EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

JUL 14 2017

GL#34-17-726
Speaker Benjamin J.F. Cruz

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

JUL 14 2017
Time: 220 [ ] AM [ ] PM 34-651
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2017 JUL 14 PM 3:17

Dear Mr. Speaker:

Transmitted herewith is Bill No. 30-34 (COR), **"AN ACT TO *REPEAL* AND *REENACT* § 1103 AND TO *ADD* NEW §§ 1103.1 AND 1103.2, ALL OF CHAPTER 1, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE MEDICAL REFERRAL ASSISTANCE OFFICE,"** which was signed into law on July 13, 2017, as **Public Law 34-21.**

Senseramente,

EDDIE BAZA CALVO

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

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

This is to certify that **Bill No. 30-34 (COR), "AN ACT TO *REPEAL* AND *REENACT* § 1103 AND TO *ADD* NEW §§ 1103.1 AND 1103.2, ALL OF CHAPTER 1, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE MEDICAL REFERRAL ASSISTANCE OFFICE,"** was on the 30th day of June 2017, duly and regularly passed.

Benjamin J.F. Cruz
Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 03 day of July, 2017, at 2:10 o'clock P .M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: JUL 13 2017

Public Law No. 34-21

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 30-34 (COR)
As corrected by the Prime Sponsor.

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

AN ACT TO *REPEAL* AND *REENACT* § 1103 AND TO *ADD* NEW §§ 1103.1 AND 1103.2, ALL OF CHAPTER 1, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE MEDICAL REFERRAL ASSISTANCE OFFICE.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* recognizes that the provision of assistance to Guam residents in seeking medically necessary off-island health care is needed and valuable to successful health quality outcomes.

I Liheslaturan Guåhan finds that the services provided by the Medical Referral Assistance Office contract have evolved and many of the referral hospitals, insurance companies, and local not-for-profits are currently providing these services free of charge. Besides the obvious duplication of services, the government of Guam contracted services are no longer wholly needed and are needlessly costing the government.

I Liheslaturan Guåhan, however, finds that not all residents can partake in the free services currently available given their individual circumstances or eligibility, and thus the Medical Referral Assistance Office's assistance function is still needed.

The intent of this Act is to provide a mechanism for the Medical Referral Assistance Office to streamline operations, maintain high quality referral assistance, and enhance cost savings. The FY 2016 3rd quarter report found that the average cost per patient per quarter to the Philippines was Four Hundred Seven Dollars and Fifteen Cents ($407.15); Los Angeles averaged Six Hundred Ninety-three Dollars and Fifty-two Cents ($693.52); and Honolulu averaged Seven Hundred Twelve Dollars and Sixty-eight Cents ($712.68).

Therefore, in an effort to improve and maximize the services of the medical assistance provided to residents seeking care off-island, it is the intent of *I Liheslaturan Guåhan* to change the criteria for eligibility and benefit coverage of referral services to reflect current constraints and opportunities.

Section 2. § 1103 of Chapter 1, Division 1, Title 10, Guam Code Annotated, is hereby *repealed* and *reenacted* to read:

> "**§ 1103. Medical Referral Assistance Office.** There is created the Medical Referral Assistance Office (MRAO) within the Office of *I Maga'låhen Guåhan* (the Governor of Guam). The MRAO *shall* assist residents of Guam in coordinating appropriate medical appointments, as well as coordinating temporary housing and transportation."

Section 3. A new § 1103.1 is *added* to Chapter 1, Division 1, Title 10, Guam Code Annotated, to read:

"**§ 1103.1. Provision of Assistance.**

(a) The MRAO *shall* develop an eligibility algorithm that will apply to those benefits a resident seeking off-island medical care qualifies for. Residents with commercial health insurance benefits that cover transportation and lodging fees are not eligible for direct assistance from the MRAO. They may, however, qualify for education and coordination assistance.

(b) The MRAO *shall* develop a Health Insurance Portability and Accountability Act (HIPAA) compliant quality improvement program that will consist, at a minimum, of tracking patient issues and resolutions, and a patient satisfaction survey that *shall* be offered to each patient serviced. The MRAO or contracted not-for-profit provider *shall* provide each patient with a brochure explaining the program, and contact information. The MRAO or contracted not-for-profit provider *shall* also provide appropriate information of the destination medical facility, transportation organization, lodging facility, and the surrounding area.

(c) The MRAO *shall* develop and maintain reports that include the number of referred patients served, the number of patient escorts or accompanying family members served, and the average cost per patient referral. The MRAO *shall* also maintain a monthly report containing the following information:

(1) name of patient;

(2) gender and age of patient;

(3) date of referral;

(4) date assisted;

(5) name of accepting medical facility;

(6) insurance provider;

(7) number of escorts/family members;

(8) departure date; and

(9) service rendered.

(d) In providing assistance to Guam residents, the MRAO *shall*, to the greatest extent practicable, coordinate with existing services provided by insurance carriers, referring facilities, and local not-for-profit organizations. These services are provided free of charge, and as such may only require verification of availability and notice of services to the resident utilizing the service.

(e) For those residents who are not eligible for existing services provided by health insurance companies, referring facilities, or local not-for-profits, the MRAO may:

(1) develop a request for proposal to provide assistance services from a duly registered Guam-based not-for-profit organization that can provide such services, including coordination of appointments, transportation, and lodging. This proposal *shall* use a voucher type system to provide direct services to residents seeking off-island care. The contracted not-for-profit *shall*, to the greatest extent possible, coordinate with existing services provided by insurance carriers and referring facilities for the provision of transportation and lodging services. A limit of fifteen percent (15%) of the negotiated proposal is set for administrative overhead of such proposal; and

(2) provide services through the development of memoranda of understanding or individual contracts with required off-island transportation and lodging organizations to provide transportation and lodging services. The MRAO *shall* develop internal assistance policies

and procedures to guide the operation of the office. This function *shall* reside within the Guam-based MRAO and is subject to the fifteen percent (15%) administrative overhead of the approved budgeted amount appropriated in the Governor's budget submission for the office."

Section 4. A new § 1103.2 is *added* to Chapter 1 of Division 1, Title 10, Guam Code Annotated, to read:

"**§ 1103.2. Term of Assistance.**

(a) The MRAO is authorized to contract with a duly registered Guam-based not-for-profit for assistance services provided pursuant to § 1103.1(e) of this Chapter. The term of said contract *shall* be set for five (5) years, with annual renewal, subject to availability of funds.

(b) If the MRAO chooses to provide assistance services "in-house," the funding for the provision of such services is subject to the budgeted fifteen percent (15%) administrative overhead (salary, equipment, supplies, etcetera), and is subject to the availability of funds on an annual basis."

Section 5. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid, or contrary to law, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Section 6. Effective Date. This Act *shall* become effective upon enactment; provided, however, that no government of Guam funding is authorized that does not follow the provisions and methodologies provided pursuant to this Act.