THE SEVEN CASES THAT I CAME OUT WITH, THERE'S IT'S MORE COMPLICATED THAN YOU MAKE A MISTAKE, YOU SHOULDN'T BE PRACTICING MEDICINE. IF WE DIDN'T ALLOW IF WE TOOK PEOPLE OFF THE ROLES BECAUSE THEY'VE HAD A BAD CASE, WE WOULDN'T HAVE ANY DOCTORS. I MEAN, WE HAVE BAD CASES. THAT'S PART OF THE JOB WE DO. WE GRIEVE JUST AS MUCH AS THE NEXT PERSON, BUT THAT'S DIFFERENT THAN SOMEBODY WHO HAS WHO'S REPEATEDLY OR DOESN'T KNOW WHAT THEY'RE DOING. AND SO I THINK MAKING THOSE DETERMINATIONS IN A PUBLIC SETTING IN THE NEWSPAPER OR THE ONE SIDE OF THE STORY AND THAT'S BACK TO MY POINT ABOUT WE CAN'T TELL OUR SIDE OF

THE STORY. WHEN I SEE AN ARTICLE IN THE PAPER THAT SOMEBODY'S COMPLAINING I CAN'T GO TO THE PAPER AND SAY HEY HERE'S MY SIDE BECAUSE THAT'S A VIOLATION. SO A LOT OF TIMES THE PUBLIC ONLY GETS ONE SIDE OF THE STORY. THEY DON'T AND THE SYSTEM WORKS AGAINST US PRESENTING OUR SIDE BECAUSE WE'RE SUBJECT TO DISCIPLINARY ACTION COURT CASES. SO THAT'S NOT A SYSTEM THAT'S GOING TO BE VERY ACCEPTABLE, I THINK, TO MOST OF US, TO ALMOST ALL OF US.

#### **SENATOR TELO TAITAGUE**

WELL, ANNIE, IT'S OBVIOUSLY IT'S FLAWED. AND WHAT ARE YOU GOING TO DO AS A BOARD MEMBER TO ACTUALLY IMPROVE THE PROCESS

AND TO ACTUALLY, YOU KNOW, FIND A MECHANISM THAT'S GOING TO ACTUALLY WORK TO BE ABLE TO COVER HIS HERS AND THE

TRUTH SCENARIO TO COME OUT TO BE ABLE TO ADDRESS THOSE THAT ARE LEGITIMATE ISSUES OF MALPRACTICE AND WHAT IS YOUR SOLUTION?

#### **DR. ANNIE BORDALLO**

WELL, I DON'T I'M NOT SURE THAT THAT'S THE BOARD'S FUNCTION QUITE FRANKLY. I THINK THAT'S THE PEERREVIEW FUNCTION. OBGYN AND I HAVE A BAD CASE OR A BAD OUTCOME, IT'S THE JOB OF WHERE OF THE GROUP OF OBGYNS WHO ARE TASKED TO DO PEER REVIEW IN THE CLINIC. I MEAN I OR IN THE HOSPITAL WHERE I HAVE PRIVILEGES OR WHERE THAT CASE OCCURRED. I THINK WHEN IT RISES TO THE REPETITIVE NATURE THEN I THINK THAT'S WHERE THE BOARD SHOULD COME IN AND BUT AGAIN YOU KNOW THE MANDATE AND THESE COMMUNICATION ISSUES OF IF YOU'RE REVIEWING A CASE IT SHOULD BE REPORTED TO THE BOARD SO WE'RE AWARE OF WHAT'S GOING ON BUT THE INDIVIDUAL COMPLAINT ITSELF I THINK THERE ARE OTHER MECHANISMS THAT SHOULD BE THAT OTHER PEOPLE THAT

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THEY HAVE TO GO THROUGH FIRST BECAUSE THEY'RE SET UP FOR THAT. I MEAN, AND I THINK MAYBE LIKE YOU SAID, THE SYSTEM NEEDS TO BE IMPROVED AND CERTAINLY, YOU KNOW, I'VE LIVED IN THIS

SYSTEM FOR 30 YEARS, SO THERE'S PLENTY OF IMPROVEMENT. THERE'S PLENTY OF IDEAS, BUT, YOU KNOW, WE'RE MANDATED BY A VERY WHAT HOW MANY PARAGRAPHS IN THE ARTICLES OF THE LEGISLATURE OF THE LAW. AND SO THAT IT'S RESTRICTIVE IN THAT SENSE. AND AGAIN, LIKE EVERYBODY ELSE, YOU HEAR IT ALL THE TIME. YOU GIVE US RESOURCES, WE CAN COME UP WITH SOMETHING MORE ACCEPTABLE. BUT THE REALITY OF YOU DON'T DO ANYTHING ABOUT THESE BAD DOCTORS, I'LL JUST TELL YOU OUT OF THE 250 OR SO DOCTORS THAT PRACTICE HERE, THERE MAY BE ONE BAD DOCTOR. THERE AREN'T DOCTORS THAT ARE SHOULDN'T BE PRACTICING. THERE ARE REALLY IT'S A RARE OCCURRENCE. AND THAT'S MY EXPERIENCE IN THE 30 YEARS I'VE BEEN PRACTICING HERE. THERE. THAT'S A VERY SMALL. NOW, CASES AND COMPLAINTS, BAD OUTCOMES. WELL, IN MY CAREER, I'VE PROBABLY SEEN 10,000 PEOPLE. SO, HOW MANY IS BAD OUTCOMES IS TOO MANY. BUT I SHOULDN'T SEE THE OTHER 9,000 AND SOMETHING PEOPLE. AND THAT'S WHAT GETS PUT OUT IN THE PUBLIC. WELL, YOU HAD THAT THIS POOR KID THAT DIED, SO YOU SHOULDN'T BE A PEDIATRICIAN FOR THE OTHER 10,000 KIDS THAT NEEDED YOUR CARE AND YOU GOT GOOD CARE. SO, AGAIN, I THINK THE PUBLIC'S PERCEPTION AND THAT'S IT'S BACK TO THAT COMMUNICATION THAT WE HAVE TO HAVE A BETTER WAY. AND I DON'T THINK THE TORT MALPRACTICE I DON'T THINK THAT'S THE WAY THAT'S BEEN AROUND FOR MANY YEARS EVERYWHERE IN THE STATES AND THAT HASN'T WORKED THERE EITHER. SO I DON'T KNOW WHAT THE BUT IT'S A BIGGER THING THAN THE MEDICAL BOARD. I THINK WE'RE TRYING TO MAKE SURE

THAT WE DON'T ALLOW BAD PHYSICIANS TO COME PRACTICE BECAUSE THEY'VE HAD MULTIPLE ISSUES OTHER PLACES AND WE'RE TRYING TO KEEP AN EYE ON ALL THE PHYSICIAN PRACTICES TO MAKE SURE THAT THERE'S NOT AN OUTLIER THAT'S CONSISTENTLY HURTING OUR COMMUNITY. THAT'S WHAT I THINK OUR ROLE IS.

#### **SENATOR TELO TAITAGUE**

THANK YOU, ANNIE, FOR THAT. AND YOU KNOW I'M HEARING THAT IT'S GOOD TO HEAR THAT YOU KNOW THERE IS AN ISSUE WITH THE WAY IT'S FORMULATED RIGHT NOW AS FAR AS YOU KNOW THE PROCESS AND I'M HEARING A SNIPPET FROM YOU THAT IT NEEDS TO BE CHANGED. I'M WISHING IT WAS SOMETHING LARGER THAN JUST GIVING ME A SNIPPET BECAUSE YOU KNOW THERE IS AN ISSUE ON MEDICAL MALPRACTICE HERE. I'M NOT GOING TO GET INTO IT BECAUSE IT'S A HUGE DISCUSSION AND YOU'RE RIGHT, THE BOARD HAS TO LOOK AT PHYSICIANS COMING INTO THIS ISLAND, YOU KNOW, ENSURING THAT THEY'RE GOING TO THEY'RE SAFE PHYSICIANS THAT WE CAN TRUST THEM TO DO THEIR JOB AND TRYING NOT TO MAKE MISTAKES, BUT YOU KNOW, EVERYBODY MAKES MISTAKES. WE UNDERSTAND THAT YOU KNOW THAT'S THE WAY OF LIFE. YOU KNOW, IT'S A NORM. EVERYONE MAKES MISTAKES. BUT WHEN YOU GET SOMEONE WHO'S DOING THIS REPETITIVELY OR THAT THEY DON'T FESS UP TO THEIR MISTAKES, THINK THEY DID NOTHING WRONG, THEN THAT'S AN ISSUE BECAUSE THAT'S ONLY GOING TO GENERATE ANOTHER MISTAKE DOWN THE LINE. SO I'M HOPING THAT YOUR POSITION ON THIS BOARD IS GOING TO KEEP A KEEN EYE OUT FOR THOSE PARTICULAR PHYSICIANS. NOW I LA MY LAST QUESTION IS I HAVE A BILL THAT I PUT OUT. IT'S THE FOREIGN PHYSICIANS COMING INTO GUAM. OF COURSE THAT'S GOING TO BE UNDER YOUR BELT TO LOOK AT. AND I KNOW THAT SOME STATES I DON'T KNOW IF NEW JERSEY I THINK NEW JERSEY MAY HAVE LEGISLATION THAT ALLOWS FOR FOREIGN DOCTORS TO COME AND PRACTICE INTO THAT STATE BUT THE BILL THAT I HAVE INTRODUCED ALONG WITH CNMI ACTUALLY HAS THE SAME LEGISLATION THAT THEY

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INTRODUCED AND PASSED A LITTLE BIT DIFFERENT. THEY HAVE THE BOARD OF MEDICAL EXAMINERS COMING IN TO KIND TO REVAMP A RULES AND REGULATIONS SOMEWHAT. FOR ME, I THINK THAT HAVING THE BOARD DO THAT, , YOU'RE ASKING THE FOX TO TAKE CARE OF THE HEN HOUSE KIND OF SCENARIO BECAUSE YOU'RE LOOKING AT, JUST ALLOWING THIS TO HAPPEN WHEN SO MANY PEOPLE HAVE SAID THAT THE BOARD OF MEDICAL EXAMINERS, THEY ARE VERY, IT'S NOT PICKY, BUT THEY DON'T WANT THAT MANY HERE BECAUSE THEY'RE GOING TO LOSE CLIENTELE FOR THEMSELF. AND THIS IS, YOU KNOW, THIS IS SAD TO HEAR SOMEONE SAY SOMETHING LIKE THAT. AND I'D LIKE TO MOVE THAT, YOU KNOW, BAD CLOUD AWAY FROM THE BOARD OF MEDICAL EXAMINERS THAT NO, THEY ARE PUT IN PLACE TO ENSURE THE SAFETY AND WELL-BEING OF OUR PEOPLE AND THAT THIS MEDICAL DOCTOR COMING IN WILL TAKE CARE OF OUR PEOPLE SO WE DON'T HAVE TO GO OFF ISLAND, YOU KNOW, AND SEEK HELP. SO, HAVE YOU HAD AN OPPORTUNITY TO READ MY BILL, THE FOREIGN MEDICAL DOCTORS?

**DR. ANNIE BORDALLO**

NO. I HAVEN'T.

**SENATOR TELO TAITAUE**

WELL, IT'S ON THE LEGISLATIVE WEBSITE. YOU KNOW, I'LL BE HAPPY TO SHARE IT WITH YOU., AND EVEN TALK MORE ABOUT IT IF YOU HAVE ANY COMMENTS THAT YOU WANT TO MAKE. WE'RE THE OVERSIGHT CHAIR HAS A PUBLIC HEARING ON THE BILL COMING UP. SO, WE'RE DEFINITELY GOING TO BE REACHING OUT TO YOU AS WELL. I HAVE NO DOUBT THAT YOU'LL BE SITTING ON THIS BOARD AND I JUST WISH YOU THE VERY BEST, ANNIE. I'VE WE'VE TALKED ABOUT MEDICAL MALPRACTICE. WE'VE TALKED ABOUT OTHER THINGS AND OF COURSE WE HAVE A PERSONAL FRIENDSHIP TOO AS WELL THAT YOU'RE GOING TO DO

WHAT'S IN THE BEST INTEREST OF OUR PEOPLE BECAUSE THE LAST THING WE LEAVE THIS WORLD IS TO KNOW THE BEST THING FEELING TO KNOW IS THAT WE LEFT OUR ISLAND IN GOOD HANDS. AND THAT MEANS IT COMES FROM YOUR HANDS FIRST TO DO THAT. SO I WISH YOU THE VERY BEST AND OF COURSE MY OFFICE IS ALWAYS OPEN IF YOU HAVE ANY QUESTIONS OR YOU CAN ALWAYS TALK TO ME. I THINK WE HAVE EACH OTHER'S NUMBER. SO I WISH YOU THE VERY BEST AND THANK YOU FOR A LITTLE BIT COMING OUT OF RETIREMENT YOU KNOW TO DOING THIS FOR US BUT I WILL BE I WILL BE WATCHING VERY CAREFULLY. OKAY. SO THANK YOU. THANK YOU SO MUCH. AND I MIGHT HAVE TO EXCUSE MYSELF LATER ON, SO I APOLOGIZE. I HAVE ANOTHER MEETING TO ATTEND. THANK YOU. THANK YOU, MADAM CHAIR.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU, SENATOR TAITAGUE. BEFORE WE CONTINUE WITH QUESTIONS FROM MY COLLEAGUES, WE DO HAVE JANE FLORES, WHO'S HERE TO PROVIDE TESTIMONY, JANE.

