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
327-38 (LS)	William A. Parkinson	AN ACT TO *AMEND* SUBSECTIONS (e) AND (f) OF § 3216 OF ARTICLE 2, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED, AND TO *ADD* NEW SUBSECTIONS (k), (l), AND (m) TO § 3216 OF ARTICLE 2, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MODERNIZING GUAM'S DEATH REGISTRATION LAW BY EXTENDING THE MEDICAL ATTENTION WINDOW FOR NATURAL DEATH CERTIFICATION AND ALIGNING DEATH REGISTRATION WITH THE POST-MORTEM EXAMINATION ACT.	5/22/26 10:16 a.m.	5/29/26	Committee on Health and Veterans Affairs.	Request: 5/29/26 Waiver: 6/3/26	9/2/26 8:00 a.m.	9/9/26	

SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	VETOED	NOTES
9/28/26	AN ACT TO *AMEND* §§ 3216(e) AND (f) AND TO *ADD* NEW (k), (l), AND (m) ALL OF ARTICLE 2, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MODERNIZING GUAM'S DEATH REGISTRATION LAW BY EXTENDING THE MEDICAL ATTENTION WINDOW FOR NATURAL DEATH CERTIFICATION AND ALIGNING DEATH REGISTRATION WITH THE POST-MORTEM EXAMINATION ACT.	10/16/26	10/19/26	10/30/26	10/30/26	Received: 10/30/26 Mess and Comm. Doc. No. 38GL-26-3139

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

38GL-26-3139
OFFICE OF THE SPEAKER
FRANK F. BLAS JR.
OCT 30 2026
Time: 4:30 pm
Received:

Transmitted via Email to: speakerblas@guamlegislature.org

October 30, 2026

THE HON. FRANK BLAS, JR., *Speaker*
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Bill No. 327-38 (LS), "AN ACT TO *AMEND* §§ 3216(e) AND (f) AND TO ADD NEW (k), (l), AND (m) ALL OF ARTICLE 2, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MODERNIZING GUAM'S DEATH REGISTRATION LAW BY EXTENDING THE MEDICAL ATTENTION WINDOW FOR NATURAL DEATH CERTIFICATION AND ALIGNING DEATH REGISTRATION WITH THE POST-MORTEM EXAMINATION ACT."

Håfa Adai Mr. Speaker:

I understand that the former Chief Medical Examiner (CME) requested a change to the existing law concerning the seventy-two hour medical-attention window. However, I do not believe Bill No. 327-38 (LS) provides an appropriate solution to the problem identified by the former CME. I also note that the Commission on Post-Mortem Examinations (CPME), which oversees the CME, did not express support for the bill. The absence of support from the CPME raises questions about whether the proposed amendment is necessary or appropriate.

I would support extending the existing seventy-two (72) hour limitation in certain circumstances, particularly when a physician has been treating a patient receiving hospice or palliative care for a terminal illness. However, as written, Bill No. 327-38 (LS) would extend the limitation to twelve (12) months regardless of the nature of the medical treatment provided.

It is unreasonable to expect a physician to determine the cause of death of a patient the physician has not examined or treated for several months, particularly when the physician was not treating the patient for a condition that was reasonably expected to cause the patient's death.

Consultation with physicians and other medical professionals in our community may identify additional circumstances that justify exceptions to the existing seventy-two (72) hour requirement. However, without that consultation, it is premature to adopt a blanket twelve (12) month limitation that would apply regardless of the nature of the patient's medical condition or treatment.

For these reasons, I am **vetoing** Bill No. 327-38 (LS).

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

Enclosure(s): Bill No. 327-38 (LS) - **VETO**
cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

38GL-26-3139
Messages and Communications
RECEIVED
COMMITTEE ON RULES
October 31, 2026
1:47 p.m.
Marie Crisostomo

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

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

This is to certify that **Bill No. 327-38 (LS), "AN ACT TO *AMEND* §§ 3216(e) AND (f) AND TO *ADD* NEW (k), (l), AND (m) ALL OF ARTICLE 2, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MODERNIZING GUAM'S DEATH REGISTRATION LAW BY EXTENDING THE MEDICAL ATTENTION WINDOW FOR NATURAL DEATH CERTIFICATION AND ALIGNING DEATH REGISTRATION WITH THE POST-MORTEM EXAMINATION ACT,"** was on the 16th day of October 2026, duly and regularly passed.

