

*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
66-35 (COR)	Therese M. Terlaje	AN ACT TO AMEND § 2912 (P) OF ARTICLE 9, CHAPTER 2 OF DIVISION 1, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO INCREASING THE AGE QUALIFICATION AND INSURANCE CAP AMOUNT FOR THE TREATMENT OF AUTISM SPECTRUM DISORDER (ASD).	3/14/19 10:23 a.m.	4/1/19	Committee on Health, Tourism, Historic Preservation, Land, and Justice			Request 4/1/19 Fiscal Note: 4/8/19	

Senator Amanda L. Shelton,  
Vice Chairperson

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telen Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), Ph.D.,  
Member

Senator Sabina Flores Perez  
Member

Senator Clynton E. Ridgell  
Member



**COMMITTEE ON RULES**  
**SENATOR RÉGINE BISCOE LEE, CHAIR**  
*I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

April 8, 2019

Senator Joe S. San Agustin,  
Member

Senator Jose T. Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and  
Chair, Subcommittee on Protocol

# MEMO

**To:** Rennae Meno  
Clerk of the Legislature

**From:** Senator Régine Biscoe Lee  
Chairperson, Committee on Rules

**Re:** Fiscal Note

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*Buenas yan Håfa adai.*

Attached, please find the fiscal note for the following bill:

**Bill No. 66-35 (COR)**

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 66-35 (COR)**

**AN ACT TO AMEND § 2912 (p) OF ARTICLE 9, CHAPTER 2 OF DIVISION 1, TITLE 10, GUAM CODE ANNOTATE RELATIVE TO THE INCREASING THE AGE QUALIFICATION AND INSURANCE CAP AMOUNT FOR THE TREATMENT OF AUTISM SPECTRUM DISORDER (ASD)**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b>	<b>Government-Wide</b>	<b>Dept./Agency Head:</b>	<b>Lourdes A. Leon Guerrero</b>
<b>Department's General Fund (GF) appropriation(s) to date: FY2019</b>			<b>630,521,037</b>
<b>Department's Other Fund (Specify) appropriation(s) to date: FY2019</b>			<b>247,883,441</b>
<b>Total Department/Agency Appropriation(s) to date: FY2019</b>			<b>878,404,478</b>

**Fund Source Information of Proposed Appropriation**

	<b>General Fund:</b>	<b>(Specify Special Fund):</b>	<b>Total:</b>
<b>FY 2018 Unreserved Fund Balance</b>		\$0	\$0
<b>FY 2019 Adopted Revenues</b>	\$0	\$0	\$0
<b>FY 2019 Appro. (P.L. 34-116 thru )</b>	\$0	\$0	\$0
<b>Sub-total:</b>	\$0	\$0	\$0
<b>Less appropriation in Bill</b>	\$0	\$0	\$0
<b>Total:</b>	\$0	\$0	\$0

**Estimated Fiscal Impact of Bill**

	<b>One Full Fiscal Year</b>	<b>For Remainder of FY 2019 (if applicable)</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>General Fund 1/</b>	-	-	-	-	-	-
<b>Special Fund 1/</b>	-	-	-	-	-	-
<b>Total 1/</b>	\$0	\$0	\$0	\$0	\$0	\$0

**Footnotes:** Impact based on the median 2% increase

- |   |            |         |        |
|---|------------|---------|--------|
| 1. Does the bill contain "revenue generating" provisions?<br>If Yes, see attachment   |            | / / Yes | /X/ No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?<br>If no, what is the additional amount required? \$ _____  | /X/ N/A    | / / Yes | / / No |
| 3. Does the Bill establish a new program/agency?<br>If yes, will the program duplicate existing programs/agencies?<br>Is there a federal mandate to establish the program/agency? | /X/ N/A    | / / Yes | /X/ No |
| 4. Will the enactment of this Bill require new physical facilities?   |            | / / Yes | /X/ No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:<br>/ / Requested agency comments not received by due date                                   | /X/ Other: | /X/ Yes | / / No |

<b>Analyst:</b> <u>Koleena Datu, BMA I</u>	<b>Date:</b> <u>4/5/19</u>	<b>Director:</b> <u>Lester L. Carlson, Jr., Acting Director</u>	<b>Date:</b> <u>APR 08 2019</u>
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**Footnotes:**  
1/ See comments attached.