**JANE FLORES**

THANK YOU, SENATOR. Hafa Adai, Senator Salas Matanane, and Committee Members. I'm Jane Flores, Director of the Bureau of Women's Affairs, and I would like to say that the Bureau of Women's Affairs strongly supports the appointment of Dr. Annie Bdalio as a member or physician representative on the Guam Board of Medical Examiners. Dr. Bordallo served the people of Guam as an obstetrician gynecologist for more than

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TWO DECADES BEFORE RETIRING IN MARCH OF LAST YEAR. HER CLINIC, SAGUA MANAGU, GUAM'S FIRST BIRTHING CENTER AND THE FIRST WOMEN OWNED, WOMEN MANAGED, AND WOMEN STAFFED CLINIC ON THE ISLAND, OPENED ITS DOORS IN 2000. FOR 24 YEARS, DR. BORDALLO AND HER COLLEAGUES AND STAFF PROVIDED THOUSANDS OF WOMEN WITH A SETTING IN WHICH THEY COULD EXPERIENCE THE BIRTH OF THEIR CHILD IN A SAFE AND WELCOMING ENVIRONMENT. AS A STRONG ADVOCATE FOR ACCESS TO WOMEN'S REPRODUCTIVE HEALTH CARE, DR. BORDALLO WILL PLAY AN ESSENTIAL ROLE ON THE GBME. HER EXPERTISE CAN HELP US DEAL WITH THE SHORTAGE OF OBGYNs THAT THE ISLAND IS EXPERIENCING RIGHT NOW. A SHORTAGE THAT'S ALSO AN ISSUE OVER ON THE MAINLAND. AS A PHYSICIAN AND A DAUGHTER OF GUAM, SHE CAN ALSO HELP TO MEANINGFULLY ADDRESS OUR HIGH MATERNAL AND INFANT MORTALITY RATES AS WELL AS THE ALARMING RATE OF SEXUALLY TRANSMITTED DISEASES AMONG THE ISLAND'S YOUTH IN CULTURALLY RELEVANT WAYS. I HAVE EVERY CONFIDENCE THAT SHE WILL BE SELECTING DOCTORS THAT WILL HELP US TO DEAL WITH THESE PROBLEMS. I CAN THINK OF NO BETTER PERSON TO ADVOCATE FOR SOLUTIONS TO OUR PROBLEMS FROM A MEDICAL PERSPECTIVE THAN DR. BORDALLO. HER EXTENSIVE KNOWLEDGE AND EXPERIENCE, INCLUDING HAVING SERVED AS MEDICAL DIRECTOR OF GMH FOR SEVERAL YEARS, WILL BE INVALUABLE TO THE GBME AS IT TACKLES OUR ISLAND'S MANY HEALTHCARE ISSUES. SENATORS, PLEASE APPOINT DR. BORDALLO TO THE GUAM BOARD OF MEDICAL EXAMINERS. IT WILL BE ONE OF THE BEST DECISIONS THAT YOU MAKE IN THE 38TH GUAM LEGISLATURE. SI YUUS MA'ASE FOR THE OPPORTUNITY TO TESTIFY IN SUPPORT OF HER APPOINTMENT.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU. SENATOR CALVO.

**SENATOR SHELLY CALVO**

THANK YOU, MADAM CHAIR. Hafa adai buenas everyone, thank you for being here. and Dr. Annie Bordallo, I just want to say thank you so much for stepping up to the plate and accepting the nomination. Being a board member is really not an easy job. and I speak in general for all board positions. You got to love your island to be able to dedicate a lot of time to service the community. Dr. Bordallo, I really don't have a lot of questions, just very few. and, I'd like to say that, your medical expertise and your lengthy experience here in Guam and as a daughter of Guam speaks so much of your capability to be a board member and, I truly look forward to it. My first question for you is as a licensed physician, how do you see your role in upholding professional standards and ensuring accountability among Guam's medical practitioners?

**DR. ANNIE BORDALLO**

Well, I think I see that we take our jobs seriously and I think again there's a big shortage of physicians. The health care system over the 30 years I practice has changed a lot and I really trying to support physicians is important. I think the health care system here people have to be healthier. I think everybody has a role to play and I think fortunately the education of most patients of taking your health care more seriously puts a lot

less pressure on heroic savings at the hospital. I think people don't realize they think they go to the hospital when they're sick and that we can save everybody, but a lot of

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IT STARTS MUCH EARLIER THAN THAT. AND I THINK THE YOUNGER GENERATION FINALLY IS TAKING THAT TO HEART. I SEE THE YOUNGER GENERATIONS OF KIDS BE A LOT MORE HEALTHY THAN I THINK I WAS OR WE WERE AT THAT SAME AGE. AND I THINK THAT EDUCATION HAS IS REALLY MAKING A BIG DIFFERENCE. AND I TRY TO STRESS THAT TO OUR PATIENTS THAT YOU HAVE SOME RESPONSIBILITY TOO. AND IT AND IT'S OKAY

THAT YOU UNDERPERFORM BECAUSE I'M A LITTLE UNDERPERFORMING IN MY OWN HEALTH JOURNEY. BUT THEN THE EXPECTATION THAT SOMEBODY'S GOING TO SAVE ME FROM THAT, I HAVE TO SORT OF OWN A LITTLE BIT OF IT, TOO. SO, I THINK IN THAT SENSE, I DON'T KNOW IF THAT ANSWERS YOUR QUESTION. I THINK WE TAKE OUR JOB SERIOUSLY. I THINK PHYSICIANS TRY TO BE AS CAREFUL AS THEY

CAN BE, BUT THERE'S LOTS OF DIFFERENT FACTORS THAT KIND OF CONTRIBUTE TOWARDS WHERE THE OUTCOME GOES. AND THERE'S SO MUCH IN HEALTHCARE IN MEDICINE THAT WE DON'T KNOW. I THINK THAT'S AGAIN BACK TO THAT COMMUNICATION ISSUE ABOUT WE MAKE IT SEEM BECAUSE TECHNOLOGY IS GREAT BECAUSE THERE'S WE'RE LEARNING SO MUCH MORE THE INTERNET IS AROUND THAT WE KNOW EVERYTHING AND THE REALITY IS THERE'S PROBABLY A BIGGER SECTION OF THINGS WE DON'T KNOW THAT WE'RE YOU KNOW THAT EVEN WE AS HUMAN BEINGS WOULD LIKE TO ADMIT.

**SENATOR SHELLY CALVO**

THANK YOU DR. ANNIE. I'M GLAD THAT YOU RAISED THAT ISSUE. IT'S TRUE THAT OUR COMMUNITY THESE DAYS ARE MORE PROACTIVE IN TAKING GOOD CARE OF THEMSELVES. ON THAT NOTE, WHAT DO YOU THINK ARE EMERGING HEALTHCARE ISSUES THAT YOU BELIEVE SHOULD BE PRIORITIZED BY THE BOARD AND HOW WOULD YOU CONTRIBUTE TO ADDRESSING THEM THROUGH POLICY AND ENGAGEMENT?

**DR. ANNIE BORDALLO**

WELL, I THINK AGAIN IT'S MOVEMENT IS THE MEDICINE, RIGHT? IF EVERYBODY WOULD MOVE

A LITTLE BIT MORE, SO I THINK IN IN TERMS OF POLICY MAKING, I THINK WE HAVE TO HAVE MORE ACCESS TO PLAYGROUNDS AND GYMS AND SPORTS FACILITIES AND DANCE AND ART SO THAT

KIDS CAN GET OUT. AND I THINK IN TERMS OF THE COMMUNITIES THAT ARE UNDERSERVED, HOW DO WE GET THEM ACCESS IF THEY DON'T HAVE A RIDE OR THEY DON'T HAVE PARENTS WHO WILL TAKE THEM THERE OR THEY DON'T HAVE I THINK THE COMMUNITYORIENTED WHEN I WAS A KID. I JUST HAD THIS CONVERSATION WITH ONE OF MY FAMILY MEMBERS. MY PARENTS DIDN'T HAVE TO TAKE ME TO PRACTICE. THEY DIDN'T HAVE WE BECAUSE I COULD WALK BECAUSE IT WAS AT THE COMMUNITY CENTER. WAS AT THE MAYOR'S OFFICE. WE ALL LIVED WITHIN WALKING DISTANCE. AND IN THOSE DAYS, I THINK WE ALWAYS THOUGHT IT WAS FAR, BUT IT WAS LIKE REALLY LITERALLY LIKE A QUARTER OF A MILE. BUT THOSE OF YOU WHO ARE PARENTS OF YOUNG KIDS, YOU WOULDN'T EVEN LET YOUR KID WALK OUT TO LIKE THE FRONT YARD. SO, I THINK SOME OF THOSE BRINGING THOSE COMMUNITY THINGS BACK TO OR SCHOOLS, THE AFTERCHOOL PROGRAMS THAT INVOLVE MORE HEALTHY ACTIVITIES FOR PEOPLE WHO REALLY DON'T HAVE ACCESS TO THEIR PARENTS ARE WORKING, YOU KNOW, TRANSPORTATION. I MEAN, THINGS LIKE THAT I THINK MAKE A BIG DIFFERENCE.

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**SENATOR SHELLY CALVO**

DR. ANNIE, I BELIEVE THAT YOU'RE GOING TO BE PART OF THIS BOARD. SO ON THAT NOTE, ON MY LAST

QUESTION, I JUST WANT TO ASK IF THERE ARE ANY PROCEDURAL CHANGES OR UPDATES

THAT YOU BELIEVE COULD STRENGTHEN THE BOARD'S EFFICIENCY AND TRANSPARENCY.

**DR. ANNIE BORDALLO**

WELL, I THINK, YOU KNOW, I DON'T KNOW. I DON'T WANT TO I HAVEN'T BEEN ON THE BOARD FOR A COUPLE OF YEARS NOW, BUT AS MY RECOLLECTION WAS REALLY AGAIN HAVING MORE CONTROL OVER, YOU KNOW, THE BUDGET. I MEAN, I THINK WE COLLECT LICENSING FEES AND SOMEHOW WE'RE HOOKED TO PUBLIC HEALTH OR THE WHAT IS IT THE NOW AND I DON'T KNOW IF THAT'S STILL CURRENT, BUT I THINK HAVING A LITTLE BIT MORE INDEPENDENCE SO THAT YOU KNOW I THINK THIS IS A VERY COMMON THEME KIND OF BEING A PART OF A LINE AGENCY VERSUS I WORKED AT THE HOSPITAL AS A SEMI AUTONOMOUS AND SO THERE ARE DIFFERENT THINGS IN TERMS OF BEING ABLE, LIKE I SAID, TO SPEND THE RESOURCES IN A TIMELY FASHION TO BRING EXPERTISE IN AND THAT WE NEED. I THINK THAT IS ONE OF THE THINGS THAT HAS THEY'VE BEEN TALKING ABOUT FOR QUITE A WHILE.

**SENATOR SHELLY CALVO**

THANK YOU SO MUCH. SO, ON THAT NOTE, DR. ANNIE, THAT WAS MY LAST QUESTION. I TRULY THANK YOU AGAIN FOR STEPPING UP TO THE PLATE AND I LOOK FORWARD TO YOUR CONFIRMATION.

**DR. ANNIE BORDALLO**

THANK YOU VERY MUCH.

**SENATOR SHELLY CALVO**

SI YUUS MA'ASE. MADAME CHAIR.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU SENATOR CALVO. SENATOR TERLAJE.

**SENATOR THERESE TERLAJE**

THANK YOU MADAM CHAIR. THANK YOU DR. BORDALLO FOR BEING WILLING TO SERVE IN THIS CAPACITY DURING YOUR RETIREMENT AS YOU CLAIM. BUT I KNOW YOU'VE SERVED IN THIS BEFORE, SO I KNOW WHAT THAT YOU KNOW WHAT IT'S GOING TO BE LIKE FOR YOU AND THE TIME COMMITMENT. SO THE BOARD FROM MY UNDERSTANDING ACTIVELY THEY DELEGATE THE CASES OUT THE COMPLAINTS

AMONG THE MEMBERS AND THEY EACH REVIEW A BATCH AND THEN THEY REPORT BACK TO THE BOARDS. BUT I'M SURE YOU HAVEN'T MISSED IN THE NEWS THAT THERE ARE SOME COMPLAINTS THAT HAVE ACTUALLY BEEN LINGERING. NOW, THEY'VE MADE SOME BIG PROGRESS AND CLEARED MANY,

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BUT THERE ARE STILL SOME THAT HAVE BEEN THERE FOR YEARS. SO, WE REALLY NEED A SOLUTION TO THAT

THAT BECAUSE I DON'T THINK THAT'S SATISFACTORY AND I DON'T THINK THAT OTHER JURISDICTIONS WOULD ALLOW THAT TO HAPPEN EITHER. WHEN YOU SUGGESTED THAT SO THE BOARD IS THEIR DUTIES ARE YOU KNOW THEY CAN REVIEW MANY THINGS UNLAWFUL PRACTICE YOU KNOW WHETHER

YOU'RE NOT GETTING BACK TO YOUR PATIENTS QUICK ENOUGH LOTS OF ADMINISTRATIVE KIND OF VIOLATIONS BY DOCTORS AND OF COURSE THEY ARE ALSO ACCORDING TO OUR STATUTE SUPPOSED TO REVIEW NEGLIGENCE AND THEY'RE SUPPOSED TO DISCIPLINE FOR NEGLIGENCE AND YOU'RE SUGGESTING THAT THE NEGLIGENCE WHEN THEY NEED SPECIALISTS TO HELP IN DETERMINING WHETHER THERE WAS NEGLIGENCE THAT THESE SHOULD BE DETERMINED BY A PEER REVIEW. ARE THERE IN PLACE PEER REVIEWS FOR ALL DOCTORS ON GUAM?

**DR. ANNIE BORDALLO**

NO, I THINK THE THE BOARD SERVES AS THE I SHOULD SAY THE REVIEW FOR FOR THE OUTPATIENT CLINICS BECAUSE THEY AREN'T NECESSARILY A MEMBER OF A GROUP. BUT AGAIN, THOSE ARE THE KINDS OF STRUCTURAL REORGANIZATIONS THAT WILL HELP. I THINK THE IT'S ASKING A LOT OF THE BOARD TO OVERSEE EVERY SINGLE CASE BECAUSE AGAIN THERE ARE IMPLICATIONS OF THAT. I THINK THE HOSPITAL HAS A PEERREVIEW COMMITTEE AND THAT'S FAIRLY ROBUST AND EACH DEPARTMENT. SO THE SURGICAL DEPARTMENT, THE OBGYN DEPARTMENT, THEY REVIEW ANY COMPLAINTS AND ANY AND THEY HAVE CRITERIA OF WHAT FALLS OUT OF THE STANDARD AND THAT'S HOW THEY CHOOSE WHAT CASES TO REVIEW. BUT YES, ANYBODY CAN COME TO THE BOARD AND SAY, "HEY, I WANT THAT CASE REVIEWED." AND AGAIN, IF WE HAD A LOT OF THE STATE BOARDS ARE MUCH LARGER, RIGHT, BECAUSE THEY HAVE A BIGGER SO THEIR STRUCTURE IS DESIGNED TO DO THAT. I DON'T KNOW THAT OUR WE DO REVIEW THEM, BUT IT JUST TAKES TIME. I MEAN, IF I'M REVIEWING AND THE CASES ARE HANDED OUT BASED NOT NECESSARILY ON SPECIALTY, BUT WE'RE LIMITED ANYWAY BECAUSE WE DON'T HAVE THAT MANY SPECIALTIES OF THE PHYSICIANS ON THE BOARD.

**SENATOR THERESE TERLAJE**

BUT WOULD YOU AGREE THAT IT'S REALLY JUST THE NEGLIGENCE CASES THAT REQUIRE SOMETIMES A SPECIALIST TO REVIEW THOSE? OTHERWISE, THE REST OF THE VIOLATIONS THAT ARE LISTED HERE BOARD SHOULD BE ABLE TO REVIEW.

**DR. ANNIE BORDALLO**

NO, OF COURSE, OF COURSE.

**SENATOR THERESE TERLAJE**

AND BOARDS CAN REVIEW SOME NEGLIGENCE CASES AS YOU SAY AND NOT AND THERE ARE NO PEER REVIEW FOR MANY OF THE DOCTORS ON GUAM. SO, THIS IS THE ONLY KIND OF REVIEW THAT THEY'RE GOING TO GET IS THROUGH THIS LICENSING BOARD. AND IS THIS THE CASE IN OTHER JURISDICTIONS? ARE YOU AWARE? IS THERE A PEER REVIEW FOR PRIVATE CLINICS IN OTHER

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JURISDICTIONS? I'M GUESS I'M JUST ASKING IS THAT REALLY REALISTIC TO SAY THAT THE BOARD CAN'T REALLY REVIEW THESE

AND WE NEED A PEER REVIEW BOARD TO REVIEW THESE.

