




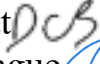



I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
169-38 (COR)	Therese M. Terlaje Sabrina Salas Matanane Sabina Flores Perez Chris Barnett Telo T. Taitague Joe S. San Agustin Frank F. Blas, Jr.	AN ACT TO <i>AMEND</i> ARTICLE 8 OF CHAPTER 3, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING GUAM COMMUNITY HEALTH CENTERS AS AN AUTONOMOUS AGENCY.	7/7/25 3:53 p.m. ^9/26/25 9:07 a.m.						

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

Bill No. 169-38 (COR)

Introduced by:

Therese M. Terlaje 
Sabrina Salas Matanane 
Sabina Flores Perez 
Chris Barnett 
Telo T. Taitague 
Joe S. San Agustin 
Frank F. Blas, Jr. 

**AN ACT TO AMEND ARTICLE 8 OF CHAPTER 3, TITLE
10 GUAM CODE ANNOTATED RELATIVE TO
ESTABLISHING GUAM COMMUNITY HEALTH
CENTERS AS AN AUTONOMOUS AGENCY.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Findings and Intent. *I Liheslaturan Guåhan* finds that access to comprehensive, high-quality, and affordable healthcare services is a fundamental necessity for the residents of Guam.

I Liheslaturan Guåhan finds that the current Community Health Centers Program, administered under the Department of Public Health and Social Services (DPHSS) pursuant to Title 10 GCA Chapter 3 Article 8, requires modernization to fully meet federal compliance standards. The transition of the program to an autonomous agency model will ensure stronger oversight, better governance, and alignment with federal requirements, including the Health Resources and Services Administration (HRSA) Health Centers Program Compliance Manual.

I Liheslaturan Guåhan finds that that the current community health centers program on Guam faces compliance challenges. The transition of the Guam

1 Community Health Centers as an autonomous agency will address these challenges
2 by ensuring full compliance with federal requirements, including the governance and
3 other standards set forth by the Health Resources and Services Administration
4 (HRSA). This alignment with HRSA guidelines will facilitate the ability to secure
5 and effectively administer federal grants, ensuring the sustainability and expansion
6 of critical health services for Guam’s residents.

7 *I Liheslaturan Guåhan* finds that maintaining local control while leveraging
8 federal resources can enhance healthcare delivery. By ensuring the inclusion of
9 patient representation on its governing board, the Guam Community Health Centers
10 will be responsive to community needs, uphold federal standards, and remain
11 accountable to the people of Guam.

12 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish the Guam
13 Community Health Centers as a public corporation and autonomous instrumentality
14 within the Government of Guam, providing it with the authority, governance
15 structure, and resources needed to fulfill its mission of improving

16 **Section 2.** Article 8 of Chapter 3 Title 10 is hereby amended to read:

17 **“ARTICLE 8**

18 **GUAM COMMUNITY HEALTH CENTERS PROGRAM**

19 § 3801. Legislative Intent and Purpose.

20 § 3802. Title.

21 § 3803. Program.

22 § 3804. Personnel.

23 § 3805. General Duties.

24 § 3806. Federal Grants.

25 § 3807. Authority to Set Fees.

26 § 3808. Establishment of Regional Community Health Centers

27 Centers.

1 § 3809. ~~Continuing~~ Contractual Service.

2 § 3810. Primary and Urgent Care Service.

3 § 3811. Revolving Fund.

4 § 3812. Fee Schedule.

5 § 3813. ~~Advisory Council on~~ Guam Community Health Centers Board of
6 Directors.

7 § 3814. Duties of ~~Council~~ Guam Community Health Centers Board of
8 Directors.

9 § 3815. ~~Repeal.~~ Transition to Full Autonomy.

10 § 3816. ~~Effective Date.~~ Repeal.

11 § 3817. ~~Severability.~~ Effective Date.

12 § 3818. Severability.

