Speaker Benjamin J.F. Cruz

OFFICE OF THE GOVERNOR
HAGÅTÑA, GUAM 96910
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EXECUTIVE ORDER NO. 2017-05

RELATIVE TO DECLARING AN EMERGENCY FOR THE GUAM MEDICAL REFERRAL ASSISTANCE OFFICE

WHEREAS, the Guam Medical Referral Assistance Office (MRAO or GMRO) was originally created in 1988 by the enactment of Public Law 19-43 (codified as 10 G.C.A. Section 1103) to address the critical need of Guam citizens who must travel thousands of miles off-island to receive medical treatment, often alone; and

WHEREAS, effective July 13, 2017, the Guam Legislature enacted Public Law 34-21 which restructured the MRAO as an entity within the Office of the Governor and established specific patient eligibility terms and other provisions for assistance; and

WHEREAS, the Government's pre-existing contract with a private vendor for medical referral services expired naturally by its terms on March 25, 2017, and a new procurement and an award were pending prior to the enactment of P.L. 34-24 on July 13, 2017. However, the procurement was nullified upon the enactment of P.L. 34-24; and

WHEREAS, according to reports provided by the MRAO, approximately 2,425 Guam patients and their escorts have utilized the services of the MRAO thus far in FY2017; and

WHEREAS, Guam patients are continuing to require medical treatment and services outside the territory, and until the MRAO can fully implement the new requirements established by P.L. 34-24, a critical emergency condition exists

2017 SEP 28 PM 4:27

1014

which imminently threatens the public health, welfare, or safety of those patients; and

WHEREAS, an emergency procurement is urgently needed in order to continue the MRAO's statutory mandate of providing assistance to Guam patients traveling off-island for medical services and to assure that medical services to such patients are not threatened or interrupted; and

WHEREAS, 1421g(a) of the Organic Act of Guam provides that subject to the laws of Guam, the Governor shall establish, maintain, and operate public health services in Guam.

NOW, THEREFORE, I, EDDIE BAZA CALVO, Governor of Guam, by the authority vested in me by the Organic Act and laws of Guam, do hereby order and direct as follows:

1. **Declaration of State of Emergency**. A state of emergency is hereby declared for the Guam Medical Assistance Office and for the provision of medical patient referral services as required to be provided by that office pursuant to 10 G.C.A. Section 1103, as amended.

2. **Emergency Procurement and Emergency Expenses.** Pursuant to 5 G.C.A. Section 5215 authorizing emergency procurement upon executive order, and Title 5 G.C.A. Section 22402, **this Executive Order shall authorize emergency procurement for the Guam Medical Referral Assistance Office, the Office of the Governor, and the Guam General Services Agency (GSA) for all costs and expenses related to, or resulting and arising from, whatever action may to assure the uninterrupted continuation and/or provision of medical referral services** to those Guam medical patients and escorts travelling off-island to Los Angeles, Hawaii, or the Philippines for medical treatment, including the purchase by these agencies of necessary services, goods, or other expenditures

up to a combined total maximum of Two Hundred Fifty Thousand Dollars ($250,000.00).

3. **Documentation of Expenses.** All departments and agencies affected are hereby instructed to keep appropriate documentation on all emergency expenses authorized by this Executive Order for inspection by the Executive and Legislative Branches and by the Public Auditor of Guam, and in anticipation of review and approval by the federal government if required. This emergency procurement is not being used solely for the purpose of avoidance of the provisions of the Guam Procurement Law, 5 Guam Code Annotated Chapter 5.

SIGNED AND PROMULGATED at Hagåtña, Guam, this 27th day of September, 2017.

EDDIE BAZA CALVO
I Maga'Låhen Guåhan
Governor of Guam