**DR.ANNIE BORDALLO**

NO, NO, I'M NOT SAYING THAT WE CAN'T REVIEW THEM. I THINK WE DO REVIEW THEM, BUT IT TAKES TIME BECAUSE IF AGAIN YOU HAVE FOUR OR FIVE PEOPLE ON THE BOARD AND THEY'RE ALL PRACTICING, RIGHT? I MEAN, SO AND TO DO A GOOD JOB OF REVIEWING A CASE, IT'S THE VOLUME. SO, AGAIN, I DON'T KNOW. I DON'T RECALL REALLY ANY ADMINISTRATIVE TYPE OF COMPLAINTS AS YOU KNOW THAT MANY.

**SENATOR THERESE TERLAJE**

WELL, THERE WAS THE COMPLAINT OF SEXUAL ASSAULT. THERE WAS REMEMBER THOSE TYPES OF COMPLAINTS. I DON'T THINK WE NEED SPECIALISTS TO DETERMINE.

**DR.ANNIE BORDALLO**

OF COURSE AND THOSE ARE REVIEWED.

**SENATOR THERESE TERLAJE**

SO THOUGH THERE ARE CASES WHERE THE BOARD HAS SOUGHT SPECIALISTS AND I DON'T I ACTUALLY HAVEN'T SEEN COMPLAINTS THAT THE BOARD MEMBERS THEMSELVES AREN'T GETTING BACK WITH THEIR REVIEWS. IT'S ALWAYS THAT WHEN THERE'S A RECOMMENDATION THAT THERE'S SOME ADDITIONAL REVIEW, THEN THOSE CASES KIND OF GET STUCK IN A PROCUREMENT PROCESS OR AN AG REVIEW PROCESS OR A LACK OF AG REVIEW OR A LACK OF A SPECIALIST THAT THEY'VE BEEN ABLE TO PROCURE. AND SO RECENTLY THE HLO ADMINISTRATOR SAID THEY CHANGED THE PROCESS ON HER. ALSO, INSTEAD OF BEING ABLE TO PROCURE THESE SPECIALISTS THROUGH A PURCHASE ORDER, SHE'S NOW REQUIRED TO PUT OUT AN RFP. YOU WAIT FOR A RESPONSE AND THEN YOU NEGOTIATE WITH THEM. AND THAT FOR HER THE RESULT WAS THAT IT REALLY INCREASED THE COST. SO WHEN WE GET BACK TO THE COST, THIS WAS ORIGINALLY THE PROBLEM, BUT I DON'T BELIEVE THAT IS THE PROBLEM TODAY OR IT SHOULD NOT BE. FIRST OF ALL, PUBLIC HEALTH IS MAYBE PART OF THE PROBLEM BECAUSE THE HPLO'S REQUEST FOR BUDGET I DON'T THINK HAS BEEN HONORED BY PUBLIC HEALTH NECESSARILY. AND SO THAT MEANS THAT WHAT THE MEDICAL EXAMINER BOARD NEEDS, THE MEDICAL EXAMINER'S BOARD HAS TO OBTAIN

THROUGH FEES. AND THAT THOSE ARE FEES SET BY THE MEDICAL EXAMINER'S BOARD, THE

LICENSING FEES. AND SO THAT'S WHY EACH OF THESE BOARDS HAVE BEEN TASKED TO

IMPLEMENT FEES. SOME HAVE NOT YET, SO THEY'RE NOT PAYING THEIR FAIR SHARE, BUT YOU'RE SUPPOSED TO IMPLEMENT FEES THAT ARE ABLE TO THAT YOU NEED TO MANAGE THE, YOU KNOW, OVERSEEING THAT YOU NEED TO DO. SO, IF IT'S LOOKING LIKE, YOU KNOW, WE NEED MORE FEES IN ORDER TO HIRE MORE SPECIALISTS TO REVIEW MORE CASES, THEN THAT MIGHT BE SOMETHING THE

BOARD HAS TO CONSIDER. I KNOW NOBODY WANTS TO INCREASE FEES, BUT THOSE ARE THE KIND OF THE CHOICES WE'RE AT. IT'S EITHER THE AG COVERS IT AND HE THEY USED TO COVER CERTAIN THEY

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USED TO COVER THE BOARD MEETINGS, RIGHT? BUT WHEN YOU NEEDED AN INVESTIGATOR OR YOU NEEDED A PUBLIC HEARING OFFICER, THEY DIDN'T WANT CONFLICT. SO THEY WANTED TO DO IT WHERE YOU HIRE YOUR OWN. SO THAT'S WHAT THE BOARDS HAVE BEEN DOING. AND THEY'VE BEEN ABLE TO HIRE DESPITE THE CHALLENGES, THEY'VE BEEN ABLE TO HIRE AND THAT'S WHAT THEY'RE USING IS THE FEES AND A LITTLE BIT OF THE BUDGET THAT PUBLIC HEALTH SECURES FOR THEM. BUT I GUESS SO THAT'S WHAT I'M

I'M GOING TO ASK YOU. IF WE NEED OTHER PEOPLE AND WE NEED TO HIRE THEM TO HELP US IN DOING THIS WORK, IT MIGHT NEED AN INCREASE IN LICENSING FEES AND ARE YOU WILLING TO

REVIEW THAT WHOLE CYCLE OF CHICKEN AND EGG? I GUESS IT'S LIKE IF WE ARE GOING TO REALLY DO A THOROUGH REVIEW WITH SPECIALISTS THEN WE'RE GOING TO NEED TO HAVE A LITTLE BIT MORE MONEY TO DO THAT.

**DR. ANNIE BORDALLO**

YOU KNOW I MEAN I THINK THE BUDGET IS AGAIN MY EXPERIENCE A FEW YEARS AGO AND I DON'T KNOW WHAT HAS CHANGED BETWEEN THAT TIME AND NOW WAS THAT IT WAS OPAQUE. I MY UNDERSTANDING WAS THAT WE HAD ENOUGH MONEY IN TERMS OF FEES. WE JUST AGAIN HAD TO GO THROUGH PROCESSES THAT ARE KIND OF UNREASONABLE. I MEAN TO GO THROUGH THE CENTRAL OFFICE AND ALL

AROUND HOWEVER THESE THINGS WORK. THAT WAS THE ISSUE AS OPPOSED TO BEING

IN CONTROL OF OUR OWN BUDGET AND MONEY AND SAYING OKAY PAY THE GUY AND HERE'S THE CHECK.

**DR. THERESE TERLAJE**

THAT SHOULD BE BETTER NOW, I THINK, BECAUSE I THINK THEY'VE RESOLVED A LOT OF THAT AND THE CURRENT ADMINISTRATORS ABLE TO GO OUT AND DO THESE TYPES. SOME OF THE ISSUE WAS THEY

CHANGED THE REQUIREMENTS, RIGHT? THEY SAID, "NO, NOW YOU CAN'T USE PER PURCHASE ORDER. YOU HAVE TO USE AN RFP." THAT'S JUST A LENGTHY PROCESS AND THAT IS A MORE COSTLY PROCESS. SO YOU COULD PUSH BACK A LITTLE AND WE COULD SEE WHETHER THAT'S REALLY REQUIRED AND PERHAPS WE COULD ALL TAKE A LOOK AT THAT AS WELL AND SEE IF THERE'S A BETTER WAY TO PROCURE THAT AND IF THERE IS WE'LL TAKE ANY RECOMMENDATION OTHERWISE YEAH I JUST SAY REGARDLESS OF THAT RIGHT WE NEED ANSWERS AND WE NEED TO JUST RESOLVE THE CASES I THINK THAT'S REALLY THE BOTTOM LINE THAT'S THE ONLY WAY THAT THE PUBLIC IS GOING TO HAVE SOME FAITH THAT THE LICENSING BOARD IS ABLE TO DO WHAT IT IS TASKED TO DO AND ESPECIALLY WHEN IT IS THE ONLY

ONE TASKED TO DO THAT ON GUAM RIGHT NOW. BUT I AGREE THE PEER REVIEW SYSTEM

SHOULD I THINK THEY'RE REQUIRED TO REPORT ANY PEER REVIEWS THAT THE HOSPITALS DO ARE SUPPOSED TO BE REPORTED TO THE BOARD. SO, I DON'T THINK THAT'S REALLY A PROBLEM. BUT IF THERE'S ANOTHER WAY TO SET UP A PEER REVIEW TO ASSIST YOU INSTEAD OF HIRING SPECIALISTS, I DON'T THINK THAT'S GOING TO FLY. BUT IF THAT'S POSSIBLE, YOU KNOW, MAYBE YOU CAN

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MAKE A RECOMMENDATION TO DO THAT. BUT MY OTHER QUESTION IS SO MISS FLORESA THE BUREAU OF WOMEN'S AFFAIRS SUGGESTS THAT YOU BEING ON THE BOARD IS GOING TO HELP BY THE WAY I KNOW SHE SAYS YOU'RE GOING TO HELP WITH THE SHORTAGE OF OBGYN'S THAT THE ISLAND FACES THE HIGH

MATERNAL AND INFANT MORTALITY RATES AND THE ALARMING RATE OF SEXUALLY TRANSMITTED DISEASES AND DO YOU SEE YOUR ROLE ON THE BOARD AS HELPING HAS TO COME UP WITH POLICY IN THOSE AREAS.

**DR. ANNIE BORDALLO**

WELL, I THINK AGAIN PHYSICIAN RECRUITMENT EXPANDING AS SENATOR TAITAGUE SAID, EXPANDING ELIGIBILITY TO BRING MORE PHYSICIANS IN. I MEAN, THOSE OF US WHO TRAVEL OFF ISLAND FOR MEDICAL CARE, IF WE TRAVEL TO THE PHILIPPINES OR TO ASIA, WE GET OUR MEDICAL CARE THERE. WHY CAN'T THOSE DOCTORS COME HERE? AND THOSE ARE BIG BECAUSE WE'RE NOT AN INDEPENDENT COUNTRY. IF WE WERE, WE WOULD HAVE SOLVED THOSE ISSUES A LONG TIME AGO. BUT WE ARE SUBJECT TO IMMIGRATION LAWS. WE ARE SUBJECT TO LICENSING THAT COMES FROM THE U.S.. NOT THESE ARE NOT LOCAL. IT'S NOT UNDER OUR PURVIEW TO EXPAND THAT. NOW AGAIN, THERE'S PHYSICIAN SHORTAGES EVERYWHERE. SO I THINK THE U.S. IS NOW EXPANDING THOSE BECAUSE THEY NEED TO THERE'S LIKE 50,000 DOCTORS IN MEXICO THAT CAN START PRACTICING WITH SIMILAR TRAINING AND IT'S JUST BACK TO HOW DO YOU FILTER OUT THE GOOD ONES VERSUS NOT OR HOW DO YOU VERIFY THEIR SCHOOLING? IS IT EQUIVALENT TO OUR TRAINING? IF IT'S EQUIVALENT, THEN WE SHOULD THERE SHOULD BE A PATHWAY FOR THEM TO HAVE LICENSES HERE. BUT THOSE ARE THE STRUCTURAL OBSTACLES, BUT THAT CAN BE SOLVED AND THEN WE'LL HAVE A WHOLE ARRAY OF MANY PHYSICIANS AVAILABLE TO BE HIRED. BUT THAT'S A U.S. PROBLEM AS WELL. AND THEY'RE LIKE SENATOR TAITAGUE SAID AND THERE'S SO MANY STATES THAT ARE NOW TRYING TO GET THESE LICENSING REGULATIONS CHANGED SO THAT THEY CAN BRING THESE PHYSICIANS IN. SO IN THAT SENSE I THINK YES WE CAN TRY TO RECRUIT FROM THAT STANDPOINT.

**SENATOR THERESE TERLAJE**

ALL RIGHT. YEAH. SO, SENATOR TAITAGUE HAD A BILL AND I KNOW THAT THE BOARD HAD ALSO INDEPENDENT OF THAT BEEN DISCUSSING AND NOW I THINK THEY'RE DISCUSSING IT TOGETHER, BUT I THINK YEAH, THE SOONER THAT CAN BE MOVED THE BETTER. BUT, JUST I GUESS FOR THOSE WHO ARE LISTENING, HOW DO YOU SEE THE CASES MOVING FORWARD? LET'S SAY YOU DO HAVE CONTROL OF YOUR MONEY AND YOU HAVE HIRED SPECIALISTS. LAST WE HEARD THEY WERE WAITING FOR THE AG'S I DON'T KNOW AGREE APPROVAL OF THE CONTRACTS MAYBE BECAUSE RFP'S HAVE TO GO THROUGH HIM NOW. BUT HOW WOULD YOU HELP I GUESS THE PUBLIC'S PERCEPTION OF THE BOARD NOT MOVING ON SOME CASES FOR SEVERAL YEARS?

**DR. ANNIE BORDALLO**

WELL, I WASN'T INVOLVED IN THOSE CASES, SO I CAN'T SPEAK TO THOSE SPECIFIC CASES. THE ONLY THING I CAN SAY IS THAT I'LL JUST BE ONE MORE PERSON, YOU KNOW, SO THAT TO TAKE ON THERE'S I'M ANOTHER PERSON THAT WILL EXPAND THE ABILITY TO REVIEW THOSE CASES. I MEAN, WE CAN RESOLVE CASES THAT WE CAN RESOLVE QUICKLY. OTHER CASES, AS YOU SAID, IF WE CAN'T

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CHANGE THE PROCESS THAT REQUIRES US TO GET AN ATTORNEY GENERAL'S APPROVAL THAT ISN'T APPROVING ANYTHING, I'M NOT REALLY SURE HOW THAT'S BACK ON THE BOARD. AND IF THE PUBLIC DOESN'T UNDERSTAND HOW THESE PROCESSES INTERFERE WITH THAT, THEN I'M NOT SURE I CAN MITIGATE THAT. BUT CERTAINLY I'LL BE ONE MORE PERSON. SO THERE'LL BE MORE OF US TO REVIEW CASES AND I'LL CERTAINLY TAKE ON YOU KNOW THOSE CASES AND TRY TO GET AS MANY OF THEM RESOLVED AS WE CAN. BUT AGAIN I I THINK THE YOU KNOW IS IT THE TIMELINESS OR IS IT THE FACT THAT THEY'RE NOT SATISFIED WITH THE DECISIONS THAT ARE MADE?

**SENATOR THERESE TERLAJE**

THE LACK OF A DECISION. IT'S REALLY THAT AND THAT'S WHY IT'S KIND OF NOT ACCEPTABLE, I DON'T THINK, FOR ANYONE. AND I'M ASKING, I GUESS, IF YOU WOULD COMMIT TO BEING NEW AGAIN ON THE BOARD, JUST A FRESH LOOK AT THOSE CASES THAT HAVE BEEN THERE FOR SEVERAL YEARS AND IF THEY CAN BE HANDLED IN ANY DIFFERENT WAY THAT THAT YOU PUSH THAT YOU ACTIVELY LOOK FOR THAT BECAUSE I JUST DON'T WANT EVERYONE TO THINK THAT IS ACCEPTABLE.