13
14 **§ 3801. Legislative Intent and Purpose.**

15 It is the intent of *I Liheslaturan Guåhan* to provide permanent
16 guidelines to govern the creation, operation and maintenance of Guam's
17 community health centers for the purpose of providing basic quality health
18 care to the people of Guam ~~in a joint partnership between~~ as a government
19 ~~agencyies and/or private entities.~~

20 **§ 3802. Title.**

21 This Act shall be known as, 'The Community Health Centers Act of
22 ~~1998-2025.~~'

23 **§ 3803. Program.**

24 There is hereby established within the ~~Department of Public~~
25 ~~Health and Social Services (Department)~~ Bureau of Primary Care
26 ~~Services (Bureau)~~ a the Government of Guam, a public corporation and
27 autonomous instrumentality called the Guam Community Health

Centers (GCHC) Program ~~(Program)~~ to be administered ~~by on a~~
collateral duty basis by the ~~Health Services Administrator of the~~
~~Bureau, and who shall serve as the~~ Guam Community Health Centers
Board of Directors (GCHCBD) and a Community Health Center Chief
Executive Officer ~~of the Program~~. The ~~Program~~ GCHC shall cover two
~~(2)~~ regions of Guam ~~(northern and southern)~~ as the GCHCBD
determines. ~~With the collateral duty, t~~The Guam Community Health
Center Board and Chief Executive Officer's shall ~~additional role shall~~
~~include~~ adherence to the following ~~nineteen (19)~~ federal program
requirements as stipulated by the Health Resources & Services
Administration (HRSAs) rules and regulations in Exhibit A:

(a) ~~development and implementation of a needs~~
assessment;

(b) ~~implementing required and additional primary~~
health care services;

(d) ~~adhering to staffing requirements;~~

(e) ~~conducting accessible hours of operation and~~
location;

(f) ~~after hours coverage;~~

(g) ~~hospital admitting privileges and continuum of care;~~

(h) ~~sliding fee discount;~~

(i) ~~quality improvement/quality assurance plan;~~

(j) ~~key management staff;~~

(k) ~~contractual/affiliation agreements;~~

(l) ~~collaborative relationships;~~

(m) ~~financial management and control policies;~~

(n) ~~billing and collection;~~

- (o) ~~budget;~~
- (p) ~~program data reporting systems;~~
- (q) ~~scope of project;~~
- (r) ~~board authority;~~
- (s) ~~board composition; and~~
- (t) ~~conflict of interest.~~

§ 3804. Personnel.

There shall be assigned sufficient number of administrative personnel, as may be determined by the Community Health Center Chief Executive Officer, to provide staff assistance on a full-time basis to Guam Community Health Centers, and ensure that the general duties assigned to the Guam Community Health Centers are adequately administered. It is further provided:

(a) There is hereby established within the ~~Program~~ GCHC, the administrative position of Community Health Center Chief Executive Officer, who shall be responsible for managing the overall operations, finances, personnel, and facilities of the community health centers in accordance with the mission, vision, values, ~~Advisory Council~~ GCHCBD approved policies, Strategic Plan, and other operational policies, ~~and as further delineated in the position description adopted as Exhibit B pursuant to this Act, and which may be amended pursuant to Subsection (d) of this Section.~~

(1) Salary. The salary of the Community Health Center Chief Executive Officer shall be based upon the national standard of Community Health Center Chief Executive Officers of Federally Qualified Health Centers in the U.S., subject to availability of funds for FY ~~2015~~ 2025, and included in all subsequent budgets.

