

*I Mina'Trentai Kuáttro Na Liheslaturan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
125-34 (COR) As substituted by the Committee on Health, Tourism, Military Affairs and Senior Citizens; and amended on the Floor.	Dennis G. Rodriguez, Jr. Joe S. San Agustin Fernando B. Esteves Tommy A. Morrison FRANK B. AGUON, JR. William M. Castro Telena C. Nelson Louisa B. Muñoz	AN ACT TO ADD A NEW § 12208 (h) TO CHAPTER 12, PART 1, ARTICLE 2 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF A VISITING PHYSICIAN TEMPORARY PERMIT.	6/23/17 4:52 p.m.	7/5/17	Committee on Health, Tourism, Military Affairs and Senior Citizens	11/9/17 6:00 p.m.	11/20/17 4:30 p.m.	Fiscal Note Request 7/5/17  Fiscal Note Waiver 7/14/17	
	<b>SESSION DATE</b>	<b>TITLE</b>	<b>DATE PASSED</b>	<b>TRANSMITTED</b>	<b>DUE DATE</b>	<b>NOTES</b>			
	1/22/2018	AN ACT TO ADD A NEW § 12208(h) TO ARTICLE 2, PART 1, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF A VISITING PHYSICIAN TEMPORARY PERMIT.	01/26/18	01/29/18 1:45 p.m.	2/9/18				



**COPY**

*I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÅHAN*  
Thirty-Fourth Guam Legislature

January 29, 2018

The Honorable Edward J.B. Calvo  
*I Maga'lahen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam*

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill Nos. 124-34 (COR), 167-34 (LS), 168-34 (COR), 187-34 (COR), 196-34 (COR), and 201-34 (LS); and Substitute Bill Nos. 86-34 (COR), 125-34 (COR), 202-34 (LS), and 210-34 (COR) which were passed by *I Mina'Trentai Kuáttro Na Liheslaturan Guåhan* on January 26, 2018.

Sincerely,

RÉGINE BISCOE LEE  
Legislative Secretary

Enclosure (10)

OFFICE OF THE GOVERNOR  
CENTRAL FILES

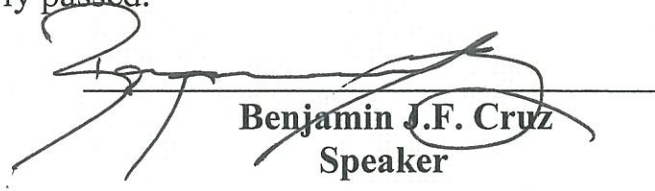
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TIME 1:45pm DATE 1/29/18




*I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN*  
2018 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÁHEN GUÁHAN*


This is to certify that Substitute Bill No. 125-34 (COR), "AN ACT TO ADD A NEW § 12208(h) TO ARTICLE 2, PART 1, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF A VISITING PHYSICIAN TEMPORARY PERMIT," was on the 26<sup>th</sup> day of January 2018, duly and regularly passed.

  
Benjamin J.F. Cruz  
Speaker

Attested:

  
Régine Biscoe Lee  
Legislative Secretary

This Act was received by *I Maga'láhen Guáhan* this 29 day of JAN,  
2018, at 1:45 o'clock P.M.

  
Assistant Staff Officer  
*Maga'láhi's Office*

APPROVED:

EDWARD J.B. CALVO  
*I Maga'láhen Guáhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

***I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN***  
**2017 (FIRST) Regular Session**

**Bill No. 125-34 (COR)**

As substituted by the Committee on Health,  
Tourism, Military Affairs and Senior Citizens;  
and amended on the Floor.

Introduced by:

Dennis G. Rodriguez, Jr.  
Joe S. San Agustin  
Fernando B. Esteves  
Tommy Morrison  
FRANK B. AGUON, JR.  
William M. Castro  
Telena Cruz Nelson  
Louise B. Muña  
Thomas C. Ada  
B. J.F. Cruz  
James V. Espaldon  
Régine Biscoe Lee  
Michael F.Q. San Nicolas  
Therese M. Terlaje  
Mary Camacho Torres

**AN ACT TO *ADD* A NEW § 12208(h) TO ARTICLE 2,  
PART 1, CHAPTER 12, TITLE 10, GUAM CODE  
ANNOTATED, RELATIVE TO THE ESTABLISHMENT  
OF A VISITING PHYSICIAN TEMPORARY PERMIT.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
3 acknowledges the relationship that exists in our medical community with health care  
4 professionals in other countries in Asia. Our patients are referred to and receive  
5 health care in the Philippines, Taiwan, and other Asian countries on a daily basis.