Frank F. Blas, Jr.
Speaker

Attested:

Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 19th day of October, 2026, at 4:53 o'clock P .M.

Jomichael C. Quinata
Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date:_____

Public Law No._____

2026-26655
OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: Jomichael C. Quinata
Date: 10-19-26 Time: 4:53 PM

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 327-38 (LS)

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

AN ACT TO *AMEND* §§ 3216(e) AND (f) AND TO *ADD* NEW (k), (l), AND (m) ALL OF ARTICLE 2, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MODERNIZING GUAM'S DEATH REGISTRATION LAW BY EXTENDING THE MEDICAL ATTENTION WINDOW FOR NATURAL DEATH CERTIFICATION AND ALIGNING DEATH REGISTRATION WITH THE POST-MORTEM EXAMINATION ACT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the timely completion of death certificates is essential to grieving families,

funeral arrangements, estate matters, insurance claims, public health reporting, and the orderly administration of vital records.

I Liheslaturan Guåhan further finds that § 3216 of Article 2, Chapter 3, Title 10, Guam Code Annotated, currently requires the medical certification of death to be completed by the physician in charge of the patient's care for the illness or condition which resulted in death, except when the patient has received no medical attention within seventy-two (72) hours prior to death, or when inquiry is required under the Post-Mortem Examination Act.

I Liheslaturan Guåhan further finds that this seventy-two (72) hour limitation is too narrow for modern medical practice. Patients with end-stage cancer, heart failure, dementia, renal failure, chronic obstructive pulmonary disease, hospice diagnoses, palliative-care conditions, and other readily recognizable illnesses may die at home or outside a medical facility more than seventy-two (72) hours after their last medical encounter. In such cases, the treating physician is often the person best able to certify the probable or presumed natural cause of death.

I Liheslaturan Guåhan further finds that Guam's Chief Medical Examiner, Dr. Kenny Su, has requested that Guam extend this medical-attention window to at least twelve (12) months. Dr. Su has advised that the current law allows physicians who know a patient's medical history to decline to sign a death certificate solely because the patient's last medical attention occurred more than seventy-two (72) hours before death, even when the death was caused by a readily recognizable disease. This unnecessarily shifts routine natural-death certifications to the Office of the Chief Medical Examiner and causes delays for families.

I Liheslaturan Guåhan further finds that recent public reporting by the Pacific Daily News regarding Guam's death investigation system, including concerns that physicians have refused to sign death certificates and reports that some bodies were received with wrists and ankles bound with rope, underscores the need for clearer

legal responsibility, more timely certification, and greater dignity in the handling of deceased persons.

I Liheslaturan Guåhan further finds that the Post-Mortem Examination Act properly reserves the Office of the Chief Medical Examiner for deaths requiring medicolegal investigation, including violent deaths, suspicious deaths, sudden deaths not caused by readily recognizable disease, and deaths where the body will be unavailable for later examination. Routine natural deaths should not be referred to the Chief Medical Examiner solely because of an outdated seventy-two (72) hour rule.

I Liheslaturan Guåhan further finds that mainland guidance supports allowing death certification based on reasonable medical judgment, medical history, medical records, hospice records, palliative-care records, home health records, medications, and other reliable information. Other jurisdictions recognize that medical certifiers may use terms such as "probable" or "presumed" when appropriate and that a patient who dies at home is not automatically an unattended death.

It is therefore the intent of *I Liheslaturan Guåhan* to amend § 3216 of Article 2, Chapter 3, Title 10, Guam Code Annotated, to extend the medical-attention window for natural death certification from seventy-two (72) hours to twelve (12) months; to require the appropriate medical provider to complete the medical certification when the death appears natural and does not require inquiry under the Post-Mortem Examination Act; to protect good-faith medical certification based on reasonable medical judgment; to preserve the jurisdiction of the Chief Medical Examiner over deaths requiring investigation; and to reduce unnecessary delay, hardship, and indignity for families.