1 (b) There is hereby established within the ~~Program~~ GCHC, the
2 senior administrative financial position of Chief Financial Officer. The
3 responsibility of the position shall include, but is not limited to, assisting the
4 Chief Executive Officer and the ~~Advisory Council on Community Health~~
5 ~~Centers~~ GCHCBD in the development, implementation and coordination of
6 the ~~Program's~~ GCHC's financial policy, fund management, internal audits,
7 billings and collection, and, the performance of all other associated
8 administrative functions and tasks as are necessary in directly providing and
9 ensuring sound fiscal stability and support for the ~~Program~~ GCHC, and as
10 ~~further delineated in the position description adopted as Exhibit C pursuant to~~
11 ~~this Act, and which may be amended pursuant to Subsection (d) of this~~
12 ~~Section.~~

13 (1) Salary. The salary of the Chief Financial Officer shall be based upon
14 the national standard for the position, as found within the Community Health
15 Center instrumentality of a U.S., subject to availability of funds for FY
16 ~~2015~~2025, and included in all subsequent budgets.

17 (c) There is hereby established within the ~~Program~~ GCHC, the
18 administrative and clinical position of Medical Director. The responsibility of
19 the position shall include, but is not limited to, assisting the Community
20 Health Center Chief Executive Officer and the ~~Advisory Council on~~
21 ~~Community Health Centers~~ GCHCBD in the development, implementation
22 and coordination of the Program's medical services policy and the
23 performance of associated administrative tasks, and directly providing clinical
24 medical support for all medical services provided by the ~~Program~~ GCHC, and
25 ~~as further delineated in the position description adopted as Exhibit D pursuant~~
26 ~~to this Act, and which may be amended pursuant to Subsection (d) of this~~
27 ~~Section.~~

1 The Medical Director shall preferably be a board certified or board
2 eligible physician specialist in a medical field deemed to be an appropriate,
3 requisite field of practice, or multiple field specialties, as is necessary to best
4 meet the mandates and needs of the Program GCHC, ~~and as further delineated~~
5 ~~in the position description adopted as Exhibit D pursuant to this Act, and~~
6 ~~which may be amended pursuant to Subsection (d) of this Section.~~

7 Preferable consideration for selection as the Medical Director shall be
8 given to a board certified or board eligible physician specialist with
9 experience as a primary care family practice physician.

10 (1) Salary. The salary of the Medical Director shall be based upon the
11 national standard for Community Health Center Medical Directors in the U.S.,
12 subject to availability of funds for FY ~~2015~~ 2025, and included in all
13 subsequent budgets.

14 (d) Amendment of Position Description. ~~The Advisory Council on~~
15 ~~Community Health Centers~~ GCHCBD shall, in keeping with the provisions
16 of Article 3- Rule Making Procedures, of Chapter 9, Title 5, Guam Code
17 Annotated, review and amend, as may be necessary, the position descriptions
18 adopted pursuant to Subsections (a), (b), and (c) of this Section.

19 **§ 3805. General Duties.**

20 The general duties of the ~~Bureau for the Program~~ CEO are:

21 (a) to oversee the maintenance and operation of all existing
22 community health centers and implement measures approved and
23 promulgated by the ~~Advisory Council on Community Health Centers~~
24 Guam Community Health Centers Board of Directors or GCHCBD;

25 (b) to maintain and initiate the updating of Fees Schedule in
26 effect;

1 (c) to initiate the budgetary requirements, for both Federal and
2 local funding, of the ~~Program~~ GCHC;

3 (d) to account for all generated revenues and prepare periodic
4 reports required;

5 (e) to administer the Community Health Center Revolving Fund
6 for the ~~Director of the Department~~ Guam Community Health Centers
7 and initiate the required periodic Statement of Condition of such Fund;

8 (f) to provide administrative support and refer matters needing
9 advice or approval to the ~~Advisory Council on Community Health~~
10 ~~Centers~~ GCHCBD;

11 (g) With the approval of the GCHCBD, to establish additional
12 community health centers and services required by the community for
13 basic medical care that private clinics are either saturated or not meeting
14 the demand of the community or unavailable in the area of primary care,
15 pediatric care, prenatal care, infectious disease care, urgent care and to
16 other areas that the ~~Director~~ GCHCBD designates as a community
17 requirement, but are inadequately being provided to the community;

18 ~~(h) to obtain a listing of all persons with health insurance coverage from~~
19 ~~their respective health insurance company or providers; and~~

20 ~~(i)~~ (h) to perform other duties as may be assigned by the ~~Director of the~~
21 ~~Department~~ GCHCBD.”