1 Referrals are sanctioned by both the private and government sectors, and this process  
2 enables our health providers to consult with physicians in these countries to ensure  
3 quality outcomes for our people. *I Liheslaturan Guåhan* recognizes that the shortage  
4 of primary healthcare providers causes chronic delays in patients seeking medical  
5 care. Oftentimes, this delay causes minor concerns to become greater concerns due  
6 to the lack of timely attention, and thus results in greater anguish and cost for the  
7 patient. The early identification of medical issues has proven time and again to effect  
8 the greatest possible outcome.

9 *I Liheslaturan Guåhan* recognizes that at times there are opportunities for  
10 physicians practicing outside of Guam to provide services, of either an emergency  
11 or charitable nature, which would be of great benefit to the residents of Guam,  
12 without impeding the licensing structure established and mirrored in the United  
13 States medical profession.

14 *I Liheslaturan Guåhan* further recognizes that the state of Texas and other  
15 states have mechanisms that allow for such temporary services.

16 It is, therefore, the intent of *I Liheslaturan Guåhan*, in recognizing the  
17 invaluable contributions that these medical professionals can provide to alleviate the  
18 shortage of health providers we have on our island, to establish a Visiting Physician  
19 Temporary Permit within the Guam Board of Medical Examiners (GBME).

20 **Section 2.** A new § 12208(h) is *added* to Article 2, Part 1, Chapter 12,  
21 Title 10, Guam Code Annotated, to read:

22 “(h) The Board may issue a visiting physician temporary permit to  
23 practice medicine to an applicant who intends to practice under the  
24 supervision of a licensed Guam physician, excluding training in postgraduate  
25 training programs:

- 26 (1) for educational purposes;

1 (2) to practice charity care to underserved populations in  
2 Guam; provided, that the supervising physician or visiting physician  
3 may not impose fees or receive compensation for the care they provide,  
4 as further defined in 7 GCA § 16102(e);

5 (3) in cases of declared emergency disasters;

6 (4) for the provision of forensic psychiatric examinations  
7 related to criminal matters; or

8 (5) for the provision of charitable specialized medical care for  
9 which the applying physician has demonstrated good cause for the  
10 issuance of the permit.

11 (6) A visiting physician must not have a medical license that  
12 is under restriction, disciplinary order, or probation in another state,  
13 territory, or country.

14 (7) A visiting physician must be supervised by a physician  
15 who:

16 (A) has an unrestricted license in Guam;

17 (B) has not been the subject of a disciplinary order,  
18 unless the order was administrative in nature; and

19 (C) takes responsibility for the visiting physician during  
20 his/her stay in Guam, and must remain the patient's primary  
21 physician.

22 (8) A visiting physician must present written verification from  
23 the physician who will be supervising the applicant that the physician  
24 will provide continuous supervision of the applicant. Constant physical  
25 presence of the physician is not required, but the physician must remain  
26 readily available.

1 (9) A visiting physician must present written verification from  
2 the supervising physician as to the purpose for the requested permit.

3 (10) A visiting physician may not maintain an office in Guam,  
4 or appoint a place in Guam for seeing, examining or treating a patient,  
5 or any other activity that the Board designates as exempt from the  
6 application.

7 (11) Except in emergency cases, a visiting physician temporary  
8 permit application must be submitted no later than sixty (60) days prior  
9 to the visiting physician entering Guam. Applications not adjudicated  
10 by the Health Professional Licensing Office by the sixty-first (61<sup>st</sup>) day  
11 following submission *shall* automatically be approved.

12 (12) Visiting physician temporary permits *shall* be valid for no  
13 more than ten (10) working days, and for a specified locale and purpose.  
14 The Board may extend the length of the temporary permit for up to an  
15 additional ten (10) days if the applicant shows good cause for why the  
16 extended time is needed.

17 (13) Due to the charitable and emergency nature of the service,  
18 there shall be no fee assessed for the visiting physician temporary  
19 permit.

20 (14) Liability protection for the charitable and uncompensated  
21 care provided by the visiting physician is provided for in 7 GCA,  
22 Chapter 16 (Volunteer Liability Protection).”

23 **Section 3.** The GBME *shall* promulgate rules to implement the provisions  
24 of this Act within ninety (90) days of enactment.

25 **Section 4. Severability.** If any provision of this Act or its application to  
26 any person or circumstance is found to be invalid or contrary to law, such invalidity  
27 *shall not* affect other provisions or applications of this Act that can be given effect

1 without the invalid provisions or application, and to this end the provisions of this  
2 Act are severable.

3 **Section 5. Effective Date.** This Act *shall* become effective upon  
4 enactment.