**Comment on Legislative Bill No. 66-35 (COR)**

Legislative Bill No. 66-35 seeks to amend §2912 of Article 9, Chapter 2 of Division 1, Title 10, Guam Code Annotated, relative to increasing the age qualification and insurance cap amount for the treatment of Autism Spectrum Disorder (ASD).

Currently, Section 2, item (p) for ASD states that “A Fifty Thousand Dollars (\$50,000) maximum benefit per year for an eligible person up to the age of nine (9). The treatment of ASD shall be limited to a Twenty-five Thousand Dollars (\$25,000) maximum benefit per year for an eligible person who is between the ages of nine (9) to the age of twenty-one (21).”

The Bill seeks to amend the \$50,000 maximum benefit per year to \$75,000 and change the age range from the age of nine (9) to the age of fifteen (15). In addition, the \$25,000 maximum benefit per year for an eligible person who is between the ages of nine (9) to twenty-one (21) was amended to age sixteen (16) to twenty-one (21).

An expansion of coverage for ASD may have a fiscal impact by having an effect on the insurance premiums. According to the Council for Affordable Health Insurance, an autism mandate may increase the cost of health insurance by about 1% and if the incidence for autism becomes more prevalent, the cost of insurance may increase 1% to 3%. With the most recent studies, Autism Statistics from the U.S. Centers for Disease Control and Prevention (CDC) estimated that autism affects 1 in 59 children, which increased from 1 in 68 in the previous two years. The Guam Early Intervention System (GEIS) and the Guam Department of Education reported in 2016 that roughly 260 individuals as having met the criteria for ASD that are ages 3-21, however this does not include those that are in private schools, home schools, and those pending to be evaluated. Presumably, the number of individuals increased since.

Based on this information, the potential additional cost impact may increase the cost of health insurance by the following (See Exhibit A):

Total Additional Cost Impact	
Low (1% increase)	\$ 688,202.89
Median (2% increase)	\$ 1,376,405.77
High (3% Increase)	\$ 2,064,608.66

It is noteworthy to mention that the percentage is an estimate and will vary for Guam due to a smaller member population. In addition, a review of the current rates from the prior year since the initial implementation of the ASD mandate in FY2017 was conducted and the precision of the variances is undetermined as to whether the ASD mandate had the major impact or minimal impact on the premium rates due to other variables that may have had an effect on the rates.

Moreover, attached is a comment from the Department of Public Health and Social Services (DPHSS) in support of the intent of Bill No. 66-35. As per DPHSS, the Bill would not have an impact on the Medicaid and Medically Indigent Program.