22 **§ 3806. Federal Grants.**

23 The ~~Bureau~~ Guam Community Health Center shall comply with all
24 Federal requirements and procedures necessary for the administration of grant
25 programs. The ~~Director~~ CEO, Program Manager, or designee shall have the
26 authority to apply for Federal Grants.

27 **§ 3807. Authority to Set Fees.**

1 The ~~Director~~ CEO in consultation with and upon approval of the
2 GCHCBD is authorized to establish fees for health care services in accordance
3 with the Administrative Adjudication Law and as may be required to qualify
4 for grant programs. The fees shall not be deterrent to receiving health care.
5 ~~The fees shall be no less than the Medicare Regional Fees established under~~
6 ~~Title XVIII of the Social Security Act.~~

7 **§ 3808. Establishment of Regional Community Health Centers.**

8 The following Regional Community Health Centers established in the
9 past by virtue of Executive Orders and laws specifically issued for the purpose
10 ~~shall~~ may hereafter be governed by the GCHCBD and provisions of this Act:

11 (a) the Southern Regional Community Health Center
12 (‘SRCHC’), located in the village of ~~Inarajan~~ Inalåhan, which is tasked
13 to provide quality comprehensive primary health care services to all the
14 residents of ~~the Southern villages of~~ Guam;

15 (b) the Northern Regional Community Health Center
16 (‘NRCHC’), located in the Village of Dededo, which is tasked to
17 provide quality comprehensive primary health care services to all the
18 residents of ~~the Northern villages of~~ Guam; and

19 (c) such other regional community health centers that may later
20 be established by the ~~Director~~ GCHCBD for similar purpose.

21 ~~The administrative rules and regulations that may be promulgated to~~
22 ~~improve the operation and maintenance of all regional community health~~
23 ~~centers on Guam shall be in conformance with the provisions of this Article.~~
24 ~~In case of conflict, the provisions of this Article shall prevail. The overall~~
25 ~~management, budgeting, cash and property accounting, and operating~~
26 ~~oversight of all regional community health centers shall be exercised by the~~
27 ~~Director of the Department of Public Health and Social Services to whom the~~

1 Bureau head reports to, namely, the Chief Public Health Officer of the
2 Division of Public Health.

3 **§ 3809. Contractual Service.**

4 The ~~Director~~ CEO in consultation with and upon approval of the
5 GCHCBD may enter into a contractual agreement with other government
6 agencies or health care provider(s) to provide either, totally or partially,
7 Community Health Center services. The ~~Director~~ GCHCBD or CEO shall also
8 negotiate contractual agreement for reimbursement of services by the
9 beneficiaries of Health Insurance Providers or Health Maintenance
10 Organization or other entities providing health benefits, or shall allow those
11 government agencies or health care providers to seek reimbursement for their
12 services rendered in the Community Health Centers.

13 **§ 3810. Primary and Urgent Care Service.**

14 The Community Health Center ~~shall~~ may provide primary and urgent
15 care services based on the unavailability of such service in the community and
16 ~~shall~~ may enter into a contractual agreement with the Guam Memorial
17 Hospital Authority or other health care providers to provide such service. The
18 ~~urgent care service must be adequate to meet the following medical care:~~

19 (a) ~~conditions that are non-emergency in nature (Emergency~~
20 ~~conditions are those illness that may result in the loss of life or limb if~~
21 ~~not treated immediately.);~~

22 (b) ~~services are competent to manage and treat patients of all~~
23 ~~ages;~~

24 (c) ~~the facility shall have at least basic pharmacy, radiology,~~
25 ~~laboratory and patient transport to move cases that require a higher level~~
26 ~~of patient care management;~~