**DR. ANNIE BORDALLO**

OKAY. I CAN BE THE I'LL BE THE CODE CASE. YES, I'LL TAKE ON THOSE CODE CASES AND TRY TO GET THEM SENATOR AS BEST AS I CAN.

**SENATOR THERESE TERLAJE**

I APPRECIATE THAT. THANK YOU, DR. BORDALLO. THANK YOU AGAIN FOR YOUR SERVICE.

**SENATOR SABRINA SALAS MATANANE**

AND JUST FOR THE PUBLIC THAT'S WATCHING, WE DO HAVE THE PUBLIC HEARING SCHEDULED FOR BILL 206. THAT IS, SENATOR TELO TAITAGUE BILL. IT IS SCHEDULED FOR FEBRUARY 11TH. I DID HAVE ONE JUST FOLLOW-UP QUESTION AND IT'S SOMETHING THAT I'VE BEEN HEARING ABOUT. I JUST MET WITH THE FEDERATION OF STATE MEDICAL BOARDS AND AS WELL AS DR. NATHANIEL BERG AND ONE OF THE THINGS THAT I BROUGHT UP WHEN WE DISCUSSED WAS THE DIFFERENCE BETWEEN WHETHER YOU WORK AT GMH OR YOU WORK AT A PRIVATE CLINIC AND THE REQUIREMENTS FOR REPORTING DISCIPLINED DOCTORS TO THE NATIONAL PRACTITIONERS DATA BANK. AND ONE OF THE THINGS THAT WAS TOLD TO ME WAS THAT IF YOU ARE PRACTICING AT GMH AND YOU ARE DISCIPLINED, YOU KNOW, THEY'RE COVERED UNDER THE GOVERNMENT CLAIMS ACT. AND SO EARLY ON, I HAD VOYED FOR SOME OF THE SETTLEMENT CASES. AND I RECEIVED QUITE A FEW BUT THEY WERE NEVER REPORTED TO THE TO THE NATIONAL PRACTITIONERS DATA BANK AND THEY WEREN'T FORWARDED TO THE GUAM BOARD OF MEDICAL EXAMINERS. HAVING HAD EXPERIENCE WITH THE GBME, IS THAT HOW THE PROCESS WORKS OR DO YOU BELIEVE THAT IF YOU WORK AT GMH AND YOU HAVE SETTLEMENTS THAT HAVE BEEN LITIGATED, RESOLVED, SHOULD THEY BE REPORTED TO THE GBME AND THEN REPORTED TO THE NATIONAL PRACTITIONERS DATA BANK SO THE PUBLIC AND THE COMMUNITY HERE ON GUAM KNOW IF A DOCTOR HAS BEEN DISCIPLINED DESPITE WHERE THEY WORK?

**DR. ANNIE BORDALLO**

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YES, I BELIEVE THAT ALL DISCIPLINARY ACTION THAT HAS BEEN RESOLVED AND RESULTED IN A DISCIPLINARY ACTION IS REPORTABLE TO NOT ONLY THE MEDICAL BOARD BUT TO THE NATIONAL DATA BANK. I THINK LIKE MOST LEGAL THINGS THERE'S A LOT OF DIFFERENT INTERPRETATIONS OF

THAT. SO WHEN YOU'RE AT THE WHEN THE GOVERNMENT CLAIMS ACT IF THERE'S A SETTLEMENT THE SETTLEMENT MAY NOT BE ON BEHALF OF THE PHYSICIAN BUT MAYBE BE ON BEHALF OF THE HOSPITAL AND SO THAT'S NOT REPORTABLE UNDER THE PHYSICIAN'S NAME. SO I THINK THAT MAY BE THE DISCERNMENT, BUT IF THE SETTLEMENT IS MADE ON BEHALF OF THE PHYSICIAN, THAT'S A REPORTABLE EVENT AND IT SHOULD BE REPORTED TO BOTH THE GUAM MEDICAL BOARD AND TO THE NATIONAL DATABANK. THAT'S THE LAW. IT'S NOT AN OPTIONAL KIND OF THING. SO I THINK AGAIN BACK TO

RESOURCES AND REPRESENTATION SOME OF THOSE ISSUES ARE NOT INTUITIVE AND NOT SO STRAIGHTFORWARD AND SO AND WE GET SUBJECT TO LITIGATION AS WELL. SO I THINK BACK TO HAVING THE RESOURCE OF DO WE HAVE ATTORNEYS THAT UNDERSTAND HEALTH CARE LAW? DO WE HAVE THAT WE CAN CALL ON IT? IT'S NOT AS THIS IS A COMPLEX KIND OF THING. IT'S NOT AS EASY OR AS STRAIGHTFORWARD. SO, THIS IS A DISCUSSION I'VE HAD MULTIPLE TIMES WITH DR. BERG. IT'S LIKE, WELL, WHAT AM I SUPPOSED TO REPORT JUST AS YOU SAID, ONCE IT GOES TO PEER REVIEW, IS THAT ALREADY A REPORTABLE THING OR AM I SUPPOSED TO WAIT? UNTIL THE THING IS RESOLVED AND THEN ONLY IF THERE'S A DISCIPLINARY ACTION DO IS IT REPORTABLE. SO, I THINK THERE'S A LOT OF THESE

KINDS OF SITUATIONS THAT AGAIN LEAD TO THIS TYPE OF YOU KNOW, WAS IT REPORTED, WAS IT NOT? AND AGAIN, IT'S JUST BACK TO COMMUNICATION AND THE PROCESS. YOU KNOW, IS IT CHECKED OFF? HEY, AS IT GOES DOWN THE LIST, IT'S SOMEBODY WHOSE RESPONSIBILITY IS IT TO MAKE SURE IT GETS REPORTED TO THE PLACES IT'S SUPPOSED TO BE REPORTED TO.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU. THANK YOU FOR STEPPING UP AND ACCEPTING THIS APPOINTMENT AND WE LOOK FORWARD TO WORKING EXPEDITIOUSLY TO GET THIS ON THE NEXT SESSION AGENDA. SO, THANK YOU SO MUCH FOR ACCEPTING THE NOMINATION.

**DR. ANNIE BORDALLO**

THANK YOU VERY MUCH.

**SENATOR SABRINA SALAS MATANANE**

WE WILL NOW TURN TO BILL 219. AND IF YOU ARE HERE TO TESTIFY, PLEASE TAKE A SEAT AT THE TABLE.

AND BEFORE WE BEGIN AND ACCEPT TESTIMONY, WE WILL HEAR OPENING REMARKS FROM THE BILL'S AUTHOR, SENATOR SHELLY CALVO. SENATOR

**SENATOR SHELLY CALVO**

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SI YU'US MA'ASE. MADAME CHAIR, THANK YOU FOR HEARING THIS FOR PLACING THIS BILL ON THE AGENDA AND SI YU'US MA'ASE TO EVERYONE AND THANK YOU. GOOD MORNING AS WELL AS MY COLLEAGUES THAT ARE HERE TODAY AND TO EVERYONE IN THE PANEL. THANK YOU FOR THE OPPORTUNITY TO OFFER OPENING REMARKS ON BILL NUMBER 219-38 COR. WHEN WE GATHER TO DISCUSS MENTAL HEALTH POLICY, WE ARE NOT SIMPLY DEBATING STATUTORY LANGUAGE. WE ARE CONFRONTING HOW OUR COMMUNITY RESPONDS WHEN SOMEONE IS UNWELL, WHEN FAMILIES ARE STRUGGLING, AND WHEN WARNING SIGNS APPEAR LONG BEFORE AN EMERGENCY CALL IS EVER MADE. THESE CONVERSATIONS ARE OFTEN DIFFICULT, BUT THEY ARE NECESSARY BECAUSE THE COST OF GETTING THIS WRONG IS MEASURED NOT IN DOLLARS OR CASE LOADS, BUT IN HUMAN LIVES AND LONG-TERM

HARM. THE BABY ELECTION LAW WAS ENACTED NEARLY A DECADE AGO IN RESPONSE TO A TRAGEDY THAT DEEPLY AFFECTED GUAM. IT WAS A RECOGNITION THAT UNTREATED SERIOUS MENTAL ILLNESS WHEN LEFT UNRESSESSED CAN HAVE DEVASTATING CONSEQUENCES. THAT LAW SOUGHT TO CREATE A PATHWAY FOR ASSISTED OUTPATIENT TREATMENT THAT WAS CAREFUL, STRUCTURED, AND RESPECTFUL OF CIVIL LIBERTIES WHILE STILL ALLOWING INTERVENTION WHEN IT WAS TRULY NECESSARY. THERE'S A LITTLE STRUGGLE HAPPENING HERE. THAT FRAMEWORK REMAINS IMPORTANT. IT IS GROUNDED IN CLINICAL JUDGMENT. IT REQUIRES JUDICIAL OVERSIGHT AND IT PRESERVES DUE PROCESS PROTECTIONS THAT ARE ESSENTIAL IN ANY SYSTEM INVOLVING COURTORDERED CARE. BILL 219-38 DOES NOT CHALLENGE THOSE PRINCIPLES. INSTEAD, IT ASKS WHETHER OUR CURRENT PROCEDURES FULLY HONOR THE PREVENTIVE PURPOSE THAT ANIMATED THE BABY ALEXIA LAW IN THE FIRST PLACE. UNDER CURRENT STATUTE, THE AUTHORITY TO INITIATE AN ASSISTED OUTPATIENT TREATMENT PETITION RESTS PRIMARILY WITH THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER ACTING IN CONJUNCTION WITH A TREATING PHYSICIAN. THAT MODEL ENSURES MEDICAL OVERSIGHT, BUT IT ALSO MEANS THAT THE SYSTEM OFTEN BECOMES ACTIVATED ONLY AFTER AN INDIVIDUAL HAS REACHED A POINT OF ACUTE CRISIS, AFTER HOSPITALIZATION, AFTER ARREST OR AFTER EMERGENCY DETENTION. SO FOR MANY FAMILIES AND FRONTLINE PROFESSIONALS, THIS REALITY IS PAINFULLY FAMILIAR. THEY SEE THE WARNING SIGNS EARLY. UNTREATED SYMPTOMS, MISSED CARE, ESCALATING BEHAVIORS, AND

CYCLES OF INSTABILITY. THEY ATTEMPT TO INTERVENE INFORMALLY. THEY SEEK HELP,

AND YET TOO OFTEN THERE IS NO CLEAR LAWFUL MECHANISM TO ELEVATE THESE

CONCERNS INTO A STRUCTURED COURT SUPERVISED PROCESS UNTIL THE SITUATION HAS ALREADY DETERIORATED. BILL 219-38 ASKS WHETHER THERE ARE MOMENTS EARLIER IN THAT TRAJECTORY MOMENTS RECOGNIZED FIRST BY FAMILY MEMBERS, CAREGIVERS, HOSPITAL ADMINISTRATORS

WHEN CREDIBLE CONCERNS RESPONSIBLY BE BROUGHT FORWARD TO COURT BEFORE CRISIS

BECOMES INEVITABLE. THIS BILL DOES NOT PROPOSE THAT ANYONE ACT ALONE. IT DOES

NOT ALLOW TREATMENT TO BE ORDERED WITHOUT MEDICAL INVOLVEMENT. IT DOES NOT ELIMINATE JUDICIAL REVIEW AND IT DOES NOT EXPAND THE CRITERIA FOR ASSISTED OUTPATIENT TREATMENT. IN FACT, IT STRENGTHENS PROCEDURAL CLARITY BY REQUIRING CLINICAL AFFIRMATIONS,

NOTICE TO ALL RELEVANT PARTIES, THE RIGHT TO COUNSEL, AND PROMPT JUDICIAL

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HEARINGS BEFORE ANY ORDER MAY BE ISSUED. THE INTENT OF EXPANDING PETITIONING AUTHORITY IS NOT TO WIDEN THE NET INDISCRIMINATELY. IT IS TO ACKNOWLEDGE THAT THE INFORMATION ABOUT RISK AND DETERIORATION OFTEN EXISTS OUTSIDE OF A SINGLE AGENCY AND THAT OUR LEGAL FRAMEWORK SHOULD ALLOW THAT INFORMATION TO REACH THE COURT IN A RESPONSIBLE, TIMELY AND

SAFEGUARDED MANNER. AT ITS CORE, THIS BILL REFLECTS A BELIEF THAT OUR MENTAL HEALTH SYSTEM SHOULD BE DESIGNED TO INTERVENE BEFORE HARM OCCURS, NOT ONLY AFTER. IT IS ABOUT SHIFTING FROM A REACTIVE POSTURE TO A PROACTIVE ONE

WHILE REMAINING ANCHORED IN COMPASSION, MEDICAL EXPERTISE, AND RESPECT FOR INDIVIDUAL RIGHTS. IT APPRECIATE THE COMMITTEE FOR ALLOWING THIS IMPORTANT DISCUSSION TO TAKE PLACE TODAY AND I LOOK FORWARD TO HEARING FROM THOSE WHO WILL SHARE THEIR EXPERTISE, EXPERIENCES, CONCERNS AND INSIGHTS AS WE CONSIDER HOW BEST TO STRENGTHEN THIS BILL. SI YU’US MA’ASE. MADAME CHAIR.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU SENATOR CALVO. WE WILL NOW ACCEPT PUBLIC TESTIMONY. WE WILL BEGIN WITH JUSTICE MARAMAN. PLEASE SPEAK CLOSELY INTO THE MICROPHONE AND AGAIN STATE YOUR NAME AND TITLE.

**KATHERINE MARAMAN**

THANK YOU. MY NAME IS KATHERINE MARAMAN AND I SERVE AS AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF GUAM. THROUGH MY CAREER I’VE BEEN AN ADVOCATE FOR IMPROVING CARE FOR PERSONS WITH MENTAL ILLNESS. I DON’T DIRECTLY DEAL WITH LITIGANTS IN THAT AREA ANYMORE, BUT IT’S A PRIME CONCERN TO ME. THE JUDGE WHO IS HANDLING THE MENTAL HEALTH COURT IS ARTHUR BARCINAS. HE JUST RETURNED FROM A TRIP. SO I’M HERE ON BEHALF OF THE JUDICIARY. WITH ME IS

THE ADMINISTRATOR OF THE COURTS, DANIELLE ROSETTI, THE PUBLIC GUARDIAN, , ANDREW PARIS. THIS BILL IS VERY IMPORTANT TO THE JUDICIARY.THE JUDICIARY AND THE EXECUTIVE BRANCH HAVE BEEN WORKING TO IMPLEMENT THE SEQUENTIAL , INTERVENTION MODEL THAT’S BEEN PROPOSED BY SAMSA.

