

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) As amended by the Committee on Health and Veterans Affairs; and further amended on the Floor. | Therese M. Terlaje Sabrina Salas Matanane Sabina Flores Perez Chris Barnett Telo T. Taitague Joe S. San Agustin Frank F. Blas, Jr. V. Anthony Ada Christopher M. Dueñas Vincent A.V. Borja Tina Rose Muña-Barnes William A. Parkinson | 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. | 10/1/25 | Committee on Health and Veterans Affairs. | Request: 10/1/25 10/9/25 | 12/16/25 9:30 a.m. | 1/5/26 As Amended. | |
| | SESSION DATE | TITLE | DATE PASSED | TRANSMITTED | DUE DATE | PUBLIC LAW NO. | LAPSED | NOTES | |
| | 1/26/26 | 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. | 1/29/26 | 1/29/26 | 2/10/26 | 38-97 | 2/11/26 | Received: 2/13/26 Mess and Comm. Doc. No. 38GL-26-1937 | |



OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.

38TH GUAM LEGISLATURE – *I Mina'trentai Ocho Na Liheslaturan Guåhan*

163 Chalan Santo Papa, Hagåtña, Guam 96910 • Tel: (671) 969-6456, (671) 969-0628, (671) 969-6023 • email: speakerblas@guamlegislature.gov

February 13, 2026

Speaker
38th Guam Legislature
Guam Congress Building
163 Chalan Papa Santo
Hagåtña, Guam

38GL-26-1937
OFFICE OF THE SPEAKER
FRANK F. BLAS JR.

FEB 13 2026

Time: 1:00 PM
Received: MLJ

Buenas yan Håfa adai Speaker,

Pursuant to Rule III, Section 3.01 of *I Otden Areklamento, I Mina'trentai Ocho Na Liheslaturan Guåhan* Attached, you will find the letter titled "Notice of Lapse of Bills into Law Pursuant to the Organic Act of Guam." This document was formally sent to *I Maga'hågan Guåhan* on February 12, 2026, following the relevant communications received from *I Maga'hågan Guåhan* on February 11, 2026.

hu agradesi,

FRANK F. BLAS, JR.
Speaker

Attachments: 3



38GL-26-1937
Messages and Communications

RECEIVED
COMMITTEE ON RULES
February 13, 2026

4:41 p.m.
Marie Crisostomo



OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.

38TH GUAM LEGISLATURE – *I Mina'trentai Ocho Na Liheslaturan Guåhan*

163 Chalan Santo Papa, Hagåtña, Guam 96910 • Tel: (671) 969-6456, (671) 969-0628, (671) 969-6023 • email: speakerblas@guamlegislature.gov

February 12, 2026

The Hon. Lourdes A. Leon Guerrero, Governor
Office of the Governor of Guam
Ricardo J. Bordallo Governor's Complex
513 W. Marine Corps Drive
Hagatna, Guam 96910

RE: Notice of Lapse of Bills into Law Pursuant to the Organic Act of Guam

Håfa Adai Maga'hågan,

Please be advised that the Bills were transmitted to your office on January 29, 2026, at 7:04 p.m. On February 11, 2026, you returned the following bills without your signature:

Bill No 79-38 (COR), "AN ACT TO AUTHORIIZE *I MAGA'HÅGAN GUAHÅN* TO SELL A PORTION OF BLOCK 8 IN NEW AGAT DESIGNATED AS BLOCK 8 PARK AREA AND TO DEPOSIT THE PROCEEDS OF THE SALE INTO THE CHAMORRO LAND TRUST INFRASTRUCTURE AND SUVEY FUND."

Bill 251-38 (COR), "AN ACT TO AMEND § 31101 OF CHAPTER 31, DIVISION 4, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM COMMUNITY COLLEGE BOARD OF TRUSTEE COMPOSITION TO ENHANCE BUSINESS AND INDUSTRY REPRESENTATION."