1 ~~(d) the facility shall be certifiable by either the Joint Commission~~
2 ~~of Accreditation of Health Organization or Health Care Financing~~
3 ~~Administration, or equivalent certifying health care organization~~
4 ~~acceptable by the Health Planning Council of the Division of Health~~
5 ~~Planning of DISID; and~~

6 ~~(e) the urgent care service shall consider initially opening at least~~
7 ~~five (5) days a week between the hours of 6:00 p.m. to 11:00 p.m. and~~
8 ~~extend the hours and/or days as the demand arises and availability of~~
9 ~~resources. The Director shall evaluate at least annually the service hours~~
10 ~~and/or days and make necessary adjustment based on the community~~
11 ~~needs and availability of resources in consultation with the Council.~~

12 **§ 3811. Revolving Fund.**

13 (a) Community Health Center Revolving Fund. There is hereby
14 established a Community Health Center Revolving Fund (Fund) to be
15 maintained by the ~~Administrator~~ CEO, ~~of the~~ Community Health Centers, ~~of~~
16 ~~the Department of Public Health & Social Services.~~ The Fund shall be
17 established and maintained in a bank account apart and separate from the
18 General Fund or any other bank account(s) of the government of Guam, and
19 shall not be co-mingled with, or a part of, the General Fund. All funds due or
20 accruing to the account from whatever source(s), as provided or authorized
21 pursuant to applicable law, inclusive of any interest, shall be deposited in the
22 Fund in its entirety immediately upon receipt by the government of Guam.

23 (1) ~~The Administrator~~ CEO of Community Health Centers, ~~of the~~
24 ~~Department of Public Health & Social Services~~ shall report monthly
25 and maintain full compliance with all financial reporting requirements
26 of the government of Guam pursuant to applicable law.

1 (2) Any and all collections deposited into and/or expenditures
2 from the Fund shall be reported to the members of the ~~Advisory Council~~
3 ~~of Community Health Centers~~ GCHCBD.

4 (b) Independent Records and Accounts. The Fund shall be maintained
5 separate and apart from all other government funds; have an independent
6 records and accounts concerning the Fund; and audited as directed by the
7 GCHCBD or the Office of Public Accountability ~~by the Public Internal~~
8 ~~Auditor or the Department of Interior for each fiscal year~~ and shall provide *I*
9 *Maga'lahaen Guahan* and ~~the Council~~ I Liheslaturan Guahan a copy of the
10 audited report.

11 (c) Deposits. All monies collected for products and services rendered at
12 the community health centers shall be accounted for and deposited into the
13 Fund and available to pay for the expenses of the community centers.

14 (d) Application. All monies deposited in the Fund shall be available to
15 be used to pay for the expenses of the community center allowable by Federal
16 regulations and guidelines as the non-Federal share of project costs in
17 accordance with the Department's grant from the U.S. Department of Health
18 and Human Services. The Fund may also be used for the following expenses:

19 (1) payment(s) for contractual services;

20 (2) payment(s) for supplies;

21 (3) payment(s) for any other expenses, which if remains unpaid may
22 result in an emergency situation as approved by the Board in a resolution;

23 (4) the Fund shall be reimbursed from other appropriated fund
24 sources for any expenditure made as a result of circumstances outlined in
25 Subsection (3) if the expenditure was budgeted from said appropriated
26 source; and

27 (5) board stipends, as provided by applicable law.

1 (e) Accounts Receivables. The Community Health Centers
2 ~~Administrator~~ CEO, in consultation with and upon approval of the Council
3 GCHCBD, is hereby authorized to pursue accounts receivables payment in
4 whatever manner allowable by law, including contractual services for
5 collection and tax refund garnishments. The Community Health Centers
6 ~~Administrator~~ CEO shall promulgate rules and regulations through the
7 Administrative Adjudication Law governing collection and reduction of
8 uncollectible accounts receivables.

9 (f) The Community Health Centers ~~Administrator~~ CEO in consultation
10 with and upon approval of the GCHCBD shall submit an annual spending plan
11 for the Fund in accordance with and at the same time as the Bureau of Budget
12 and Management Research budget call.

