I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that **Substitute Bill No. 56-31 (COR), "AN ACT TO *AMEND* §4302(c) OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO POLICYMAKERS PARTICIPATING IN THE GOVERNMENT OF GUAM HEALTHCARE INSURANCE NEGOTIATING TEAM",** was on the 4th day of April, 2011, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 7th day of April, 2011, at 09:50 o'clock A.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 56-31 (COR)
As substituted by the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land, and amended on the Floor.

Introduced by: Dennis G. Rodriguez, Jr.
Judith P. Guthertz, DPA
Aline A. Yamashita, Ph.D.
T. R. Muña Barnes
Chris M. Duenas
R. J. Respicio
T. C. Ada
V. Anthony Ada
B. J.F. Cruz
M. Silva Taijeron
F. F. Blas, Jr.
Sam Mabini, Ph.D.
Adolpho B. Palacios, Sr.
v. c. pangelinan
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* §4302(c) OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO POLICYMAKERS PARTICIPATING IN THE GOVERNMENT OF GUAM HEALTHCARE INSURANCE NEGOTIATING TEAM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the recent passage of Public Law 30-227, known as the "Healthcare Insurance Transparency Act of 2010", was for the purpose of ensuring that the processes

pursuant to which the government of Guam acquires health insurance coverage for its active employees and retirees are negotiated in a manner so as to ultimately reflect the most economical and beneficial health plan possible. *I Liheslaturan Guåhan* further finds that although funding for the government of Guam's annual contribution to the health care insurance plan is dependant upon an appropriation to be included in the upcoming fiscal year budget act, the negotiation process is completed prior to the budget process without legislative input or knowledge. The annual task of negotiating the upcoming fiscal year's healthcare insurance plan is conducted and completed without appropriate input and feedback from policy makers responsible for appropriating the available funds of the people of Guam.

Therefore, it is the intent of *I Liheslaturan Guåhan* to include at least two (2) key Members of *I Liheslaturan Guåhan* (the Guam Legislature) in the Government of Guam's Health Insurance Negotiating Team. The Chairpersons of both the Committee on Health and the Committee on Appropriations will be integral members in ensuring any health plan the government of Guam procures for its employees and retirees is the most beneficial, while also being fiscally achievable and realistically reflective of budgetary constraints. It is, further, the intent of *I Liheslaturan Guåhan* to seek to ensure that by the inclusion of two (2) of its Members who chair the Health and the Appropriations Committees in the Negotiating Team it will better ensure the government of Guam does *not* repeat the unconscionable and callous actions of entering into a health insurance plan that is unanticipated and unaffordable for the taxpayers of Guam.

Section 2. Inclusion of Policymakers in the Government of Guam Health Insurance Negotiating Team. The first paragraph of §4302(c) of Article 3, Chapter 4 of Title 4, Guam Code Annotated, is hereby *amended* to read:

"(c) The Government of Guam Health Insurance Negotiating Team shall consist of the Director of Administration, who *shall* be Chairperson; the Administrator of the Department of Integrated Services for Individuals with Disabilities (DISID), or his or her designee; the Director of the Bureau of Budget and Management Research, or his or her designee; an employee representative from the Judicial Branch to be appointed by the Chief Justice of the Supreme Court of Guam; an employee representative of the Legislative Branch to be appointed by the Speaker of *I Liheslaturan Guåhan*; the Superintendent of the Department of Education, or his or her designee; the Director of the Government of Guam Retirement Fund, or his or her designee; a retiree who is a member of the Government of Guam Retirement Fund to be appointed by the Board of Trustees of the Government of Guam Retirement Fund; one (1) member of the general public, appointed by *I Maga'lahen Guåhan*; the Chairperson of the Committee on Health or the successor committee of *I Liheslaturan Guåhan,* or his or her designee, who shall sit as an ex-officio non-voting member; and the Chairperson of the Committee on Appropriations, or the successor committee of *I Liheslaturan Guåhan*, or his or her designee, who shall sit as an ex-officio non-voting member. The Negotiating Team *shall* examine the financial information of the prepaid health insurance companies, health care providers or other legal entities for the purpose of developing the most economical and beneficial health plan for the Government of Guam employees and retirees. The Negotiating Team may obtain technical support from other financial and health-related agencies. The Negotiating Team *shall* develop its rules of procedure in accordance with the Administrative Adjudication Law. The Negotiating Team with the approval

of *I Maga'lahi* is authorized to contract an actuary competent to develop proposed health insurance rates or other recognized expert to train and/or advise the Negotiating Team."

Section 3. Clarification of Applicability of Amendment Pursuant to Section 2 of this Act. The amendment provided pursuant to Section 2 of this Act *shall only* apply to the first paragraph of Subsection (c), and *shall not* affect or change the existing accompanying Parts 1, 2, and 3 of Subsection (c) of §4302 of Article 3, Chapter 4, Title 4, Guam Code Annotated, which *shall* remain unchanged and in full force and effect.

Section 4. Effective Date. Notwithstanding any other provision of law, the provisions of this Act *shall* be effective upon enactment.