**EXHIBIT A: Group Medical Insurance for Fiscal Year 2019**

FY 2019											
Type	Class	Gov	Emp	Total	Active Members	Government Share	Employee Share	Total	1% Increase	2% Increase	3% Increase
SC 2000	I	47.90	1.35	49.25	1,215	1,513,161.00	42,646.50	1,555,807.50	15,131.61	30,263.22	45,394.83
	II	76.37	26.39	102.76	217	430,879.54	148,892.38	579,771.92	4,308.80	8,617.59	12,926.39
	III	64.24	21.94	86.18	372	621,329.28	212,203.68	833,532.96	6,213.29	12,426.59	18,639.88
	IV	106.59	36.89	143.48	520	1,441,096.80	498,752.80	1,939,849.60	14,410.97	28,821.94	43,232.90
SC 1500	I	96.59	60.62	157.21	1,800	4,520,412.00	2,837,016.00	7,357,428.00	45,204.12	90,408.24	135,612.36
	II	175.65	151.57	327.22	341	1,557,312.90	1,343,819.62	2,901,132.52	15,573.13	31,146.26	46,719.39
	III	147.63	126.55	274.18	658	2,525,654.04	2,165,017.40	4,690,671.44	25,256.54	50,513.08	75,769.62
	IV	243.82	211.25	455.07	713	4,519,935.16	3,916,152.50	8,436,087.66	45,199.35	90,398.70	135,598.05
TC 2000	I	47.90	1.94	49.84	163	203,000.20	8,221.72	211,221.92	2,030.00	4,060.00	6,090.01
	II	76.37	26.63	103.00	42	83,396.04	29,079.96	112,476.00	833.96	1,667.92	2,501.88
	III	64.24	22.63	86.87	50	83,512.00	29,419.00	112,931.00	835.12	1,670.24	2,505.36
	IV	106.59	36.76	143.35	92	254,963.28	87,929.92	342,893.20	2,549.63	5,099.27	7,648.90
TC 1500	I	96.59	23.78	120.37	809	2,031,674.06	500,188.52	2,531,862.58	20,316.74	40,633.48	60,950.22
	II	175.65	73.98	249.63	188	858,577.20	361,614.24	1,220,191.44	8,585.77	17,171.54	25,757.32
	III	147.63	62.19	209.82	456	1,750,301.28	737,324.64	2,487,625.92	17,503.01	35,006.03	52,509.04
	IV	243.82	102.76	346.58	568	3,600,733.76	1,517,559.68	5,118,293.44	36,007.34	72,014.68	108,022.01
<b>TOTAL COST FOR ACTIVE EMPLOYEE</b>					8,204	25,995,938.54	14,435,838.56	40,431,777.10	259,959.39	519,918.77	779,878.16

\* Number of Enrollees as of Dec 2018

FY 2019											
Type	Class	Gov	Emp	Total	Retiree	Government Share	Employee Share	Total	1% Increase	2% Increase	3% Increase
SC 2000	I	158.08	1.46	159.54	493	1,870,402.56	17,274.72	1,887,677.28	18,704.03	37,408.05	56,112.08
	II	304.86	28.59	333.45	98	717,030.72	67,243.68	784,274.40	7,170.31	14,340.61	21,510.92
	III	255.82	23.77	279.59	47	288,564.96	26,812.56	315,377.52	2,885.65	5,771.30	8,656.95
	IV	424.82	39.96	464.78	60	611,740.80	57,542.40	669,283.20	6,117.41	12,234.82	18,352.22
SC 1500	I	444.77	65.67	510.44	1,393	14,869,550.64	2,195,479.44	17,065,030.08	148,695.51	297,391.01	446,086.52
	II	898.22	164.20	1,062.42	330	7,113,902.40	1,300,464.00	8,414,366.40	71,139.02	142,278.05	213,417.07
	III	752.96	137.10	890.06	179	3,234,716.16	588,981.60	3,823,697.76	32,347.16	64,694.32	97,041.48
	IV	1,248.59	228.85	1,477.44	152	4,554,856.32	834,844.80	5,389,701.12	45,548.56	91,097.13	136,645.69
SC RSP	I	185.71	-	185.71	913	4,069,277.52	-	4,069,277.52	40,692.78	81,385.55	122,078.33
	II	370.90	-	370.90	167	1,486,567.20	-	1,486,567.20	14,865.67	29,731.34	44,597.02
TC 2000	I	159.88	2.10	161.98	22	84,416.64	1,108.80	85,525.44	844.17	1,688.33	2,532.50
	II	305.91	28.85	334.76	6	44,051.04	4,154.40	48,205.44	440.51	881.02	1,321.53
	III	257.80	24.51	282.31	6	37,123.20	3,529.44	40,652.64	371.23	742.46	1,113.70
	IV	426.06	39.83	465.89	8	81,803.52	7,647.36	89,450.88	818.04	1,636.07	2,454.11
TC 1500	I	365.43	25.76	391.19	133	1,166,452.56	82,225.92	1,248,678.48	11,664.53	23,329.05	34,993.58
	II	731.16	80.15	811.31	57	1,000,226.88	109,645.20	1,109,872.08	10,002.27	20,004.54	30,006.81
	III	614.55	67.37	681.92	32	471,974.40	51,740.16	523,714.56	4,719.74	9,439.49	14,159.23
	IV	1,015.07	111.32	1,126.39	30	730,850.40	80,150.40	811,000.80	7,308.50	14,617.01	21,925.51
TC RSP	I	188.22	-	188.22	59	266,519.52	-	266,519.52	2,665.20	5,330.39	7,995.59
	II	398.47	-	398.47	13	124,322.64	-	124,322.64	1,243.23	2,486.45	3,729.68
<b>TOTAL COST FOR RETIREE</b>					4,198	42,824,350.08	5,428,844.88	48,253,194.96	428,243.50	856,487.00	1,284,730.50