You also returned the following bills with your signature dated February 11, 2026:

Bill No. 138-38 (COR), "AN ACT TO AMEND § 7.58 OF ARTICLE 2, CHAPTER 7, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO HOLDING PERSONS CRIMINALLY RESPONSIBLE FOR CRIMES COMMITTED AFTER KNOWINGLY, WILLINGLY OR INTENTIONALLY CONSUMING ALCOHOL AND OTHER SUBSTANCES BY REPEALING THE LIMITATIONS OF THE INTOXICATION DEFENSE."

Bill No. 150-38 (LS), "AN ACT TO REZONE LOT NO. 5228-R4-R2-1 (PORTION) IN THE MUNICIPALITY OF BARRIGADA FROM AGRICULTURAL ("A") TO LIGHT INDUSTRIAL ("M-1")."

Bill No. 162-38 (COR), "AN ACT TO AMEND § 19.50 OF CHAPTER 19, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ADDING FINES AND STRONGER PENALTIES FOR TERRORISTIC CONDUCT INCLUDING BOMB SCARE THREATS."

Bill No. 169-38 (COR), "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."

Bill No. 195-38 (COR), "AN ACT TO ADD A NEW § 849.18 TO CHAPTER 8, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO RENAMING THE GEORGE WASHINGTON FOOTBALL FIELD AS THE LORING SANTOS CRUZ FIELD."

Bill No. 202-38 (COR), "AN ACT TO ADD A NEW CHAPTER 56 TO DIVISION 5 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE 'GUAM VETERANS HIGHER EDUCATION BENEFITS ACT.'"



OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.

38TH GUAM LEGISLATURE – *I Mina'trentai Ocho Na Liheslaturan Guåhan*

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Bill No. 215-38 (COR), “AN ACT TO ADD A NEW SUBSECTION (e) TO § 21103 OF CHAPTER 21, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO WAIVING SANITARY PERMIT FEES FOR STUDENT SUPPORT FUNDRAISERS.”

Bill No. 217-38 (COR), “AN ACT TO ADD A NEW § 70124 TO CHAPTER 70, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING LICENSED ELECTRICIANS TO CONDUCT WEATHERHEAD INSPECTIONS AND CERTIFICATION.”

Bill No. 235-38 (COR), “AN ACT TO AMEND § 58D108 OF CHAPTER 58, TITLE 5, GUAM CODE ANNOTATED, AND TO AMEND SECTION 8 OF CHAPTER I OF PUBLIC LAW 38-60, RELATIVE TO FINANCING AND PREDEVELOPMENT STAGE EXPENSES FOR THE SIMON A. SANCHEZ HIGH SCHOOL PROJECT.”

Bill No. 240-38 (LS), “AN ACT TO AMEND § 61309, ARTICLE 3, CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ADDING TEMPORARY WORKFORCE HOUSING AS A PERMITTED USE FOR M1 LIGHT INDUSTRIAL ZONES.”

The Organic Act also requires the Governor to sign all bills the Governor intends to approve within ten days of its presentation. Bill No. 138-38 (COR), Bill No. 150-38 (LS), Bill No. 162-38 (COR), Bill No. 169-38 (COR), Bill No. 195-38 (COR), Bill No. 202-38 (COR), Bill No. 215-38 (COR), Bill No. 217-38 (COR), Bill No. 235-38 (COR) and Bill No. 240-38 (LS) were approved and dated February 11, 2026, after the tenth day of presentation to you.

Therefore, Bill No. 138-38 (COR) is lapsed into law as **Public Law 38-94**, Bill No. 150-38 (LS) is lapsed into law as **Public Law 38-95**, Bill No. 162-38 (COR) is lapsed into law as **Public Law 38-96**, Bill No. 169-38 (COR) is lapsed into law as **Public Law 38-97**, Bill No. 195-38 (COR) is lapsed into law as **Public Law 38-98**, Bill No. 202-38 (COR) is lapsed into law as **Public Law 38-99**, Bill No. 215-38 (COR) is lapsed into law as **Public Law 38-100**, Bill No. 217-38 (COR) is lapsed into law as **Public Law 38-101**, Bill No. 235-38 (COR) is lapsed into law as **Public Law 38-102** and Bill No. 240-38 (LS) is lapsed into law as **Public Law 38-103**, respectively as of February 11, 2026.