13 (g) The Community Health Center ~~Council~~ CEO shall, by no later than
14 the 20th day of each ~~month~~ quarter, submit a financial report relative to the
15 status and activities of the Community Health Center Revolving Fund. The
16 ~~monthly~~ quarterly report shall be submitted, via the *Office of I Maga'lahi*, to
17 the Speaker of *I Liheslaturan Guåhan*, and the Chairpersons of the Committee
18 on Finance, and the Committee on Health of *I Liheslaturan Guåhan*. The
19 report shall, at a minimum, contain:

20 (1) all expenditures and encumbrances (monthly and year-to-
21 date);

22 (2) funds received and source(s);

23 (3) status of accounts receivable for outstanding debts and/or
24 delinquent payment obligations owed to the Community Health
25 Center(s); and

26 (4) any and all other pertinent information relative to the Fund.

1 (h) The Community Health Center Revolving Fund shall be included in
2 the government of Guam annual audit review and report.

3 (i) The funds shall be exempt from all transfer authority granted to the
4 Director of the Department of Administration, the Director of Department of
5 Health and Social Services and the Governor of Guam.

6 **§ 3812. Fee Schedule.**

7 (a) The ~~Department~~ GCHCBD is hereby authorized to implement a fee
8 schedule. The provision of this Act shall be repealed upon subsequent
9 submission and approval of the fee schedule through the Administrative
10 Adjudication Law. The fee schedule must give discounts accordingly to the
11 Federal Income Poverty Guideline. The health centers must operate in a
12 manner such that no patient shall be denied service due to an individual's
13 inability to pay.

14 (b) Individuals or families whose income falls below the federal
15 poverty guidelines shall apply for subsidized medical services through the
16 Medically Indigent Program or other medically subsidized program.

17 (1) The Program shall submit a billing claim to the Guam
18 Medically Indigent Program Administrator for the necessary amount to
19 recover the cost of services rendered to the Medically Indigent Program
20 patients at the fee schedule rates established for reimbursement
21 pursuant to applicable law, rules and regulations.

22 (A) Notwithstanding any other provision of law, rule or
23 regulation, for the purposes of billing and collections, the
24 Community Regional Health Centers Program shall be deemed
25 apart and separate from the Department, and the Guam Medically
26 Indigent Program shall promptly remit payment to the Program

1 as reimbursement for services rendered to MIP patients, for
2 deposit into the Community Health Center Revolving Fund.

3 **§ 3813. ~~Advisory Council on~~ Guam Community Health Centers**
4 **Board of Directors (GCHCBD).**

5 ~~(a) — Council GCHCBD Established.~~ There shall be established
6 ~~within the Bureau an Advisory Council on a Guam Community Health~~
7 ~~Centers Board of Directors (“Council GCHCBD”)~~—to serve in an
8 ~~advisory governing capacity and maintains oversight of the Community~~
9 ~~Health Centers. for each Region.~~ The Council shall consist of seven
10 ~~(7) members appointed by *I Magsa'laken Guåhan* [Governor].~~ Members
11 ~~of the Council shall include a Village Mayor from the Region of the~~
12 ~~Community Health Center and one (1) of the Municipal Planning~~
13 ~~Council member from the Region, other than the Mayor or the Mayor’s~~
14 ~~staff, which shall serve their term as long as they are serving in their~~
15 ~~respective positions. The other members of the Council shall serve for~~
16 ~~four (4) years; provided that, of the members first appointed two (2)~~
17 ~~shall serve for two (2) years and three (3) shall serve for four (4) years.~~

18 ~~(b) — Officers; Meeting Requirements.~~ The Council shall
19 ~~annually elect a Chairperson, Vice-Chairperson and Recorder from~~
20 ~~among its membership. The Council shall meet at least quarterly at such~~
21 ~~time and place as the Chairperson may designate. Meetings shall be~~
22 ~~well publicized and shall be open to the public. The Director or the~~
23 ~~Division Head, or both, shall be present on all Council GCHCBD~~
24 ~~meetings. Executive sessions are permitted only in accordance with the~~
25 ~~Open Government Law. Four (4) members shall constitute a quorum of~~
26 ~~the Council for the transaction of business. The concurrence of a~~

majority of the members present shall constitute official action of the Council.