Section 2. This Act shall be cited as the "Natural Death Certification Modernization Act of 2026."

Section 3. §§ 3216(e) and (f) to Article 2 of Chapter 3, Title 10, Guam Code Annotated, are hereby *amended* to read:

"(e) The medical certification shall be completed and signed within twenty-four (24) hours after death by a registered nurse pursuant to 10 GCA § 12332; or by the physician in charge of the patient's care for the illness or condition which resulted in death, or, if such physician is unavailable within the time required by this Subsection, by another physician licensed to practice in Guam who has access to the decedent's relevant medical records and who can certify the cause of death in good faith, except when the patient has not received medical attention for the illness or condition which resulted in death within twelve (12) months prior to death, or when inquiry is required in accordance with the Post-Mortem Examination Act (10 GCA Chapter 81).

(f) When death occurred without medical attendance as set forth in Subsection (e) of this section, or when inquiry is required by the Post-Mortem Examination Act, the Chief Medical Examiner or the Chief Medical Examiner's duly authorized representative shall investigate the cause of death and shall complete and sign the medical certification within twenty-four (24) hours after taking charge of the case."

Section 4. New § 3216(k), (l), and (m) are *added* to Article 2 of Chapter 3, Title 10, Guam Code Annotated, to read as follows:

"(k) For purposes of Subsections (e) and (f) of this Section, a decedent shall be deemed to have received medical attention within twelve (12) months prior to death when a physician or other health care provider acting within the lawful scope of practice examined, diagnosed, treated, prescribed medication for, provided telehealth care for, provided hospice care for, provided palliative care for, issued home health orders for, or otherwise provided documented clinical care for the illness or condition which resulted in death. Medical

attention shall not include a single emergency or urgent care encounter that is unrelated to the illness or condition which resulted in death.

(l) When a decedent received medical attention within twelve (12) months prior to death for the illness or condition which resulted in death, and the death appears to be a natural death caused by a readily recognizable disease, illness, or medical condition, the medical certifier required by Subsection (e) of this Section shall not decline to complete and sign the medical certification solely because:

(1) the death occurred at the decedent's home;

(2) the death occurred outside a hospital, clinic, hospice inpatient facility, nursing facility, or other institution;

(3) more than seventy-two (72) hours elapsed between the decedent's last medical attention and the decedent's death; or

(4) the certifier did not personally pronounce the decedent dead.

Nothing in this Subsection shall require a medical certifier to complete and sign a medical certification of death when the certifier has reasonable cause to believe that inquiry is required under the Post-Mortem Examination Act, 10 GCA Chapter 81, or when the certifier cannot, in good faith, determine a probable or presumed natural cause of death from the information reasonably available.

(m) A medical certification of death completed pursuant to Subsection (e) of this Section may be based upon the certifier's reasonable medical opinion formed from the decedent's medical history, medical records, course of treatment, medications, hospice records, palliative-care records, home health records, information from the institution or person having custody of the dead human body, and any other information reasonably

available to the certifier. A certifier may use terms such as "probable" or "presumed" when medically appropriate. A certifier who completes and signs a medical certification of death in good faith pursuant to this Section shall not be subject to civil liability or professional disciplinary action solely for completing and signing such certification, absent gross negligence, willful misconduct, or a knowing false statement."

Section 5. Implementation. Within ninety (90) calendar days after enactment of this Act, the Director of the Department of Public Health and Social Services, in consultation with the Chief Medical Examiner, the Guam Registrar of Vital Statistics, the Guam Board of Medical Examiners, and representatives of hospitals, clinics, hospice providers, and funeral service providers, shall update all applicable death registration forms, electronic death registration systems, written instructions, training materials, and public guidance necessary to implement this Act.

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

Section 7. Effective Date. This Act shall be effective upon enactment.