In addition, the Organic Act of Guam requires the Governor to return all bills to the legislature in which the Governor does not intend to approve within ten days of its presentation. Bill No 79-38 (COR) and Bill 251-38 (COR) were returned unsigned on February 11, 2026, and after the tenth day of presentation to you.

Therefore, Bill 79-38 (COR) is lapsed into law as **Public Law 38-104** and Bill 251-38 (COR) is lapsed into law as **Public Law 38-105**, respectively, on February 11, 2026.

Enclosures: Twelve (12) Certification Pages

Si Yu'os Ma'ase',

FRANK F. BLAS, JR.
Speaker



OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.

38TH GUAM LEGISLATURE – *IMina'trentai Ocho Na Liheslaturan Guåhan*

163 Chalan Santo Papa, Hagåtña, Guam 96910 • Tel: (671) 969-6456, (671) 969-0628, (671) 969-6023 • email: speakerblas@guamlegislature.gov

Cc: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guahån*, Lt. Governor of Guam
Compiler of Laws
All Senators

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

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

OFFICE OF THE SPEAKER
• FRANK F. BLAS JR.

FEB 11 2026

Time: 2:40p
Received: mej

Transmitted via Email to: speakerblas@guamlegislature.org

February 11, 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. 169-38 (COR), "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."

Håfa Adai Mr. Speaker,

Bill No. 169-28 (COR) establishes the Guam Community Health Centers as an autonomous public agency. It transfers oversight from the Department of Public Health and Social Services to a new governing structure and creates an independent board of directors with authority over staffing, finances, and federal grants. Additionally, the bill includes a phased transition period to full operational independence.

Community health clinics play a vital role in Guam's healthcare system. Our public hospital is aging. Our healthcare infrastructure continues to face serious challenges. Community health centers provide essential care in both the northern and southern regions of the island. Many residents live far from the hospital and from central public health facilities. These clinics ensure that people can receive care close to where they live and work. They reduce barriers to treatment. They help prevent small problems from becoming serious emergencies. Supporting these centers strengthens access to care across the entire island. This bill also helps ensure continued eligibility for federal grants that allow us to expand services and improve quality. These resources help us care for our people in a responsible and sustainable way.

I also recognize that this bill grants significant operational and financial independence to the Guam Community Health Centers. This structure requires strong internal controls. It requires consistent transparency and accountability, and requires the governing board to exercise its authority with diligence. Continued coordination with central government agencies will remain important, particularly during the transition period. This coordination will help ensure the health centers develop the operational capacity needed to fulfil the responsibilities that come with autonomy.

RICARDO J. BORDALLO GOVERNOR'S COMPLEX

513 W. Marine Corps Drive Hagåtña, Guam 96910

governor.guam.gov | (671) 472-8931

Doc. No. 38GL-26-1937.*

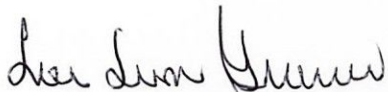
To: The Hon. Frank Blas, Jr., *Speaker*
Fr: The Hon. Lourdes A. Leon Guerrero, *Governor of Guam*
Date: February 11, 2026
Re: Bill No. 169-38 (COR)

Page 2 of 2

My administration will work to ensure that this law is implemented in a manner that protects public resources and maintains public trust.

For these reasons, Bill No. 169-38 (COR) is signed into law as ***Public Law No. 38-97.***

Senseramente,



LOURDES A. LEON GUERRERO

I Maga'hågan Guåhan

Governor of Guam

Enclosure(s): Bill No. 169-38 (COR) nka P.L. 38-97

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

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

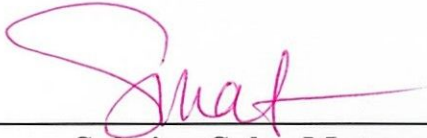
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 169-38 (COR)**, "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," was on the 29th day of January 2026, duly and regularly passed.



