I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN

2020 (SECOND) Regular Session

LEGISLATIVE SESSION VOTING RECORD

Bill No. 302-35 (COR)	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building December 17, 2020					
NAME	**Aye**	**Nay**	**Not Voting/ Abstained**	**Out During Roll Call**	**Absent**	**Excused**
Senator William M. CASTRO	✓					
Senator Régine Biscoe LEE	✓					
Senator Kelly G. MARSH (TAITANO), PhD	✓					
Senator James C. MOYLAN						✓
Senator Louise B. MUÑA	✓					
Speaker Tina Rose MUÑA BARNES	✓					
Vice Speaker Telena Cruz NELSON						✓
Senator Sabina Flores PEREZ	✓					
Senator Clynton E. RIDGELL	✓					
Senator Joe S. SAN AGUSTIN	✓					
Senator Amanda L. SHELTON	✓					
Senator Telo T. TAITAGUE	✓					
Senator Jose "Pedo" TERLAJE	✓					
Senator Therese M. TERLAJE	✓					
Senator Mary Camacho TORRES	✓					

TOTAL:	13					2
	Aye	**Nay**	**Not Voting/ Abstained**	**Out During Roll Call**	**Absent**	**Excused**

CERTIFIED TRUE AND CORRECT:

RENNAE V. C. MENO
Clerk of the Legislature

I = Pass

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

Bill No. 302-35 (COR)

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Introduced by: Louise B. Muña

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.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the *Patient Protection and Affordable Care Act* (ACA) provided protection from cancellation of insurance coverage for patients with cancer and other serious illnesses who are enrolled in a clinical trial. Cancellation protection does not include any mandates for coverage of any part of the cost of the clinical trial. The cancellation protection is limited to coverage for routine treatment costs based on the assumption that the patients are not enrolled in clinical trials. Although Guam is covered by the ACA's employer mandate, the Guam Department of Revenue and Taxation concluded that Guam is not subject to the cancellation protections afforded to other residents of the United States while enrolled in a clinical trial.

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

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

"**§ 18902. Coverage of Routine Costs of Care During Approved Clinical Trials.**

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

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

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

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

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

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

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

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

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

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

(2) have an investigational new drug application; or

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

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

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

"**ARTICLE 9**

HEALTH INSURANCE COVERAGE"