Speaker's Office <speaker@guamlegislature.org>

M&C Fwd: GBED Bd. Mtg. 12/18/2019

1 message

Speaker's Office <speaker@guamlegislature.org>
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>
Bcc: Tina Muna Barnes <tinamunabarnes@gmail.com>

Fri, Dec 20, 2019 at 11:29 AM

12-20-19	9:52 AM	12-20-19	Guam Board of Examiners for Dentistry agenda, approved minutes, and other documents from meeting held on December 18, 2019.*	Health Professional Licensing Office	35GL-19-1341

Sinseru yan Minagâhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

35GL-19-1341
Speaker Tina Rose Muña Barnes

DEC 2 0 2019
Time 9:52 (X)AM ( )PM
Received By: alan

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Gumai pribilehu yan konfedensia este siha na mensâhi. Solo espesiâtmente para hâgu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespâtcha. Yanggen lachi rinisibu-mu nu este na mensâhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensâhi. Si Yu'os ma'âse'.

2019 DEC 20 PM 12:36

---------- Forwarded message ---------
From: **Mae N. Pangelinan** <Mae.Pangelinan@dphss.guam.gov>
Date: Fri, Dec 20, 2019 at 9:52 AM
Subject: GBED Bd. Mtg. 12/18/2019
To: michael.weakley@guam.gov <michael.weakley@guam.gov>, jessica.cruz@guam.gov <jessica.cruz@guam.gov>, speaker@guamlegislature.org <speaker@guamlegislature.org>
Cc: Zennia Pecina <Zennia.Pecina@dphss.guam.gov>

Greetings,

Please find the attached GBED Bd. Meeting for 12/18/2019.

Merry Christmas!

Mae Pangelinan

Word Processing Secretary II

Department of Public Health & Social Services

Health Professional Licensing Office/EMS Office

Physical Location:

194 Hernan Cortez Ave

Terlaje Professional Bldg, Ste 213

Hagatna, GU 96910

Tel: 671-735-7407

Email: mae.pangelinan@dphss.guam.gov

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

LOURDES A. LEON GUERRERO
GOVERNOR, MAGA'HÅGA'

JOSHUA F. TENORIO
LT. GOVERNOR, SIGUNDO MAGA'LÅHI

LINDA UNPINGCO-DENORCEY, MPH
DIRECTOR

LAURENT SF DUENAS, MPH, BSN, RN
DEPUTY DIRECTOR

December 19, 2019

Honorable Lourdes Leon Guerrero
Governor of Guam
Executive Chambers
PO Box 2950
Hagåtña, Guam 96932

Honorable Tina Muna-Barnes
Speaker, 35th Guam Legislature
163 Chalan Santa Papa
Hagåtña, Guam 96910

Dear Governor Leon Guerrero and Speaker Muna-Barnes:

Re: The Guam Boards of Health Professionals Licensing Office (HPLO). Compliance with 8 GCA § 8113.1

As required by 5 GCA § 8113.1, attached, please find electronic copies of the agenda, approved minutes, and other attachments to the following board:

1. **Guam Board of Examiners for Dentistry** meeting held on December 18, 2019.

Should you have any questions, please call us at (671) 735-7405-12 or email to: zennia.pecina@dphss.guam.gov and mae.pangelinan@dphss.guam.gov.

Respectfully,

Mae N. Pangelinan,
WP II, Secretary

Attachment: Electronic copy of HPLO Board December 18, 2019 Approved Minutes, Agendas, and attachments.

Guam Board of Examiners for Dentistry
Terlaje Professional Bldg, 2nd Flr. Ste. 209, Hagatna, Guam 96910
REGULAR SESSION BOARD MEETING
Wednesday, December 18, 2019
A G E N D A

I. **CALL TO ORDER:**

II. **CONFIRMATION OF PUBLIC NOTICE:** Notices from "POST" have been properly printed prior to meeting. Printed ad dates: December 11, 2019 and December 16, 2019.

III. **APPROVAL OF AGENDA:**

IV. **REVIEW of MINUTES:**
November 20, 2019

V. **HPLO ADMINISTRATOR'S REPORT:** Zennia Pecina, HPLO Administrator

VI. **OLD BUSINESS:**
- A. Elsie Smith case ref: Hugh Sule, DDS; Salvador Enriquez case 10-02- Status Quo, waiting for a lawyer; *Waiting for **final** approval from GSA.*
- B. Kennedy case 10-01 – Status Quo, waiting for a lawyer; *Waiting for **final** approval from GSA.*
- C. Hugh Sule vs GBED case 09-01- Status Quo, waiting for a lawyer; *Waiting for **final** approval from GSA.*

VII. **NEW BUSINESS:**
- A. **Alternate location for Clinical Exams on February 18 & 19, 2020.**

VIII. **OTHER BUSINESS:**
1. Next Board Meeting: **January 15, 2020, 3:00 p.m., HPLO Conference Room.**

IX. **ADJOURNMENT:**

Racial gaps in arrest data spark new scrutiny of DEA

NEW YORK (The Washington Post) - Johansi Lopez was arrested earlier this year as part of a routine drug enforcement operation in upper Manhattan, but his case has touched off a fierce debate here over whether certain tactics used by federal law enforcement disproportionately target minorities.

Lopez, 32, was charged alongside six others with conspiracy and related offenses after attempting to rob what they believed was a Harlem stash house holding around $800,000 worth of heroin and cocaine, authorities say. It was, in fact, a government setup with federal agents waiting to intercept them - what's called a "reverse sting."

Lopez's lawyers say his arrest was part of an alarming trend within the Drug Enforcement Administration and other agencies that has, they contend, produced racially biased results - not only in New York but also in other major U.S. cities where federal law enforcement is working aggressively to reduce violent crime.