(a) The composition of the board shall be defined by the GCHCBD bylaws and shall at a minimum adhere to the following Health Resources and Services Administration (HRSA) requirements, subject to updates in HRSA rules:

(i) The health center's governing board must consist of at least 9 and no more than 25 members.

(ii) The majority [at least 51 percent] of the health center board members must be patients served by the health center. Patient board members are also often referred to as "user" or "consumer" board members. However, for the purposes of this chapter, only the term "patient" or "non-patient" board member will be used for ease of reference. These health center patient board members must, as a group, represent the individuals who are served by the health center in terms of demographic factors, such as race, ethnicity, and gender.

(iii) Non-patient health center board members must be representative of the community served by the health center and must be selected for their expertise in relevant subject areas, such as community affairs, local government, finance and banking, legal affairs, trade unions, and other commercial and industrial concerns, or social service agencies within the community.

(iv) Of the non-patient health center board members, no more than one-half may derive more than 10 percent of their annual income from the health care industry.

(v) A health center board member may not be an employee of the center, or spouse or child, parent, brother or sister by blood or marriage

1 of such an employee. The CEO may be a non-voting, ex-officio
2 member of the board.

3 (vi) The health center bylaws or other internal governing rules
4 must prescribe the process for selection and removal of all governing
5 board members. This selection process must ensure that the governing
6 board is representative of the health center patient population. The
7 selection process in the bylaws or other rules is subject to approval by
8 HRSA.

9 (b) The GCHCBD may amend their by-laws as may be necessary for
10 the conduct and administration of its activities and the exercise of the powers
11 and performance of the duties conferred or imposed upon the CHC or the
12 Board by this Chapter.

13 (c) The GCHCBD may adopt such rules and regulations pursuant to the
14 Administrative Adjudication Act as may be necessary for the exercise of the
15 powers and performance of the duties conferred or imposed upon the CHC or
16 the Board by this Chapter.

17 ~~(e)~~ (d) Compensation. The compensation that members of the ~~Advisory~~
18 ~~Council~~ GCHCBD may receive shall be the compensation provided by Guam
19 law.

20 (e) The GCHCBD may enter into a co-applicant agreement with
21 another government of Guam agency for purposes of meeting Health Center
22 Program requirements.

23 **§ 3814. Duties of ~~Council~~ Guam Community Health Centers Board**
24 **of Directors.**

25 The ~~Council~~ GCHCBD shall develop bylaws which specify the
26 responsibilities of the board, review and approve the plans and programs of

1 the Community Health Centers ~~by the Bureau~~ and for that purpose shall
2 perform the following duties:

3 (a) review and ~~make recommendation~~ approve ~~of the~~
4 ~~Bureau's~~ annual budget for the Community Health Centers;

5 (b) review and ~~make recommendation~~ approve ~~of the~~
6 ~~Bureau's~~ three (3) - year Plan and its annual update for the Community
7 Health Centers;

8 (c) periodically review available and needed services
9 provided by the Centers;

10 (d) promote the utilization and assistance of interested
11 persons, including recovered clients, volunteering their service to the
12 patients of the Center in whatever qualified service they can provide;
13 and

14 (e) review and comment on all new and renewed Federal
15 grants applications.