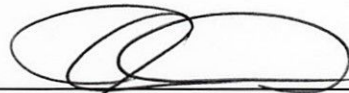
Frank F. Blas, Jr.
Speaker

Attested:



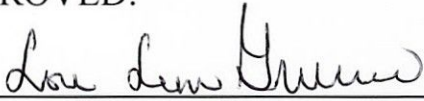
Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 29th day of Jan, 2026, at 7:04 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

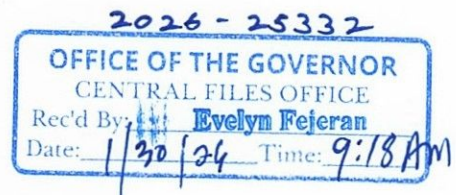
APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 2/11/2026

Public Law No. 38-97



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

Bill No. 169-38 (COR)

As amended by the Committee on Health
and Veterans Affairs; and further amended on the Floor.

Introduced by:

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

**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.**

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

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

5 *I Liheslaturan Guåhan* finds that the current Community Health Centers
6 Program, administered under the Department of Public Health and Social Services

1 (DPHSS) pursuant to Title 10 GCA Chapter 3 Article 8, requires modernization to
2 fully meet federal compliance standards. The transition of the program to an
3 autonomous agency model will ensure stronger oversight, better governance, and
4 alignment with federal requirements, including the Health Resources and Services
5 Administration (HRSA) Health Centers Program Compliance Manual.

6 *I Liheslaturan Guåhan* finds that that the current community health centers
7 program on Guam faces compliance challenges. The transition of the Guam
8 Community Health Centers as an autonomous agency will address these challenges
9 by ensuring full compliance with federal requirements, including the governance and
10 other standards set forth by the Health Resources and Services Administration
11 (HRSA). This alignment with HRSA guidelines will facilitate the ability to secure
12 and effectively administer federal grants, ensuring the sustainability and expansion
13 of critical health services for Guam’s residents.

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

19 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish the Guam
20 Community Health Centers as a public corporation and autonomous instrumentality
21 within the Government of Guam, providing it with the authority, governance
22 structure, and resources needed to fulfill its mission of providing basic quality health
23 care to the people of Guam.

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

25 **“ARTICLE 8**

26 **GUAM COMMUNITY HEALTH CENTERS**

27 § 3801. Legislative Intent and Purpose.

1 There is hereby established within the Government of Guam, a public
2 corporation and autonomous instrumentality called the Guam Community
3 Health Centers (GCHC) to be administered by the Guam Community Health
4 Centers Board of Directors (GCHCBD) and a Community Health Center
5 Chief Executive Officer. The GCHC shall cover regions of Guam as the
6 GCHCBD determines. The Guam Community Health Center Board and Chief
7 Executive Officer shall adhere to the federal program requirements as
8 stipulated by the Health Resources & Services Administration (HRSAs) rules
9 and regulations.

10 **§ 3804. Personnel.**

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

17 (a) There is hereby established within the GCHC, the
18 administrative position of Community Health Center Chief Executive
19 Officer, who shall be responsible for managing the overall operations,
20 finances, personnel, and facilities of the community health centers in
21 accordance with the mission, vision, values, GCHCBD approved
22 policies, Strategic Plan, and other operational policies.

23 (1) Salary. The salary of the Community Health Center
24 Chief Executive Officer shall be based upon the national
25 standard of Community Health Center Chief Executive Officers
26 of Federally Qualified Health Centers in the U.S., subject to

1 availability of funds for FY 2025, and included in all subsequent
2 budgets.

3 (b) There is hereby established within the GCHC, the senior
4 administrative financial position of Chief Financial Officer. The
5 responsibility of the position shall include, but is not limited to,
6 assisting the Chief Executive Officer and the GCHCBD in the
7 development, implementation and coordination of the GCHC's
8 financial policy, fund management, internal audits, billings and
9 collection, and, the performance of all other associated administrative
10 functions and tasks as are necessary in directly providing and ensuring
11 sound fiscal stability and support for the GCHC.