AND ONE OF THE BIGGEST ISSUE THAT WE FACED IS THERE ARE PEOPLE IN THE COMMUNITY KNOWN TO HAVE MENTAL ILLNESS BUT WHO ARE NOT PATIENTS AT THE DEPARTMENT OF BEHAVIORAL HEALTH AND RIGHT NOW THE LAW REQUIRES THE DIRECTOR OF THE DEPARTMENT TO PETITION THE COURT FOR OUTPATIENT SUPERVISION. SO ALTHOUGH WE HAVE SOME TECHNICAL CORRECTIONS WE’D LIKE TO MAKE AND RECOMMEND, OUR PRIMARY CONCERN IS EXPANDING THE DEFINITION OF PETITIONER TO COVER

OTHER PROFESSIONALS IN THE COMMUNITY OR MORE IMPORTANTLY FAMILY MEMBERS AND

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FRIENDS WHO WANT TO GO BEFORE THE COURT AND ASK FOR CARE FOR THEIR PERSON THAT THEY'RE CONCERNED ABOUT. ALSO, JUDGE BARCINAS HAS TOLD ME THERE ARE OFTEN TIMES THAT PEOPLE GO INTO THE CRIMINAL JUSTICE SYSTEM AND END UP IN THE MENTAL HEALTH COURT THAT REALLY HAVEN'T COMMITTED A SERIOUS OFFENSE. MAYBE THE FAMILY IS TOO STRESSED AND THERE'S

BEEN AN ALTERCATION OR MAYBE THE PERSON IS HOMELESS OUT IN THE STREETS. SUDDENLY, THEY'RE IN THE MENTAL HEALTH COURT. AND HE SAID IT WOULD BE MUCH BETTER IF THEY COULD GO INTO THE CIVIL SIDE OF THE COURT AND BE SUPERVISED FOR OUTPATIENT CARE AND GET OUT OF THE CRIMINAL JUSTICE SYSTEM. THAT IS PART OF WHAT STEP ONE OF THE SEQUENTIAL MODEL CALLS FOR. AND WE JUST ARE VERY CONCERNED THAT IT'S SO RESTRICTED NOW ABOUT HOW THE PETITIONS COME IN THAT PEOPLE WHO SHOULD BE BEFORE THE COURT FOR THIS PROGRAM ARE NOT ABLE TO DO THAT. ALSO PRESENT JUST TO ANSWER ANY QUESTIONS IS THE PUBLIC GUARDIAN WHO RIGHT NOW THE COURT HAS

OVER A 100 WARDS THAT WE CARE FOR. BUT IF YOU HAVE ANY MORE TECHNICAL

QUESTIONS, , HE'S HERE. HE'S AN ATTORNEY, BUT HE'S ALSO THE PUBLIC GUARDIAN. I COULD READ THROUGH MY LETTER, BUT UNLESS YOU ARE SATISFIED WITH IT BEING PART OF THE RECORD, I

COULD JUST STOP NOW AND ANSWER ANY QUESTIONS YOU HAVE.

**SENATOR SABRINA SALAS MATANANE**

YEAH, IF YOU COULD READ THE LETTER INTO THE RECORD, PLEASE. YEAH. OKAY.

**DANIELLE ROSETTI-ADMINISTRATOR OF THE COURT**

GOOD MORNING AND Hafa Adai, Madame Chair and Members of the Committee. Danielle Rosetti, Administrator of the Court, and I will read the testimony into the record. Dear Madame Chair and Members of the Committee, thank you for the opportunity to provide testimony on Bill Number 219-38 COR. The Judiciary recognizes the seriousness of the issues addressed by this measure and the legislator's intent to strengthen Guam's assisted outpatient treatment framework in a manner that promotes public safety while respecting

individual rights because AOT proceedings involve compelled medical treatment and court oversight. Clear procedures and due process protections are essential. To this end, the Judiciary respectfully offers the following sectionspecific comments and proposed amendments. These comments reflect input gathered from our judicial officers and staff who examine the measures potential impact on court operations and the individuals we serve. Section Two, Legislative Findings and Intent. In Section Two, the Judiciary suggests that the findings and intent expressly affirm principles of least restrictive care and recovery oriented treatment. Clarifying these guiding principles would help anchor the statute in established mental health standards and provide direction to the court when

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WEIGHING PETITIONS THAT INVOLVE SIGNIFICANT LIBERTY INTERESTS. SECTION THREE, AMENDMENT TO SECTION 82A201K, DEFINITION OF PETITIONER. WITH RESPECT TO THE EXPANDED CATEGORIES OF PETITIONERS, THE JUDICIARY RECOMMENDS CONSIDERATION OF ADDITIONAL SAFEGUARDS. FIRST, WHEN EXPANDING PETITIONING AUTHORITY TO NON-CLINICAL PETITIONERS, THE LEGISLATURE MAY WISH TO CONSIDER REQUIRING STANDARDIZED TRAINING FOR SUCH PETITIONERS AND ESTABLISHING AN OVERSIGHT MECHANISM TO MONITOR PETITION FILINGS. THESE MEASURES WOULD PROMOTE CONSISTENCY AND REDUCE THE RISK OF INAPPROPRIATE OR UNSUPPORTED PETITIONS. THE JUDICIARY HAS PROVIDED TRAINING FOR GUARDIANS AND IS WILLING TO ASSIST IN TRAINING PETITIONERS AS TO THE GUARDIANSHIP LAW AND RESPONSIBILITIES OF GUARDIANS. THE PUBLIC GUARDIAN COULD ASSIST IN THE DEVELOPMENT OF A PROGRAM DEFERRING TO MEDICAL PROFESSIONALS ON OTHER ASPECTS. SECOND, UNDER PROPOSED SUBSECTION K1, THE TERM RESIDES COULD BENEFIT FROM CLARIFICATION. SPECIFYING WHETHER THE TERM REFERS TO A LONG-TERM CAREGIVER, A HOUSEHOLD MEMBER, OR OTHER DEFINED RELATIONSHIP WOULD REDUCE AMBIGUITY AND HELP PREVENT POTENTIAL MISUSE. THIRD, UNDER SUBSECTION K6, THE JUDICIARY RECOMMENDS REMOVING THE INCLUSION OF PEACE OFFICERS AS PETITIONERS. PEACE OFFICERS ARE TRAINED PRIMARILY IN PUBLIC SAFETY AND LAW ENFORCEMENT RATHER THAN MENTAL HEALTH DIAGNOSIS. GRANTING PETITIONING AUTHORITY MAY BLUR THE LINE BETWEEN POLICING AND MEDICAL DECISION-MAKING AND RISKS TRANSFORMING AOT INTO A QUASI CRIMINAL MECHANISM RATHER THAN A MEDICAL SAFEGUARD. FINALLY, THE INCLUSION OF JUDGES AND ATTORNEYS AS PETITIONERS RAISES POTENTIAL CONFLICT OF INTEREST CONCERNS, PARTICULARLY WHERE THOSE INDIVIDUALS MAY LATER BE INVOLVED IN ADJUDICATING OR REPRESENTING THE SUBJECT OF THE PETITION. WE THEREFORE RECOMMEND REMOVING SUBSECTIONS 8 9 AND 10 AND REPLACING THEM WITH THE FOLLOWING LANGUAGE. A LEGAL OFFICER OR ATTORNEY MAY PETITION ONLY IF NOT INVOLVED IN ADJUDICATING OR DEFENDING THE SUBJECT IN THE SAME PROCEEDING. SECTION 4, NEW SECTION 82A402 PETITION TO THE COURT. IN SECTION 4, THE JUDICIARY RECOMMENDS ADDING A NEW SUBSECTION TO STRENGTHEN CLINICAL SAFEGUARDS WHEN AN EXAMINATION IS REFUSED. THE PROPOSED ADDITIONAL SUBSECTION D READS, "IF THE SUBJECT OF THE PETITION REFUSES EXAMINATION, A SECOND LICENSED MENTAL HEALTH PROFESSIONAL MUST REVIEW THE PETITION AND AFFIRM THE NECESSITY OF ASSISTED OUTPATIENT TREATMENT BEFORE FILING. THIS ADDITIONAL REVIEW WOULD PROVIDE AN IMPORTANT CHECK IN CASES WHERE DIRECT EXAMINATION IS NOT POSSIBLE.

SECTION FIVE, NEW SECTION 82A43, SERVICE. IN SECTION FIVE, THE JUDICIARY RECOMMENDS ADDING A NEW SUBSECTION TO CLARIFY SERVICE REQUIREMENTS AND PROVIDE RESPONDENTS WITH ADEQUATE NOTICE. CLEAR NOTICE TIMELINES ARE CRITICAL TO MEANINGFUL PARTICIPATION AND PREPARATION. PROPOSED SUBSECTION E NOTICE SHALL BE SERVED BY CERTIFIED MAIL OR PERSONAL DELIVERY AT LEAST 72 HOURS BEFORE THE HEARING. SECTION SIX, NEW SUBSECTION 82A404, THE RIGHT TO COUNSEL. WHILE SUBSECTION 82A404 ESTABLISHES A RIGHT TO COUNSEL, IT DOES NOT EXPLICITLY REQUIRE THE APPOINTMENT OF COUNCIL FOR INDIGENT RESPONDENTS. TO ENSURE MEANINGFUL REPRESENTATION, THE JUDICIARY RECOMMENDS CLARIFYING THAT COUNCIL SHALL BE APPOINTED WHEN THE RESPONDENT IS UNABLE TO AFFORD REPRESENTATION. SECTION SEVEN, AMENDMENT TO SUBSECTION

82A501, HEARING AND ORDERS. THE JUDICIARY RECOMMENDS AMENDING SUBSECTION A TO ALLOW ADDITIONAL PREPARATION TIME. THE HEARING SHALL BE SCHEDULED NO LATER THAN

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7 DAYS FROM RECEIPT OF THE PETITION. ADDITIONALLY, SUBSECTION C WOULD BENEFIT FROM CLARIFICATION REGARDING FIRST THE DURATION OF AN AOT ORDER, REQUIREMENTS FOR PRE PERIODIC REVIEW, AND A PROCESS BY WHICH RESPONDENTS MAY APPEAL OR REQUEST MODIFICATION OF AN ORDER. ABSENT THESE SAFEGUARDS, ONGOING RESTRAINTS MAY RAISE DUE PROCESS CONCERNS. WITH RESPECT TO SUBSECTION D, THE JUDICIARY RECOMMENDS CLARIFYING THE STANDARD FOR IN ABSENTIA PROCEEDINGS. THE PROPOSED AMENDMENT IN ABSENTIA HEARINGS MAY PROCEED ONLY AFTER DOCUMENTED EFFORTS TO CONTACT THE SUBJECT AND JUDICIAL FINDINGS OF NECESSITY. SECTION 8, EFFECTIVE DATE. THE JUDICIARY SUGGESTS CONSIDERATION OF A SUNSET CLAUSE REQUIRING LEGISLATIVE REVIEW OF THE ACT AFTER THREE YEARS ALLOWING POLICYMAKERS TO EVALUATE IMPLEMENTATION OUTCOMES AND UNINTENDED CONSEQUENCES. GENERAL DUE PROCESS CONSIDERATION. FINALLY, THE JUDICIARY NOTES THAT THE BILL DOES NOT SPECIFY THE STANDARD OF PROOF APPLICABLE AT AOT HEARINGS. LEAVING THIS UNDEFINED CREATES UNCERTAINTY AND MAY INVITE CONSTITUTIONAL CHALLENGE. INVOLUNTARY TREATMENT PROCEEDINGS GENERALLY REQUIRE CLEAR AND CONVINCING EVIDENCE AS ARTICULATED BY THE US SUPREME COURT IN ADDINGTON VERSUS TEXAS 441US 4181979. CLARIFYING THE APPLICABLE STANDARD WOULD STRENGTHEN THE STATUTE AND PROVIDE GUIDANCE TO THE COURT. SEQUENTIAL INTERCEPT MODEL WHICH JUSTICE MARAMAN SPOKE BRIEFLY ABOUT RECENTLY TRAINING ON SAMA'S SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION SEQUENTIAL INTERCEPT MODEL FOR INTERVENTION FOR PERSONS WITH MENTAL ILLNESS OR DISABILITIES CONCLUDED. MANY EXECUTIVE AND JUDICIAL AGENCIES PLEDGED TO WORK TOWARDS IMPLEMENTING THIS MODEL ON GUAM. THIS LEGISLATION WILL ASSIST IN IMPLEMENTING THIS PLAN FOR GUAM. IN CONCLUSION, THE JUDICIARY APPRECIATES SENATOR CALVO AND OTHER MEMBERS EFFORTS TO STRENGTHEN GUAM'S ASSISTED OUTPATIENT TREATMENT FRAMEWORK. WE RESPECTFULLY OFFER OUR ASSISTANCE WITH ANY DRAFTING OR CLARIFICATION THAT MAY BE NEEDED AS THE BILLS MOVE FORWARD. SENATOR AMENTI, KATHERINE A. MARAMAN, ASSOCIATE JUSTICE.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU, MRS. ROSETTI AND JUSTICE MARAMAN. WE WILL BEGIN QUESTIONS BY OPENING UP FIRST TO THE AUTHOR, SENATOR CALVO.

**SENATOR SHELLY CALVO**

THANK YOU. I'D LIKE TO THANK THE JUDICIAL COURT AND CHIEF JUSTICE MARAMAN FOR ALL THESE RECOMMENDATION THAT IS VERY IMPERATIVE AND IMPORTANT TO TIGHTEN THIS BILL. SO I TRULY APPRECIATE YOUR TESTIMONY. AT THE MOMENT I DON'T HAVE MUCH QUESTION. I PREPARED

SOME QUESTIONS WITH OTHER AGENCIES, BUT I'M GOING TO ASK OUR COLLEAGUE HERE TO MOVE FORWARD FOR THE MEANTIME. I'LL PROBABLY ASK A LITTLE BIT BEFORE MY CLOSING REMARKS. THANK

YOU. THANK YOU, MADAM CHAIR. THANK YOU AGAIN.

