

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES | NOTES |
|--------------|---------------------|--|----------------------|--------------------|---|-----------------------|-----------------------------|-----------------|-------|
| 302-35 (COR) | Louise B. Muña | AN ACT TO ADD A NEW § 18903 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, AND TO AMEND THE TITLE OF ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING HEALTH INSURANCE COMPANIES FROM CANCELLING OR REDUCING COVERED BENEFITS FOR COVERED PATIENTS WHO ENROLL IN QUALIFIED CLINICAL TRIALS. | 2/24/20 9:28 a.m. | 10/21/20 | Committee on Public Accountability, Human Resources, and the Guam Buildup | 11/19/20 5:00 p.m. | 12/9/20 11:30 a.m. | Waiver: 3/27/20 | |
| | SESSION DATE | TITLE | DATE PASSED | TRANSMITTED | DUE DATE | NOTES | | | |
| | 12/7/20 | AN ACT TO ADD A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED; AND TO AMEND THE HEADING TITLE OF ARTICLE 9, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING HEALTH INSURANCE COMPANIES FROM CANCELLING OR REDUCING COVERED BENEFITS FOR COVERED PATIENTS WHO ENROLL IN QUALIFIED CLINICAL TRIALS. | 12/17/20 | 12/17/20 | 12/29/20 | | | | |



COPY

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
Thirty-Fifth Guam Legislature

December 17, 2020

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are **Bill Nos. 302-35 (COR), 304-35 (COR), 314-35 (LS), 353-35 (COR), 368-35 (LS), 373-35 (COR), 396-35 (COR), 400-35 (COR), 402-35 (COR), 415-35 (COR), and 417-35 (COR);** and **Substitute Bill Nos. 56-35 (COR), 62-35 (COR), and 340-35 (COR),** which were passed by *I Mina'trentai Singko Na Liheslaturan Guåhan* on December 17, 2020.

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

Enclosure (14)

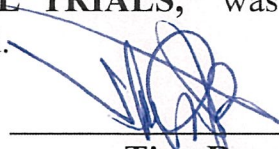
RO3 MS
MS
10:26 pm 12.17.20



I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session


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

This is to certify that **Bill No. 302-35 (COR)**, “AN ACT TO *ADD* A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED; AND TO *AMEND* THE HEADING TITLE OF ARTICLE 9, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING HEALTH INSURANCE COMPANIES FROM CANCELLING OR REDUCING COVERED BENEFITS FOR COVERED PATIENTS WHO ENROLL IN QUALIFIED CLINICAL TRIALS,” was on the 17th day of December 2020, duly and regularly passed.



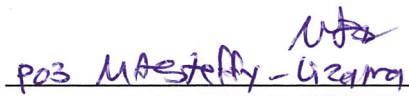
Tina Rose Muña Barnes
Speaker

Attested:



Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 17th day of Dec,
2020, at 10:26 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 302-35 (COR)

Introduced by:

Louise B. Muña
William M. Castro
Régine Biscoe Lee
Kelly Marsh (Taitano), PhD
James C. Moylan
Tina Rose Muña Barnes
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Jose “Pedo” Terlaje
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *ADD* A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED; AND TO *AMEND* THE HEADING TITLE OF ARTICLE 9, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING HEALTH INSURANCE COMPANIES FROM CANCELLING OR REDUCING COVERED BENEFITS FOR COVERED PATIENTS WHO ENROLL IN QUALIFIED CLINICAL TRIALS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the *Patient Protection and Affordable Care Act* (ACA) provided protection from
4 cancellation of insurance coverage for patients with cancer and other serious

1 illnesses who are enrolled in a clinical trial. Cancellation protection does not include
2 any mandates for coverage of any part of the cost of the clinical trial. The
3 cancellation protection is limited to coverage for routine treatment costs based on
4 the assumption that the patients are not enrolled in clinical trials. Although Guam is
5 covered by the ACA's employer mandate, the Guam Department of Revenue and
6 Taxation concluded that Guam is not subject to the cancellation protections afforded
7 to other residents of the United States while enrolled in a clinical trial.

8 Therefore, it is the intent of *I Liheslaturan Guåhan* to ensure that health
9 insurance companies maintain routine coverage for patients who enroll in a clinical
10 trial.

11 **Section 2.** A new § 18902 is *added* to Article 9 of Chapter 18, Title 22,
12 Guam Code Annotated, to read as follows:

13 **“§ 18902. Coverage of Routine Costs of Care During Approved**
14 **Clinical Trials.**

15 (a) A health insurance company or healthcare plan shall continue
16 coverage of routine costs for any insured during the approved clinical trial.

17 (b) For the purposes of this Section, routine costs of care include any
18 treatments, procedures, and services the insured may need while participating
19 in the clinical trial that would normally be covered if the insured were not
20 participating in a trial.

21 (c) For the purposes of this Section, approved clinical trials are
22 designed to study new methods to prevent, detect, or treat cancer or another
23 life-threatening illness. An approved clinical trial must meet any of the
24 following conditions:

25 (1) be federally approved or funded - this means that one (1)
26 or more of the organizations listed below approved or funded the
27 clinical trial:

1 (A) the National Institutes of Health (NIH), including
2 organizations under the NIH such as the National Cancer
3 Institute (NCI);

4 (B) organizations funded by the NIH or NCI, including
5 academic institutions, designated cancer centers, and cooperative
6 groups;

7 (C) the Centers for Disease Control and Prevention
8 (CDC);

9 (D) the Agency for Health Care Research and Quality
10 (ARHQ);

11 (E) the Center for Medicare and Medicaid Services
12 (CMS);

13 (F) the Department of Defense, the Department of
14 Veteran Affairs, or the Department of Energy, if the trial is
15 subject to unbiased, scientific review that is similar to NIH
16 requirements;

17 (2) have an investigational new drug application; or

18 (3) be excused from investigational new drug application
19 requirements.

20 (d) Health insurance companies or healthcare plans are not required
21 to cover the cost of any clinical trials.”

22 **Section 3.** The heading title of Article 9 of Chapter 18, Title 22, Guam Code
23 Annotated, is *amended* to read as follows:

24 **“ARTICLE 9**

25 **HEALTH INSURANCE COVERAGE”**