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

17 (c) There is hereby established within the GCHC, the
18 administrative and clinical position of Medical Director. The
19 responsibility of the position shall include, but is not limited to,
20 assisting the Community Health Center Chief Executive Officer and
21 GCHCBD in the development, implementation and coordination of the
22 Program's medical services policy and the performance of associated
23 administrative tasks, and directly providing clinical medical support for
24 all medical services provided by the GCHC.

25 The Medical Director shall preferably be a board certified or board
26 eligible physician specialist in a medical field deemed to be an appropriate,

1 requisite field of practice, or multiple field specialties, as is necessary to best
2 meet the mandates and needs of the GCHC.

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

6 (1) Salary. The salary of the Medical Director shall be
7 based upon the national standard for Community Health Center
8 Medical Directors in the U.S., subject to availability of funds for
9 FY 2025, and included in all subsequent budgets.

10 (d) Amendment of Position Description. The GCHCBD shall,
11 in keeping with the provisions of Article 3- Rule Making Procedures,
12 of Chapter 9, Title 5, Guam Code Annotated, review and amend, as
13 may be necessary, the position descriptions adopted pursuant to
14 Subsections (a), (b), and (c) of this Section.

15 **§ 3805. General Duties.**

16 The general duties of the CEO are:

17 (a) to oversee the maintenance and operation of all existing
18 community health centers and implement measures approved and
19 promulgated by the Guam Community Health Centers Board of
20 Directors or GCHCBD;

21 (b) to maintain and initiate the updating of Fees Schedule in
22 effect;

23 (c) to initiate the budgetary requirements, for both Federal and
24 local funding, of the GCHC;

25 (d) to account for all generated revenues and prepare periodic
26 reports required;

1 (e) to administer the Community Health Center Revolving
2 Fund for the Guam Community Health Centers and initiate the required
3 periodic Statement of Condition of such Fund;

4 (f) to provide administrative support and refer matters
5 needing advice or approval to the GCHCBD;

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

13 (h) to perform other duties as may be assigned by the
14 GCHCBD.”

15 **§ 3806. Federal Grants.**

16 The Guam Community Health Center shall comply with all Federal
17 requirements and procedures necessary for the administration of grant
18 programs. The CEO, Program Manager, or designee shall have the authority
19 to apply for Federal Grants.

20 **§ 3807. Authority to Set Fees.**

21 The CEO in consultation with and upon approval of the GCHCBD is
22 authorized to establish fees for health care services in accordance with the
23 Administrative Adjudication Law and as may be required to qualify for grant
24 programs. The fees shall not be deterrent to receiving health care.

25 **§ 3808. Establishment of Regional Community Health**
26 **Centers.**

1 The following Regional Community Health Centers established in the
2 past by virtue of Executive Orders and laws specifically issued for the purpose
3 may hereafter be governed by the GCHCBD and provisions of this Act:

4 (a) the Southern Regional Community Health Center
5 ('SRCHC'), located in the village of *Inalåhan*, which is tasked to
6 provide quality comprehensive primary health care services to all the
7 residents of Guam;

8 (b) the Northern Regional Community Health Center
9 ('NRCHC'), located in the Village of Dededo, which is tasked to
10 provide quality comprehensive primary health care services to all the
11 residents of Guam; and

12 (c) such other regional community health centers that may
13 later be established by the GCHCBD for similar purpose.

14 **§ 3809. Contractual Service.**

15 The CEO in consultation with and upon approval of the GCHCBD may
16 enter into a contractual agreement with other government agencies or health
17 care provider(s) to provide either, totally or partially, Community Health
18 Center services. The GCHCBD or CEO shall also negotiate contractual
19 agreement for reimbursement of services by the beneficiaries of Health
20 Insurance Providers or Health Maintenance Organization or other entities
21 providing health benefits, or shall allow those government agencies or health
22 care providers to seek reimbursement for their services rendered in the
23 Community Health Centers.