**SENATOR GUMATAOTAO**

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YES. THANK YOU, MADAM CHAIR, AND THANK YOU TO MY FRIENDS FROM THE JUDICIARY OF GUAM. IT HASN'T BEEN THAT MUCH OF A LONG TIME TO IF I HAVEN'T SEEN YOU, BUT I JUST HAD A COUPLE

THINGS, MADAM CHAIR, THAT I JUST WANTED TO KIND OF POINT OUT TO THE COMMITTEE. FIRST OFF IT SEEMED LIKE IT WAS A MANY MOONS AGO MADAM CHAIR IN 2019 WHEN THE NATIONAL

COUNCIL OF STATE COURTS CAME TO GUAM HELD THEIR MAPPING RESULTS WORKSHOP FOR THE JUDICIARY AS JUSTICE MARAMAN MENTIONED EARLIER SHE'S BEEN A BIG PROPONENT OF TRYING TO

KIND OF BRING TOGETHER STAKEHOLDERS AND I THINK WHEN WE THINK ABOUT IT THAT

WAS SEEMED LIKE SUCH A LONG TIME AGO IN 2019 PANDEMIC HAPPENS. HERE WE ARE

TALKING ABOUT THE SEQUENTIAL MODEL IN THE PRESENT AND THE EFFORTS THAT THIS BILL WILL DO HELP STRENGTHEN THE JUDICIARY'S ROLE BUT ALSO NOT JUST YOURS BUT ALSO THE REST OF THIS COMMUNITY IN DEALING WITH JUSTICE INVOLVED PEOPLE WITH MENTAL AND SUBSTANCE ABUSE

DISORDERS. SO I'LL SAY KUDOS. I DID LISTEN TO THE TO YOUR INPUT AND I AS PART OF THE COMMITTEE WILL WORK WITH OUR CHAIR TO ENSURE THAT THE RECOMMENDATIONS THAT WERE OUTLINED BY THE JUDICIARY ARE IN IN THIS BILL TO ENSURE THAT IT IS REALLY STRENGTHENED. I DO STAND COMMITTED TO DOING THAT. I ONLY HAD A COUPLE OF QUESTIONS THAT AND I DON'T KNOW IF YOU CAN ANSWER IT FOR ME, BUT I'LL JUST GO AHEAD AND ASK IT ANYWAY. AND IF YOU CAN, GREAT. IF NOT, I'M SURE THAT WE CAN AS THE COMMITTEE CAN ASK OF OTHERS. BUT RECOGNIZING THAT GUAM BEHAVIORAL THEY RECEIVED A HALF MILLION DOLLARS IN THEIR ASSISTED OUTPATIENT TREATMENT GRANT FUNDING FROM SAMSA. THIS WAS FOR FY2026. WHAT INFORMATION OR MAYBE YOU CAN OFFER UP INSIGHT IF YOU CAN. WHAT INFORMATION IS AVAILABLE SUMMARIZING GUAM'S PARTICIPATION IN ANY PRIOR OR ONGOING REVIEW BY THE FEDERAL GOVERNMENT REGARDING THE GRANT PROGRAM BUT INCLUDING BUT NOT LIMITED TO PATIENT PARTICIPANT OUTCOMES SUCH AS TREATMENT ADHERENCE PSYCHIATRIC EMERGENCY ROOM VISITS HOSPITALIZATIONS PERHAPS MAYBE ARREST.

**DANIELLE ROSETTI-ADMINISTRATOR OF THE COURT**

THANK YOU FOR THAT QUESTION SENATOR I CAN SAY WITH RESPECT TO OUR PARTNERSHIP THAT WE HAVE WITH GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER RELATIVE TO THE AOT IS THAT WE DO HAVE WE HAD THREE OF OUR JUDGES, JUDGE BARCINAS WHO PRESIDES OVER THE MENTAL HEALTH COURT ATTEND TRAINING OFF ISLAND TRAINING WE ARE CURRENTLY PARTNERING WITH GUAM BEHAVIORAL TO PUT ON AOT TECHNICAL ASSISTANCE TRAINING IN LATE FEBRUARY. SO WE ARE WHICH EXPLAINS THE IMPORTANT MEASURE FOR EXPANDING THE DEFINITION OF WHO CAN BRING A PETITION BEFORE OUR COURTS. BECAUSE WE FOLLOWING THE SEQUENTIAL INTERCEPT MODEL TRAINING WE DID WE DID IT IN 2019 AND THEN WE RECONVENED AGAIN. AND SO WE HAVE BEEN WORKING

WITH THE TECHNICAL ASSISTANCE PROVIDERS TO GET US WHERE WE NEED TO BE PROVIDING TRAINING TO THOSE IN THE COMMUNITY. BUT MORE IMPORTANTLY, JUDGE BARCINAS IS AND THE JUDICIARY

ARE WORKING CLOSELY WITH GUAM BEHAVIORAL TO ENSURE THAT WHAT THE SAMSA

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GRANT SAYS WE ARE REQUIRED TO DO OR WHAT WE SHOULD BE DOING FOR ASSISTED OUTPATIENT TREATMENT IS BEING FOLLOWED.

**SENATOR SHAWN GUMATAOTAO**

OKAY. AND ALONG THOSE LINES, , DANIELLE, WITH RESPECT TO, AUTHORIZING PEACE OFFICERS TO PETITION FOR PERSONS TO RECEIVE ASSISTED OUTPATIENT TREATMENT, TO WHAT EXTENT HAS

THE MOBILE CRISIS RESPONSE TEAM, WHICH IS A COMMUNITY-BASED INTERVENTION PROGRAM WITH THE GUAM BEHAVIORAL, HELPED, MAYBE YOU MIGHT HAVE HEARD, HOW HAS IT HELPED THOSE PEACE OFFICERS , THUS FAR TO IDENTIFY AND SECURE APPROPRIATE MENTAL HEALTH SERVICES FOR INDIVIDUALS IN A TIMELY MANNER AND TO ULTIMATELY DEESCALATE POTENTIALLY DEVASTATING OUTCOMES. WHAT HAVE YOU HEARD IN YOUR ROLE?

**DANIELLE ROSETTI-ADMINISTRATOR OF THE COURT**

SO PROBABLY IT WAS ABOUT TWO YEARS AGO NOW WHERE GUAM BEHAVIORAL SENT A TEAM OF INDIVIDUALS TO GO TO CRISIS INTERVENTION TRAINING. I WAS INCLUDED AS PART OF THAT. SO WE DO HAVE CIT COORDINATORS THAT HAVE BEEN TRAINED TO PROVIDE ASSISTANCE WITH RESPECT TO RESPONDING RIGHT OUT IN THE COMMUNITY. ONE OF THE KEY THINGS WITH THE MOBILE CRISIS UNIT WHICH IS OPERABLE FROM WHAT WE'VE BEEN TOLD AND HOW IT'S HELPED US IN FACT IN A FEW CASES THAT IN CRIMINAL MATTERS BEFORE JUDGE BARCINAS IS SUCH THAT WE TRAIN THE PEACE OFFICERS THE LAW ENFORCEMENT TO HOW TO RECOGNIZE THE SYMPTOMS OF MENTAL ILLNESS WHEN

THEY'RE RESPONDING. AND THE PART OF THE SIM MAPPING IS THAT AT STAGE ZERO,

RIGHT, THERE'S THAT WHO DO WE CONTACT AND CONTACTING THE MOBILE CRISIS INTERVENTION TEAM. THEY RESPOND, THEY KNOW HOW TO INTERACT AND THEN WE GO TO THE NEXT PHASE RATHER THAN THE TYPICAL TAKE THEM IN, LET'S ARREST THEM. THEY COME BE THEY BECOME PART OF THE MENTAL HEALTH COURT CRIMINAL DOCKET WHICH REALLY IS WE'RE TRYING TO JUST DIVERT THEM OUT OF THE SYSTEM THE CRIMINAL JUSTICE SYSTEM

**SENATOR SHAWN GUMATAOTAO**

AND THANK YOU FOR THAT AND I THINK MADAM CHAIR I THINK I'M SORRY.

**KATHERINE MARAMAN**

IF I JUST ADD JUDGE BARCINAS SAID THAT RECENTLY THE IF THERE'S A CALL TO THE MENTAL HEALTH COURT PROBATION OFFICERS THAT THERE'S A CRISIS THEY'VE BEEN ABLE TO WORK CLOSELY WITH THE CRISIS INTERVENTION TEAM AND IN A FEW OCCASIONS BEEN ABLE TO HANDLE THE ENTIRE SITUATION

WITHOUT HAVING TO CALL THE GUAM POLICE, WHICH IS SOMETHING WE WOULD LIKE HAPPENS EVERY

TIME, BUT WE'RE GETTING AT LEAST SEEING IT START NOW.

**SENATOR SHAWN GUMATAOTAO**

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NO. AND EXACTLY. AND JUST TO KIND OF GO BACK, MADAM CHAIR, THAT AS WE HEAR ABOUT THESE THINGS TO KEEP THERE'S A LOT OF HUMANITY IN THIS WHEN WE THINK ABOUT THE WORK THAT IS DONE BY ALL OF OUR PUBLIC SAFETY OFFICERS AS THEY ENGAGE IN THE FIELD. AND AGAIN, WHO WOULD HAVE THOUGHT TO COME BACK TO IN THIS NEW BRANCH TO BE ABLE TO HELP? JUSTICE MARAMAN, I DO STAND READY TO PREP AND PREPARED TO HELP SUPPORT YOU AND THE BRANCH THE ANY COMMUNITY-BASED SOLUTION, MADAM CHAIR, REALLY TO HELP JUSTICE INVOLVED PEOPLE WITH MENTAL AND SUBSTANCE USE DISORDERS. WE REALLY SHOULD BE STANDING FOR FIRM IN THAT AND TRYING TO DO ALL WE CAN AND I THINK THIS BILL IS JUST THAT ONE STEP IN MY HUMBLE OPINION. BUT AGAIN, THANK YOU FOR BEING WITH US AND AGAIN, WE'LL TAKE THE AMENDMENTS BACK TO COMMITTEE AND MADAM CHAIR, I DO STAND READY TO HELP SUPPORT THAT. THANK YOU AGAIN.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU, SENATOR GUMATAOTAO. AS WELL, I DON'T REALLY HAVE ANY QUESTIONS. I THINK FROM THE TESTIMONY THAT WAS READ BY MRS. ROSETTI, IT KIND OF ANSWERED A LOT OF MY QUESTIONS WITH REGARDS TO WHETHER OR NOT THERE WERE ANY SAFEGUARDS IN PLACE. AND ADDITIONALLY, I DID HAVE SOME QUESTIONS FOR THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER, BUT THEY WERE UNABLE TO MAKE IT TO TODAY'S HEARING, BUT THEY DID PROVIDE WRITTEN TESTIMONY, WHICH

I'LL ALLOW SENATOR CALVO. I ALSO BEFORE I TURN IT OVER TO HER, I WANTED TO THANK HER FOR HER HARD WORK ON THIS ISSUE. I KNOW THAT SHE HAS BEEN WORKING WITH THE JUDICIARY OF GUAM TO HELP UPDATE THE LAW. SO, THANK YOU. IT IS INSPIRING TO SEE YOUR WORK ON THIS. SENATOR CALVO.

**SENATOR SHELLY CALVO**

THANK YOU SO MUCH FOR ALL YOUR RECOMMENDATIONS AND LIKE MY COLLEAGUE SAID, MOVING FORWARD, WE'RE GOING TO WORK TO TIGHTEN THIS BILL AND I TRULY APPRECIATE ALL YOUR INPUT. I KNOW WE WERE WE'RE ALL IN THE SAME PAGE AND RECOGNIZING THAT THIS IS NECESSARY AND I REALLY THANK THE JUDICIARY AND JUDGE MARAMAN OF COURSE DANIEL AND EVERYONE HERE

TODAY FOR THE SUPPORT THAT YOU GUYS HAVE SHOWN AND GIVEN TO THIS THIS PARTICULAR BILL AND I LOOK FORWARD TO WORKING WITH YOU GUYS FURTHER AND IF THERE ARE OTHER QUESTIONS AND I KNOW WHERE TO FIND YOU GUYS,

**DANIELLE ROSETTI-ADMINISTRATOR OF THE COURT**

SENATOR, IF I MAY JUST ADD TO THE BILL'S MEASURE, I WOULD BE REMISSED IF I DIDN'T NOTE ASIDE FROM THE AOT TRAINING THAT WE WILL BE CONDUCTING WITH GUAM BEHAVIORAL IN LATE FEBRUARY, WE ARE ALSO GOING TO BE FOLLOWING THE SIM MAPPING TRAINING THAT WE DID PROVIDING CIT TRAINING. THAT'S THE CRISIS INTERVENTION TRAINING, RIGHT? WE WANT TO BE ABLE TO EXPAND THE TRAINING TO THE COMMUNITY FOLKS SO THAT WE KNOW HOW TO RESPOND. SO TAKING THE RECOMMENDATIONS THAT WE PRESENTED INTO CONSIDERATION WOULD IS DEEPLY APPRECIATED AND WE HOPE THIS MEASURE MOVES FORWARD SWIFTLY.

**SENATOR SHELLY CALVO**

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THANK YOU MISS DANIELLE.

**KATHERINE MARAMAN**

I COULD ADD WE HAVE BEEN IN CONTACT WITH JOHN LIZAMA. HE WAS REACHING OUT TO US TO TRY AND

GET ASSISTANCE AND MAKING SURE PEACE OFFICERS WHO ARE UNDER HIS SORT OF OVERSIGHT ARE PROPERLY TRAINED. SO WE'RE WORKING WITH HIM AS WELL.

**SENATOR SHELLY CALVO**

THANK YOU. SO, ASIDE FROM THIS TESTIMONY RECOMMENDATION, THE TESTIMONY WILL ALSO TAKE INTO CONSIDERATION ALL THE TRAININGS, THE TECHNICAL ASSISTANCE TRAININGS THAT ARE GOING TO THE RESULTS OF THAT AND UPDATES FROM THAT. WE'LL TAKE INTO CONSIDERATION. THANK YOU.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU, SENATOR CALVO. WE LOOK FORWARD TO HEARING MORE ABOUT THE TRAINING FOR THE CRISIS INTERVENTION TREATMENT AND THE ASSISTED OUTPATIENT TREATMENT. WE WILL WORK WITH. OKAY. AGAIN, THANK YOU FOR YOUR FOR YOUR TESTIMONY AND WE APPRECIATE YOUR WORK ON THIS LEGISLATION. AND BEFORE WE CLOSE, WE'D LIKE TO READ THE TESTIMONY. WE'LL READ THE TESTIMONY FROM THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER. SENATOR CALVO. THANK YOU.