16 (f) Shall approve by resolution all expenditures allowed in §
17 3811 of this Chapter greater than Five Thousand Dollars (\$5,000);

18 ~~(g) may approve by resolution a Memorandum of~~
19 ~~Understanding between the Community Health Centers and the~~
20 ~~Department of Revenue and Taxation to garnish income tax refunds of~~
21 ~~recipients of products and services rendered by the Community Health~~
22 ~~Centers who have not fulfilled their payment obligation for said~~
23 ~~products and services. The Board shall adopt a policy to govern the~~
24 ~~referral of such tax refund garnishment requests to the Department of~~
25 ~~Revenue and Taxation.~~

26 **§ 3815. ~~Repeal.~~ Transition to Full Autonomy.**

1 ~~Executive Order Nos. 70-25 and 86-05 pertaining to the Southern~~
2 ~~Regional Community Health Center are hereby repealed.~~

3 A three (3) year transition period shall commence upon enactment of
4 this Act, during which the GCHC shall work toward full administrative and
5 operational independence. Upon completion of the transition period, all
6 duties, authorities, and resources currently administered by the Department of
7 Public Health and Social Services (DPHSS) under the Guam Community
8 Health Centers Program, pursuant to Article 8, Chapter 3 of Title 10, Guam
9 Code Annotated, shall be fully transferred to the GCHC as established under
10 this Chapter.

11 (a) The GCHC shall directly apply for federal grants and assume
12 responsibility for all federal compliance, program administration, and
13 service delivery functions for the program.

14 (b) All real and personal property, facilities, equipment, supplies,
15 and financial assets allocated to the Guam Community Health Centers
16 Program under DPHSS shall be transferred to the CHC.

17 (c) All employees assigned to the Guam Community Health
18 Centers Program under DPHSS shall be transferred to the GCHC.
19 Transferred personnel shall retain their current employment status,
20 salaries, accrued benefits, and rights under applicable government
21 employment laws.

22 (d) The current bylaws shall remain in effect for twelve (12)
23 months or until new bylaws can be adopted, whichever comes first.

24 (e) Notwithstanding any other provision of this Article, the
25 Department of Administration (DOA), shall provide interim technical
26 assistance to the GCHC, in the following areas:

1 (i) Developing and implementing its own financial
2 management system, including accounting, payroll, and other
3 internal fiscal controls.

4 (ii) Establishing a human resource management system for
5 hiring.

6 (iii) Assist the GCHC in developing and adopting
7 procurement rules and procedures consistent with applicable
8 government and federal guidelines.

9 (f) All contracts' agreements, and memoranda of understanding
10 or agreement related to the Guam Community Health Centers Program
11 shall remain in effect unless terminated by the GCHC.

12 (g) Upon request by the GCHC and with notification submitted
13 to I Maga'hågan Guåhan and I Liheslaturan Guåhan, the transition
14 period may be extended for one (1) year at a time, not to exceed a total
15 of three (3) additional years. Any request for extension shall include a
16 status report on transition progress and a revised timeline for
17 completion.

18 **§ 3816. Effective Date Repeal.**

19 ~~The provisions contained in this Act shall take effect upon enactment.~~
20 Executive Order Nos. 70-25 and 86-05 pertaining to the Southern Regional
21 Community Health Center are hereby repealed.

22 **§ 3817. Severability Effective Date.**

23 ~~If any of the provisions of this Act or the application thereof to any~~
24 ~~person or circumstance are held invalid, such invalidity shall not affect any~~
25 ~~other provision or application of this Act, which can be given effect without~~
26 ~~the invalid provision or application, and to this end the provisions of this Act~~

1 ~~are severable.~~ The provisions contained in this Act shall take effect upon
2 enactment.

3 **§ 3818. Severability.**

4 If any of the provisions of this Act or the application thereof to any
5 person or circumstance are held invalid, such invalidity shall not affect any
6 other provision or application of this Act, which can be given effect without
7 the invalid provision or application, and to this end the provisions of this Act
8 are severable."

9 **Section 3. Authorization for Amendments by the Compiler of Laws**

10 Pursuant to §1606 Chapter 16, Title 1 GCA, the Compiler of Laws is hereby
11 authorized to make amendments to Chapter 3 of Title 10 Guam Code Annotated
12 including renumbering or rearranging the Chapter so that it fits harmoniously within
13 the Guam Code Annotated.