24 **§ 3810. Primary and Urgent Care Service.**

25 The Community Health Center may provide primary and urgent care
26 services based on the unavailability of such service in the community and may

1 enter into a contractual agreement with the Guam Memorial Hospital
2 Authority or other health care providers to provide such service.

3 **§ 3811. Revolving Fund.**

4 (a) Community Health Center Revolving Fund. There is hereby
5 established a Community Health Center Revolving Fund (Fund) to be
6 maintained by the CEO of the Community Health Centers. The Fund shall be
7 established and maintained in a bank account apart and separate from the
8 General Fund or any other bank account(s) of the government of Guam, and
9 shall not be co-mingled with, or a part of, the General Fund. All funds due or
10 accruing to the account from whatever source(s), as provided or authorized
11 pursuant to applicable law, inclusive of any interest, shall be deposited in the
12 Fund in its entirety immediately upon receipt by the government of Guam.

13 (1) The CEO of Community Health Centers shall report
14 monthly and maintain full compliance with all financial reporting
15 requirements of the government of Guam pursuant to applicable law.

16 (2) Any and all collections deposited into and/or expenditures
17 from the Fund shall be reported to the members of the GCHCBD.

18 (b) Independent Records and Accounts. The Fund shall be
19 maintained separate and apart from all other government funds; have an
20 independent records and accounts concerning the Fund; and audited as
21 directed by the GCHCBD or the Office of Public Accountability and shall
22 provide *I Maga'hågan/Maga'låhen Guåhan* and *I Liheslaturan Guåhan* a
23 copy of the audited report.

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

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

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

7 (2) payment(s) for supplies;

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

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

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

16 (6) Program income shall not be redirected, reprogrammed, or
17 used for any purpose other than the Guam Community Health Centers
18 operations.

19 (e) Accounts Receivables. The Community Health Centers CEO, in
20 consultation with and upon approval of the GCHCBD, is hereby authorized to
21 pursue accounts receivables payment in whatever manner allowable by law,
22 including contractual services for collection and tax refund garnishments. The
23 Community Health Centers CEO shall promulgate rules and regulations
24 through the Administrative Adjudication Law governing collection and
25 reduction of uncollectible accounts receivables.

26 (f) The Community Health Centers CEO in consultation with and
27 upon approval of the GCHCBD shall submit an annual spending plan for the

1 Fund in accordance with and at the same time as the Bureau of Budget and
2 Management Research budget call.

3 (g) The Community Health Center CEO shall, by no later than the
4 20th day of each quarter, submit a financial report relative to the status and
5 activities of the Community Health Center Revolving Fund. The quarterly
6 report shall be submitted, via the Office of *I Maga'hågan/Maga'låhen*
7 *Guåhan*, to the Speaker of *I Liheslaturan Guåhan*, and the Chairpersons of
8 the Committee on Finance, and the Committee on Health of *I Liheslaturan*
9 *Guåhan*. The report shall, at a minimum, contain:

10 (1) all expenditures and encumbrances (monthly and year-to-
11 date);

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

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

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

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

20 (i) The funds shall be exempt from all transfer authority granted to
21 the Director of the Department of Administration, the Director of Department
22 of Public Health and Social Services and *I Maga'hågan/Maga'låhen Guåhan*.

23 **§ 3812. Fee Schedule.**

24 (a) The GCHCBD is hereby authorized to implement a fee schedule.
25 The provision of this Act shall be repealed upon subsequent submission and
26 approval of the fee schedule through the Administrative Adjudication Law.
27 The fee schedule must give discounts accordingly to the Federal Income

1 Poverty Guideline. The health centers must operate in a manner such that no
2 patient shall be denied service due to an individual's inability to pay.

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

6 (1) The Program shall submit a billing claim to the Guam
7 Medically Indigent Program Administrator for the necessary amount to
8 recover the cost of services rendered to the Medically Indigent Program
9 patients at the fee schedule rates established for reimbursement
10 pursuant to applicable law, rules and regulations.