**SENATOR SHELLY CALVO**

THANK YOU ONCE AGAIN. LADIES AND GENTLEMEN. HAVE A DAY ONCE AGAIN AND AS THE COMMITTEE CHAIR MENTIONED WE RECEIVED A TESTIMONY FROM GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER AND I'M JUST GOING TO READ IT FOR THE RECORD. HONORABLE SENATORS, , COMMITTEE CHAIR,

TESTIMONY FOR BILL 219-38, BABY ALEXIA LAW REFORM ACT OF 2025, BUENAS AND HABA ADAI, SENATOR CALVO AND COMMITTEE CHAIR, SENATOR SABRINA SALAS MATANANE, GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER, CHIBIWICK, APPRECIATES THE OPPORTUNITY TO COMMENT ON BILL 219-38,

AN ACT TO AMEND SUBSECTION K OF SUBSECTION 82 A201 OF ARTICLE 2 TO ADD NEW SUBSECTION 8 2 A402, SUBSECTION 282A403 AND SUBSECTION 82A404 TO ARTICLE 4 AND TO AMEND SUBSECTION

82A501 OF ARTICLE 5, ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT, AOT, UNDER THE BABY ALEXIA LAW, ALSO KNOWN AS THE BABY ALEXIA LAW REFORM ACT OF 2025 THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION AWARDED JIBWICK A 4-YEAR AOT GRANT WITH A TARGET OF SERVING APPROXIMATELY 20 CLIENTS PER YEAR. THE FUNDING IS INTENDED FOR A SMALL PILOT LEVEL CASE LOAD DESIGNED TO TEST THE AOT MODEL ON GUAM, BUILD INTERNAL CAPACITY AND EVALUATE OUTCOMES. THERE ARE CONCERNS THAT IF CHAPTER 82A IS AMENDED TO BROADLY EXPAND PETITIONER

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STATUS UNDER SUBSECTION 82 A201K TO MANY DIFFERENT STAKEHOLDERS, THE LAW MAY UNINTENTIONALLY CREATE FAR MORE AOT PETITIONS THAN OUR PROGRAM WAS RESOURCED TO HANDLE. EACH PETITION REQUIRES A CLINICAL REVIEW, A CURRENT PSYCHIATRIC EVALUATION, COORDINATION WITH COUNT COUNCIL AND ONGOING CASE MANAGEMENT AND FOLLOWUP. WITH ONLY ONE AOT TEAM AND CAP DEMONSTRATION CASE LOAD, THE CENTRAL QUESTION BECOMES WHO WILL CARRY THIS WORKLOAD AND AT WHAT POINT DO WE COMPROMISE QUALITY AND FIDELITY? FOR THIS REASON, JIBWICK RECOMMENDS THAT ANY EXPANSION OF PETITIONING AUTHORITY BE CAREFULLY SCALED TO OUR ACTUAL GRANT CAPACITY AND IMPLEMENTATION PHASE OR PAIRED WITH ADDITIONAL RESOURCES AND STAFFING. ADDITIONALLY, WHILE SUBSECTION A2A201K APPROPRIATELY RECOGNIZES THAT ADULT FAMILY MEMBERS, ROOMMATES, LICENSED MENTAL HEALTH PROFESSIONALS, AGENCY DIRECTORS, HOSPITAL ADMINISTRATORS, LEGAL OFFICERS, PEACE OFFICERS, PAROLE, AND PROBATION OFFICERS IN THE GUAM PUBLIC GUARDIAN MAY IDENTIFY HIGH-RISK INDIVIDUALS. JIBWICK IS CONCERNED THAT SUCH A BROADENED LIST OF INDIVIDUALS WHO MAY PETITION MAY SHIFT THE PROGRAM AWAY FROM ITS ORIGINAL INTENT AS A CLINICAL CIVIL COMMITMENT TOOL AS STATED IN CHAPTER 82A. OTHERWISE, THE CURRENT 72-HOUR INVOLUNTARY HOLD STATED IN GCA TITLE 10, CHAPTER 82 MAY BE A SUFFICIENT TOOL TO IDENTIFY THE AND TREAT HIGH-RISK INDIVIDUALS THAT MEETS THE INTENTION OF THE BILL.

JIBWICK ALSO RECOMMENDS THAT ANY EXPANDED PETITIONING AUTHORITY IN SUBSECTION 82A201K REMAINS DEPENDENT ON A RECOMMENDATION FROM A QUALIFIED MENTAL HEALTH PROFESSIONAL SO THAT AOT IS USED ONLY WHEN IT IS CLINICALLY APPROVED AND NOT FOR OTHER PURPOSES. WE NOTE THAT THE AMENDED SUBSECTION A2 A501 ALLOWS THE COURT TO PROCEED WITH A

CONTINUENCE ASSISTED TREATMENT HEARING EVEN IF THE SUBJECT OF THE PETITION DOES

NOT APPEAR SO LONG AS APPROPRIATE ATTEMPTS TO ELICIT THE ATTENDANCE OF THE SUBJECT HAVE FAILED. JIBWICK RECOMMENDS CLARIFYING THAT WHAT CONSTITUTES APPROPRIATE ATTEMPTS AND ENSURING THIS PROVISION IS IMPLEMENTED CONSISTENTLY WITH THE EXISTING PATIENT BILL OF RIGHTS AND EMERGENCY AND ASSISTED TREATMENT HEARING PROTECTION CREATED UNDER THE ORIGINAL BABY ELECTION LAW IN CHAPTER 82A. IN 2019, TREATMENT ADVOCACY CENTERS POLICY DIRECTOR BRIAN STETTON ADVISED JIWKICK THAT AOT IS PART OF THE MENTAL HEALTH CIVIL COMMITMENT FRAMEWORK AND FITS MOST NATURALLY WITHIN CHAPTER 82 RATHER THAN A COMPLETELY SEPARATE CHAPTER 82A. HE IDENTIFIED FOUR REASONS CHAPTER 82 IS MEANT TO ENCOMPASS ALL ASPECTS OF MENTAL HEALTH LAW AND AOT FITS UNDER THE UMBRELLA. NUMBER TWO, SEPARATING AOT INTO ITS OWN CHAPTER CAN SEND THE WRONG SIGNAL THAT AOT IS PRIMARILY A LAW AND ORDER MEASURE RATHER THAN A TOOL TO HELP PEOPLE WITH MENTAL ILLNESS. KEEPING IMPATIENT AND INPATIENT

AND OUTPATIENT COMMITMENT TOGETHER IN CHAPTER 82 REINFORCES THAT THEY ARE

POINTS ON THE SAME CONTINUUM OF CARE. AND PLACING AOT WITHIN CHAPTER 82 ALLOWS

GUAM TO USE EXISTING DEFINITIONS AND BURDENS OF PROOF AVOIDING CONFLICTING

STANDARDS OF REDUNDANT LANGUAGE. JIBWICK HOPES THAT ANY REFORM TO THE BABY ALEXIA

LAW WILL INCORPORATE TECHNICAL GUIDANCE OFFERED BY TAC OR TAC SPECIALLY FEEDBACK RECEIVED DURING THEIR SCHEDULED VISIT ON GUAM ON FEBRUARY 24 TO 27 WHICH WE ACTUALLY

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UM MENTIONED EARLIER IN THE FLOOR THAT WE WILL ALSO TAKE INTO CONSIDERATION ANY UPDATE OR ANY RESULTS OR ANY RECOMMENDATIONS FROM THAT VISIT FROM THE TECHNICAL ASSISTANCE VISIT. THIS WILL ENSURE THAT AOT IS FRAMED FIRST AND FOREMOST AS A CLINICAL RECOVERY ORIENTATED CIVIL COMMITMENT OPTION. WE WOULD LIKE TO SINCERELY THANK YOU FOR

THE OPPORTUNITY TO PROVIDE TESTIMONY AND WE LOOK FORWARD TO CONTINUED COLLABORATION IN ENSURING THAT ALL INDIVIDUALS HAVE EQUITABLE ACCESS TO THE SERVICES THAT THEY NEED. DANGKULU NA SI YU’US MA’ASE. DIRECTOR OF JIBWICK. , MISS CARISSA E. PANGALINAN.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU. THANK YOU, SENATOR CALVO. WE WILL MAKE COPIES AND ADDITIONALLY UPLOAD THIS TO OUR COMMITTEE DRIVE SO THAT MEMBERS OF THE PUBLIC CAN READ IT FOR THEMSELVES. AND WE CERTAINLY APPRECIATE THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER FOR PROVIDING THIS TESTIMONY AS WELL AS THE JUDICIARY OF GUAM FOR BEING PRESENT. SO, THE TIMING I THINK IS GOOD CONSIDERING THE FACT THAT WE HAVE THE OFF ISLAND REPRESENTATIVES WHO WILL BE ON GUAM NEXT

MONTH AND HOPEFULLY IF WE CAN GET THE MARKUP PROCESS TO GO THROUGH AND THEN HOPEFULLY GET THIS ONTO THE MARCH SESSION AGENDA. SENATOR CALVO, WOULD YOU LIKE TO CLOSE?

**SENATOR SHELLY CALVO**

THANK YOU, MADAM CHAIR. BUT BEFORE I CLOSE, I WOULD LIKE TO GIVE JUDICIARY AN OPPORTUNITY TO COMMENT ON THE LAST TESTIMONY FROM JIBWICK, BUT IF NOT, I GUESS WE CAN JUST COORDINATE LATER ON. THANK YOU. THANK YOU AGAIN, MADAM CHAIR, AND THANK YOU TO EVERYONE WHO HAS TAKEN THE TIME TO PROVIDE TESTIMONY IN THE BABY ELECTION LAW REFORM ACT OF 2025.

THE INTENT OF THIS BILL IS TO STRENGTHEN GUAM'S ASSISTED OUTPATIENT TREATMENT FRAMEWORK

SO THAT PEOPLE EXPERIENCING PSYCHIATRIC CRISIS CAN RECEIVE CARE EARLIER IN A WAY

THAT PROTECTS BOTH PUBLIC SAFETY AND INDIVIDUAL RIGHTS. IT SHOWS THAT WE'RE

COMMITTED TO BUILDING A SYSTEM THAT RESPONDS WITH COMPASSION AND EFFECTIVENESS. AT THE SAME TIME, THE TESTIMONIES WE HEARD TODAY MAKES CLEAR THAT THERE ARE CHALLENGES WE MIGHT WE MUST ADDRESS BEFORE MOVING FORWARD. FROM THE CLINICAL PERSPECTIVE, GUAM

BEHAVIORAL HEALTH HAS REMINDED US THAT AOT MUST REMAIN ROOTED IN MEDICAL JUDGMENT. EXPANDED PETITIONING AUTHORITY SHOULD NEVER BE USED FOR CONVENIENCE OR PUNISHMENT, BUT ONLY WHEN A QUALIFIED MENTAL HEALTH PROFESSIONAL DETERMINES IS APPROPRIATE. PATIENTS RIGHTS MUST BE PROTECTED AS WELL AND THE PROCESS MUST STAY ALIGNED WITH THE ORIGINAL SPIRIT OF BABY ELECTION LAW. FROM THE JUDICIARY PERSPECTIVE, THE NEED FOR STRONG DUE PROCESS PROTECTION WAS EMPHASIZED. WE HEARD THE LIST OF CONCERNS ABOUT

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WHO SHOULD BE ALLOWED TO PETITION, THE IMPORTANCE OF TRAINING AND OVERSIGHT, CLEARLY NOTICE REQUIREMENTS, GUARANTEED ACCESS TO COUNSEL, AND THE NEED TO DEFINE STANDARDS OF PROOF. ALL OF THESE SAFEGUARDS ARE ESSENTIAL TO ENSURE THAT AOT REMAINS A MEDICAL SAFEGUARD AND NOT A CRIMINAL MECHANISM. TAKEN TOGETHER, THESE PERSPECTIVES SHOW US THE PATH FORWARD. THE BILL'S INTENT IS SOUND, BUT IT MUST BE REFINED TO BALANCE CLINICAL SAFEGUARDS WITH

JUDICIAL PROTECTIONS. SO, A BALANCE IS REALLY NEEDED FOR OUR COMMUNITY. OUR GOAL IS TO CREATE A FRAMEWORK THAT TRULY REFLECTS RECOVERY ORIENTED CARE IN THE LEAST RESTRICTIVE SETTING WHILE ALSO ENSURING FAIRNESS, ACCOUNTABILITY, AND RESPECT FOR INDIVIDUAL RIGHTS. SO BY WORKING TOGETHER, THE JUDICIARY AND BEHAVIORAL HEALTH PROFESSIONALS, POLICY MAKERS, AND THE COMMUNITY, WE CAN ARRIVE AT A CLEAR SOLUTION THAT CAPTURES THE TRUE INTENT

OF THE BABY ALEXIA LAW. WE CAN STRENGTHEN GUAM'S MENTAL HEALTH SYSTEM, PROTECT OUR PEOPLE, AND PROVIDE VULNERABLE INDIVIDUALS WITH THE CARE AND THE DIGNITY THAT THEY DESERVE. I LOOK FORWARD TO CONTINUING WORK ON THIS IMPORTANT MEASURE. THANK YOU SO MUCH ONCE AGAIN. THANK YOU, MADAM CHAIR.

**SENATOR SABRINA SALAS MATANANE**

THANK YOU, SENATOR CALVO, AND THANK YOU TO MEMBERS OF THE PUBLIC WHO CAME HERE TO TESTIFY ON BILL 219, AS WELL AS THOSE WHO WERE HERE PREVIOUSLY TO PROVIDE TESTIMONY ON THE APPOINTMENT OF DR. ANNIE BORDALLO. THE TIME IS NOW 10:37. THIS PUBLIC HEARING AND CONFIRMATION HEARING ON WITH THE COMMITTEE ON HEALTH AND VETERANS AFFAIRS IS ADJOURNED. SI YU'US MA'ASE.

*The Public Hearing was adjourned at 10:37 A.M.*

### **III. Findings and Recommendations**

Senator Shelly Calvo opened the hearing on Bill 219-38, which aims to reform the Baby Alexia Law to expand who may petition for Assisted Outpatient Treatment (AOT) for individuals with serious mental illness on Guam. The bill seeks to allow earlier intervention, balancing clinical oversight and judicial review, to prevent crises before they escalate. Testimony from the Judiciary of Guam supported the bill's intent but emphasized the need for clear procedures, due process, least restrictive care, and safeguards such as training for non-clinical petitioners, clarifying definitions, and ensuring the right to counsel. The Guam Behavioral Health and Wellness Center expressed concern that broadening petitioner status could overwhelm current resources and recommended scaling changes to available capacity and maintaining clinical oversight for all petitions. Both the Judiciary and Behavioral Health urged that AOT remain a clinical, not punitive, tool, and that any expansion be accompanied by clear standards and protections for patient rights.

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The committee found that while the bill’s goal of earlier, compassionate intervention is sound, amendments are needed to balance clinical safeguards and judicial protections. Recommendations include: limiting the expansion of petitioning authority to match program resources; ensuring all petitions are medically justified; providing standardized training and oversight for petitioners; clarifying notice and hearing procedures; guaranteeing counsel for indigent respondents; and specifying standards of proof. The committee supports moving the bill forward with these refinements to strengthen Guam’s mental health system while protecting individual rights and public safety.

The Committee on Health and Veterans Affairs hereby reports- out on With the recommendation **Bill No 219-38 (COR)** - Shelly V. Calvo - AN ACT TO AMEND SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO ADD NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO AMEND § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025..**TO REPORT OUT ONLY.**

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

**Bill No. 219-38 (COR)**

Introduced by:

Shelly Vargas Calvo 

**AN ACT TO *AMEND* SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO *ADD* NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO *AMEND* § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE “BABY ALEXYA LAW REFORM ACT OF 2025.**

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

2 **SECTION 1. Short Title.** This Act shall be cited as the “Baby Alexya Law  
3 Reform Act of 2025.”

4 **SECTION 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* affirms  
5 that Guam’s Baby Alexya Law, Public Law 33-71, was enacted in 2015 to prevent  
6 violence and protect public safety by enabling Assisted Outpatient Treatment  
7 (AOT) for individuals with serious, treatable mental illnesses. Nearly a decade  
8 later, a persistent procedural gap remains in Guam’s mental health  
9 framework: many individuals exhibiting clear signs of psychiatric crisis continue  
10 to enter the justice system before they are ever seen by behavioral health providers.