\* Number of Enrollees as of Dec 2018

Total Enrolled	Total Gov Share	Total Emp Share	Total	Low 1%	Median 2%	High 3%
12,402	\$ 68,820,288.62	\$ 19,864,683.44	\$ 88,684,972.06	\$ 688,202.89	\$ 1,376,405.77	\$ 2,064,608.66

\* Increase of percentage was only applied to the Government Share

Notes: BASIS	
<b>GovGuam Enrollment</b>	
Number of Members	12,402
Average Family Size	4
Average Amount of Children per Family	2
Number of Potential Children Enrolled	24,804
Potential Rate of Autism (1 out of 59)	420
<b>Potential Premium Rate Increase</b>	<b>1.7%</b>
<b>2010 Census Guam</b>	
Under 5 years	14,289
10-14 years	13,984
15-19 years	15,046
20-21 years (20-24 years: 12,379)	4,952
Total Population 0-21 years of age	48,271
Potential Rate of Autism (1 out of 59)	818
<b>Potential Premium Rate Increase</b>	<b>1.7%</b>
<b>Guam Early Intervention System (GEIS)</b>	
*Not including children in private schools, home schools, and pending evaluation	
3-5 years (Under 5 years: 14,289)	8,573
10-14 years	13,984
15-19 years	15,046
20-21 years (20-24 years: 12,379)	4,952
Total Population 3-21 years of age	42,555
Ages 3-21 Rough Estimate with Autism	260
<b>Potential Premium Rate Increase</b>	<b>0.61%</b>



LOURDES A. LEON GUERRERO  
GOVERNOR, MAGA HAGA

JOSHUA F. TENORIO  
LT. GOVERNOR, SIGUNDO MAGALAH

GOVERNMENT OF GUAM  
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES  
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



LINDA UNPINO DENORCEY, MPH  
DIRECTOR

LAURENT SF DUENAS, MPH, BSN, RN  
DEPUTY DIRECTOR

**Testimony on Bill 66-35**  
**March 22, 2019**

*Buenas!* Honorable Senator Therese M. Terlaje, Chairperson, and members of the Committee on Health, Tourism, Historic Preservation, Land and Justice.

The Department of Public Health and Social Services supports the intent of Bill No. 66-35 AN ACT TO AMEND § 2912 (P) OF ARTICLE 9, CHAPTER 2 OF DIVISION 1, TITLE 10, GUAM CODE ANNOTED REALTIVE TO INCREASING THE AGE QUALIFICATION AND INSURANCE CAP AMOUNT FOR THE TREATMENT OF AUTISM SPECTRUM DISORDER (ASD). It would not have an impact on the Medicaid and Medically Indigent Program (MIP). The Medicaid and MIP provides health coverage to adults, children, pregnant women, elderly adults and people with disabilities, and medical and medically necessary treatment services of ASD.