11 (A) Notwithstanding any other provision of law, rule or
12 regulation, for the purposes of billing and collections, the
13 Community Regional Health Centers Program shall be deemed
14 apart and separate from the Department, and the Guam Medically
15 Indigent Program shall promptly remit payment to the Program
16 as reimbursement for services rendered to MIP patients, for
17 deposit into the Community Health Center Revolving Fund.

18 **§ 3813. Guam Community Health Centers Board of Directors**
19 **(GCHCBD).**

20 GCHCBD Established. There shall be established a Guam Community
21 Health Centers Board of Directors ("GCHCBD") to serve in a governing
22 capacity and maintains oversight of the Community Health Centers.

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

1 (1) The health center’s governing board must consist of at
2 least nine (9) and no more than twenty-five (25) members.

3 (2) The majority [at least fifty-one percent (51%)] of the
4 health center board members must be patients served by the health
5 center. Patient board members are also often referred to as “user” or
6 “consumer” board members. However, for the purposes of this Chapter,
7 only the term “patient” or “non-patient” board member will be used for
8 ease of reference. These health center patient board members must, as
9 a group, represent the individuals who are served by the health center
10 in terms of demographic factors, such as race, ethnicity, and gender.

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

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

20 (5) A health center board member may not be an employee of
21 the center, or spouse or child, parent, brother or sister by blood or
22 marriage of such an employee. The CEO may be a non-voting, *ex-*
23 *officio* member of the board.

24 (6) The health center bylaws or other internal governing rules
25 must prescribe the process for selection and removal of all governing
26 board members. This selection process must ensure that the governing
27 board is representative of the health center patient population. The

1 selection process in the bylaws or other rules is subject to approval by
2 HRSA.

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

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

11 (d) Compensation. The compensation that members of the
12 GCHCBD may receive shall be the compensation provided by Guam law.

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

16 **§ 3814. Duties of Guam Community Health Centers Board of**
17 **Directors.**

18 The GCHCBD shall develop bylaws which specify the responsibilities
19 of the board, review and approve the plans and programs of the Community
20 Health Center and for that purpose shall perform the following duties:

21 (a) review and approve the annual budget for the Community Health
22 Centers;

23 (b) review and approve the three (3) - year Plan and its annual update
24 for the Community Health Centers;

25 (c) periodically review available and needed services provided by
26 the Centers;

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

4 (e) review and comment on all new and renewed Federal grants
5 applications.

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

8 (g) may approve by resolution a Memorandum of Understanding
9 between the Community Health Centers and the Department of Revenue and
10 Taxation to garnish income tax refunds of recipients of products and services
11 rendered by the Community Health Centers who have not fulfilled their
12 payment obligation for said products and services. The Board shall adopt a
13 policy to govern the referral of such tax refund garnishment requests to the
14 Department of Revenue and Taxation.

15 **§ 3815. Transition to Full Autonomy.**

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

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

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

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

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

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

13 (1) Developing and implementing its own financial
14 management system, including accounting, payroll, and other internal
15 fiscal controls.

16 (2) Establishing a human resource management system for
17 hiring.

18 (3) Assist the GCHC in developing and adopting procurement
19 rules and procedures consistent with applicable government and federal
20 guidelines.

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

24 (g) Upon request by the GCHC and with notification submitted to *I*
25 *Maga'hågan/Maga'låhen Guåhan* and *I Liheslaturan Guåhan*, the transition
26 period may be extended for one (1) year at a time, not to exceed a total of

1 three (3) additional years. Any request for extension shall include a status
2 report on transition progress and a revised timeline for completion.

3 **§ 3816. Repeal.**

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

6 **§ 3817. Effective Date.**

7 The provisions contained in this Act shall take effect upon enactment.

8 **§ 3818. Severability.**

9 If any of the provisions of this Act or the application thereof to any
10 person or circumstance are held invalid, such invalidity shall not affect any
11 other provision or application of this Act, which can be given effect without
12 the invalid provision or application, and to this end the provisions of this Act
13 are severable.”

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

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