1            *I Liheslaturan Guåhan* notes that the current statute limits petitioning  
2 authority to the Director of the Guam Behavioral Health and Wellness Center  
3 (GBHWC), or their designee, in conjunction with the treating psychiatrist or  
4 physician, creating delays in intervention and narrowing pathways for advocacy.

5            Consequently, *I Liheslaturan Guåhan* acknowledges that family members,  
6 roommates, and the Public Guardian often have direct and sustained insight into a  
7 person’s condition and can identify escalating behavior that warrants intervention  
8 before tragedy occurs. Similarly, legal advocates such as the Attorney General and  
9 Public Defender, along with parole and probation officers, frequently encounter  
10 individuals with untreated mental illness and are uniquely positioned to advocate  
11 for early, community-based outpatient care.

12            Accordingly, *I Liheslaturan Guåhan* appreciates the unique position of trusted  
13 individuals and legal officers to identify these high-risk individuals and advocate for  
14 early outpatient treatment. Involving these individuals and professionals in the  
15 petitioning process can lead to earlier intervention, reduced cycles of incarceration or  
16 hospitalization, and improved long-term outcomes for individuals and communities  
17 alike.

18            *I Liheslaturan Guåhan* further finds that jurisdictions such as California, New  
19 York, and Pennsylvania demonstrate the effectiveness of granting petitioning  
20 authority to a diverse array of stakeholders, resulting in reduced hospitalization rates,  
21 improved treatment adherence, and enhanced public safety. Specifically, New York’s  
22 Kendra’s Law allows trusted individuals—such as family members, licensed mental  
23 health providers, and law enforcement officers—to request the filing of AOT  
24 petitions, fostering early, community-based responses to mental health crises.

25            It is therefore the intent of *I Liheslaturan Guåhan* to expand the petitioning  
26 authority under Guam’s Baby Alexya Law, Chapter 82A of Title 10, GGA, to  
27 include designated individuals such as adult family members, roommates, licensed

1 mental health professionals, agency directors, hospital administrators, legal officers,  
2 peace officers, parole and probation officers, and the Guam Public Guardian.

3 Furthermore, it is also the intent of *I Liheslaturan Guahan* to ensure that all  
4 petitions filed by new authorized entities are accompanied by current psychiatric  
5 evaluations and clinical affirmations of treatment necessity, maintaining alignment  
6 with medical best practices. This safeguard fosters greater inter-agency collaboration  
7 among behavioral health professionals, legal advocates, and judicial authorities to  
8 holistically address the intersection of untreated mental illness and public safety.  
9 Thus, the process ensures that individuals are not denied potentially life-saving  
10 treatment due to procedural limitations while preserving the due process and clinical  
11 integrity of the AOT framework.

12 Correspondingly, *I Liheslaturan Guahan* emphasizes the importance of a clear  
13 and structured petition filing process, including the requirement for an affirmation or  
14 affidavit of a treating professional and the conditions under which the petition can be  
15 filed. The petitioner must also provide written notice of the petition to the subject of  
16 the petition and other relevant parties. In addition, the subject of the petition shall  
17 have the right to be represented by counsel and a prompt hearing to contest the  
18 petition.

19 Lastly, *I Liheslaturan Guahan* finds that enhancing judicial flexibility is  
20 essential in ensuring timely intervention. In cases where the subject of an AOT  
21 petition has received proper notice yet fails to appear despite reasonable efforts to  
22 elicit attendance, the court may proceed with the hearing in the subject's absence.  
23 Such in absentia proceedings shall be authorized only when the court finds, and sets  
24 forth on record, the factual basis for conducting the hearing without the individual  
25 present.

26 By creating an inclusive and responsive AOT framework that reflects the  
27 realities of Guam's justice and healthcare systems and empowers qualified

1 individuals to act in the interest of safety and recovery, *I Liheslaturan Guahan*  
2 reaffirms its commitment to preventing avoidable harm, supporting vulnerable  
3 residents, and strengthening Guam’s behavioral health continuum.

4 **SECTION 3.** § 82A201(k) of Article 2, Chapter 82A, Title 10, Guam  
5 Code Annotated, is hereby *amended* as follows:

6 “(k) Petitioner shall ~~only mean the Director of the Guam Behavioral~~  
7 ~~Health and Wellness Center or his or her designee, in conjunction with the~~  
8 ~~treating psychiatrist or physician who has examined the respondent and who~~  
9 ~~shall file the petition:~~

10 ~~(1) *Respondent* means the person who is the subject of a~~  
11 ~~petition or certificate~~

12 ~~(1) A person eighteen (18) years of age or older with whom the~~  
13 ~~person who is the subject of the petition resides;~~

14 ~~(2) A person who is the parent, spouse, or sibling or child~~  
15 ~~eighteen (18) years of age or older of the person who is the subject of~~  
16 ~~the petition;~~

17 ~~(3) The director of a public or private agency, treatment facility,~~  
18 ~~charitable organization, or licensed residential care facility providing~~  
19 ~~mental health services to the person who is the subject of the petition~~  
20 ~~in whose institution the subject of the petition resides;~~

21 ~~(4) The director of a hospital in which the person who is the~~  
22 ~~subject of the petition is hospitalized;~~

23 ~~(5) A licensed mental health treatment provider who is either~~  
24 ~~supervising the treatment of, or treating for a mental illness, the~~  
25 ~~person who is the subject of the petition;~~

26 ~~(6) A peace officer, parole officer, or probation officer assigned~~  
27 ~~to supervise the person who is the subject of the petition;~~

1                   (7) The Guam Public Guardian, acting pursuant to Chapter 72  
2                   of Title 15, GCA, or any other lawful appointment;

3                   (8) A judge before whom the person who is the subject of the  
4                   petition appears;

5                   (9) The Attorney General of Guam, upon establishing probable  
6                   cause that the individual poses a significant threat to public safety due  
7                   to untreated mental illness; or

8                   (10) A licensed attorney acting as a public defender, guardian  
9                   ad litem, or other court-appointed legal representative, upon  
10                  establishing that AOT would serve the best interests of the individual  
11                  and community.

12                  **SECTION 4.** A new § 82A402 of Article 4, Chapter 82A, Title 10, Guam  
13 Code Annotated, is hereby *added* to read as follows:

14                  **“§ 82A402. Petition to the Court.**

15                  (a) A petition for an order authorizing assisted outpatient  
16                  treatment (AOT) may be filed in the Superior Court of Guam.

17                  (b) The petition shall state:

18                          (1) each of the criteria for AOT as set forth in § 82A401  
19                          of this Chapter;

20                          (2) facts which support the petitioner’s belief that the  
21                          subject of the petition meets each criterion, provided that the  
22                          hearing on the petition need not be limited to the stated facts;  
23                          and

24                          (3) that the subject of the petition is present, or is  
25                          reasonably believed to be present, in Guam.

26                  (c) The petition shall include a clinical affirmation or affidavit  
27                  that AOT is medically appropriate, with supporting documentation,

1 from a qualified mental health professional, who shall not be the  
2 petitioner, stating either that:

3 (1) such licensed professional has personally examined  
4 the subject of the petition no more than seven (7) days prior to  
5 the submission of the petition, recommends AOT for the  
6 subject of the petition, and is willing and able to testify at the  
7 hearing on the petition; or

8 (2) no more than seven (7) days prior to the filing of the  
9 petition, such licensed professional, or his or her designee, has  
10 made appropriate attempts but has not been successful in  
11 eliciting the cooperation of the subject of the petition to submit  
12 to an examination, such professional has reason to suspect that  
13 the subject of the petition meets the criteria for AOT, and such  
14 professional is willing and able to examine the subject of the  
15 petition and testify at the hearing on the petition.

16 **SECTION 5.** A new § 82A403 of Article 4, Chapter 82A, Title 10, Guam  
17 Code Annotated, is hereby *added* to read as follows:

18 **“§ 82A403. Service.**

19 The petitioner shall cause written notice of the petition to be given to  
20 the subject of the petition and a copy thereof to be given personally or by  
21 mail to:

22 (a) the respondent;

23 (b) the respondent’s legal guardian or conservator, if known;

24 (c) the qualified mental health professional whose affirmation or  
25 affidavit accompanied the petition; and

26 (d) the Director of the Guam Behavioral Health and Wellness Center,  
27 or his or her designee.

1           **SECTION 6.** A new § 82A404 of Article 4, Chapter 82A, Title 10, Guam  
2 Code Annotated, is hereby *added* to read as follows:

3           **“§ 82A404. Right to Counsel.**

4           The subject of the petition shall have the right to be represented by  
5 counsel. In the event that the subject is unable to afford legal representation,  
6 counsel shall be appointed for them in accordance with applicable law.”

7           **SECTION 7.** § 82A501 of Article 5, Chapter 82A, Title 10, Guam Code  
8 Annotated, is hereby *amended* to read as follows:

9           **“§ 82A501. ~~Continuance~~ Assisted Treatment Hearing.**

10           (a) Upon receipt of the petition, the court shall fix the date for a  
11 hearing. Such date shall be no later than three (3) days from the date such  
12 petition is received by the court, excluding Saturdays, Sundays and holidays.

13           (b) Adjournments shall be permitted only for good cause shown. In  
14 granting adjournments, the court shall consider the need for further  
15 examination by a licensed professional or the potential need to provide  
16 assisted outpatient treatment expeditiously. The court may, for good cause,  
17 order a continuance of up to forty-eight (48) hours or, if this period ends on  
18 a Saturday, Sunday or holiday, to the end of the next day on which the court  
19 is open. The continuance shall extend the emergency treatment/observation  
20 period or any temporary treatment order until the time of the hearing.

21           (c) The court shall cause the subject of the petition, any other person  
22 receiving notice as set forth in § 82A403 of this Chapter, the petitioner, the  
23 qualified mental health professional whose affirmation or affidavit  
24 accompanied the petition, and such other persons as the court may determine  
25 to be advised of such date. Upon such date, or upon such other date to which  
26 the proceeding may be adjourned, the court shall hear testimony and, if it be

1 deemed advisable and the subject of the petition is available, examine the  
2 subject of the petition in or out of court.

3 (d) If the subject of the petition does not appear at the hearing, and  
4 appropriate attempts to elicit the attendance of the subject have failed, the  
5 court may conduct the hearing in the subject's absence. In such case, the  
6 court shall set forth the factual basis for conducting the hearing without the  
7 presence of the subject of the petition.”

8 **SECTION 8. Effective Date.** This Act shall become effective upon  
9 enactment.

10 **SECTION 9. Severability.** If any provision of this Act or its application to  
11 any person or circumstance is found to be invalid or inorganic, such invalidity shall  
12 not affect other provisions or applications of this Act that can be given effect  
13 without the invalid provision or application, and to this end the provisions of this  
14 Act are severable.



## COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson  
*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
38<sup>th</sup> Guam Legislature

November 24, 2025

**To:** **Rennae V. C. Meno**  
Clerk of the Legislature

**From:** **Vice Speaker V. Anthony Ada**   
Chairperson, Committee on Rules

**Subject:** **Fiscal Note for Bill No. 219-38 (COR)**

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*Håfa Adai!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 219-38 (COR).**

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 219-38 (COR)**

**AN ACT TO AMEND SUBSECTION (K) OF §82A201 OF ARTICLE 2; TO ADD NEW § 82A402, § 82A403, AND § 82A404 TO ARTICLE 4; AND TO AMEND § 82A501 OF ARTICLE 5; ALL OF CHAPTER 82A, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PETITIONING AUTHORITY FOR ASSISTED OUTPATIENT TREATMENT UNDER THE BABY ALEXYA LAW; AND TO CITE THIS ACT AS THE "BABY ALEXYA LAW REFORM ACT OF 2025.**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b> Guam Behavioral Health & Wellness Center (GBHWC)		<b>Dept./Agency Head:</b> Carissa Pangelinan, Director	
<b>Department's General Fund (GF) appropriations to date (Inclusive of Misc. GF Appropriations):</b>			<b>\$10,825,990</b>
<b>Department's HFF &amp; MHSA Services Fund appropriations to date (Inclusive of Misc. HFF Appropriations):</b>			<b>\$15,964,228</b>
<b>Total Department/Agency Appropriation(s) to date:</b>			<b>\$26,790,218</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	Special Fund (Specify):	Total:
FY 2025 Unreserved Fund Balance	\$0	\$0	\$0
FY 2026 Adopted Revenues	\$0	\$0	\$0
FY 2026 Appropriations (P.L. 38-60)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2026 (if applicable)	FY 2027	FY 2028	FY 2029	FY 2030
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	1/	\$0	\$0	\$0	\$0	\$0

- |   |            |                               |                                |
|---|------------|-------------------------------|--------------------------------|
| 1. Does the bill contain "revenue generating" provisions?<br>If Yes, see attachment   |            | / / Yes                       | / X / No                       |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?<br>If no, what is the additional amount required?   | / X / N/A  | / / Yes                       | / / No                         |
| 3. Does the Bill establish a new program/agency?<br>If yes, will the program duplicate existing programs/agencies?<br>Is there a federal mandate to establish the program/agency? | / X / N/A  | / / Yes<br>/ / Yes<br>/ / Yes | / X / No<br>/ / No<br>/ X / No |
| 4. Will the enactment of this Bill require new physical facilities?   |            | / / Yes                       | / X / No                       |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:<br>/ / Requested agency comments not received by due date                                   |            | / X / Yes                     | / / No                         |
|   | / / Other: |                               |                                |

<b>Analyst:</b> <u>Louis Schmelzinger</u>	<b>Date:</b> <u>11/20/2025</u>	<b>Director:</b> <u>Lester L. Carlson, Jr.</u>	<b>Date:</b> <u>NOV 24 2025</u>
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**Notes:**  
1/: See attached Comments

Bureau of Budget and Management Research  
Comments on Bill No. 219-38 (COR)

The proposed legislation seeks to expand petitioning authority under the Baby Alexya Law, addressing procedural gaps and enhancing stakeholders' ability to advocate for Assisted Outpatient Treatment (AOT). It establishes clear guidelines for petitioners, ensuring that AOT requests are supported by appropriate psychiatric evaluations and clinical justifications. This will ensure that petitions are medically sound, aligned with best practices, and protect the rights of individuals.

Once a petition is filed, the court will review it to determine whether the individual meets the criteria for AOT. The court's decision will be based on the available treatment options, considering whether the individual will receive care through the Guam Behavioral Health and Wellness Center (GBHWC) or from private providers. This process ensures fair and transparent decision-making, with the treatment provider playing a critical role in determining the suitability of AOT.

The expansion of petitioning authority is expected to increase the number of AOT petitions. As the sole state entity providing comprehensive public behavioral health services in Guam, GBHWC will likely manage the majority of these cases. However, some cases may be directed to private providers as appropriate.

Based on preliminary research by the Bureau, studies in New York found that average annual AOT treatment costs is approximately \$14,000 - \$18,000 per person. However, it was noted that AOT services may reduce hospitalizations and incarceration costs.

Comments from GBHWC indicate that the agency currently receives a SAMHSA grant, funding treatment for 20 clients annually with a budget of \$500,000. This equates to approximately \$25,000 in treatment funding per client annually.