In the last decade, none of the 179 defendants arrested in DEA reverse-sting cases in the Southern District of New York were white, according to an accounting by the Federal Defenders of New York, a nonprofit legal defense group that represents Lopez. All but two were black and Latino, the data show.

DEA officials vigorously defend the agency's use of reverse stings and its strict adherence to Justice Department guidelines prohibiting racial profiling, saying these operations undermine major drug traffickers, reduce violence and, ultimately, save lives. Lopez and his co-defendants were armed and dangerous and conspired to commit a serious crime, authorities say.



CHECKING IT OUT: *Officers search San Ysidro Port of Entry in San Diego, the busiest border crossing in the Western Hemisphere. Salwan Georges/ The Washington Post*

Critics call the practice a form of entrapment, and the judge in Lopez's case, Jed Rakoff, seemed troubled early on by the arrest disparity data cited by his lawyers. In November, Rakoff took the surprising step of ordering the Manhattan U.S. attorney's office to disclose to defense attorneys the DEA's practices and procedures for conducting such operations. The order required authorities to produce internal documents detailing how and when reverse stings should be originated, as well as all materials showing how Lopez and his co-defendants were identified and evaluated before their arrests.

Rakoff's decision reflects a shift in judicial thinking happening elsewhere in the United States. Though experts say his finding was a first in New York, federal appellate courts in other jurisdictions - including circuits that cover Chicago, Los Angeles and Philadelphia - have previously ruled in favor of defendants seeking disclosure of law enforcement rule books and internal communications over concerns about racial bias.

This shift has been driven primarily by public defenders and advocates who, armed with data, point to the Constitution's guarantee of equal protection under the law. It has proved frustrating for law enforcement officials, who argue they are carrying out their mandate to take dangerous people off the streets.

The ramifications, experts acknowledge, could be profound.

"These programs," said Sonja Starr, a criminal law professor at the University of Michigan Law School, "are worrying the courts."

"A significant thing about it is that although these (decisions) have emerged in the context of a particular type of policing program, the reverse-sting operations, they could potentially set a more generous defendant-friendly standard for selective policing more broadly."

Reverse stings started in 90s

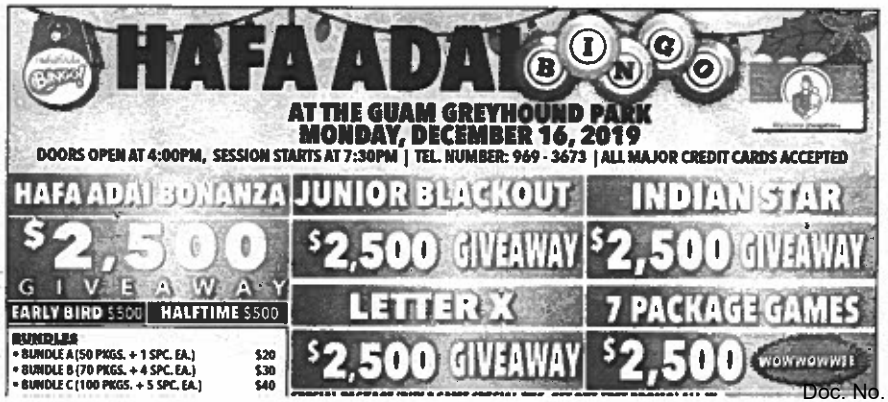
Authorities began using reverse stings in the 1990s to combat a surge in drug-related robberies in Miami. The technique proved successful and was adopted elsewhere.

In 2014, the Federal Criminal Justice Clinic at the University of Chicago Law School, detecting racial disparity, set out to challenge how law enforcement employed reverse stings. Led by the program's director, Alison Siegler, the team gathered data on 43 arrests in the Northern District of Illinois, revealing multiple instances in which the Bureau of Alcohol, Tobacco, Firearms and Explosives departed from its targeting criteria pertaining to people of color and the requirement that suspects have a history of criminal violence.

Their work resulted in dismissal of the most serious charges against 27 defendants, and many of their clients received comparatively generous plea deals that included time served.

USA Today reported that year that, across the United States, 91 percent of defendants busted in ATF stash-house stings were minorities, raising broader questions about the practice. The reporting prompted an angry response from one senior ATF official, who insisted "there is no profiling going on here" and that the agency was targeting "the worst of the worst."

The DEA maintains a similar position about the data recently unearthed in New York. In a statement, special agent in charge Ray Donovan, who oversees the agency's field office there, said its investigations focus on "individuals and organizations who are major traffickers responsible for distributing millions of dollars worth of illicit drugs fueling the worst drug crisis in history to date." The 46 cases highlighted by Lopez's defense team, which date to 2009, involve "high-level and often violent targets" with access to deadly weapons, he added.



GUAM BOARD OF EXAMINERS FOR DENTISTRY

Regular Meeting,
Wednesday, December 18, 2019
at 3:00 PM

at the Terlaje Professional Building, 194 Hernan Cortez Avenue, 2nd Floor, Suite 209 Health Professional Licensing Office Board Conference Room, Hagåtña, Guam.

For more information, please contact the

Doc. No. 35GL-19-1341

$6M transferred from 2019 'lapsed' funds

By John O'Connor
john@postguam.com

About $6 million in lapsed funding from fiscal 2019 has been transferred out of more than a dozen agencies to pay for operations in other agencies, cancer screening and related services, and for retiree insurance.

Gov. Lou Leon Guerrero called a press conference Tuesday morning on the transfers, which are part of the authority granted to her by the fiscal 2019 budget law. She was joined by Speaker Tina Muña Barnes and Sen. Louise Muña.

The Guam Cancer Trust Fund received $500,000 out of the funding pot.

"I also wanted to make good on my word to Sen. Louise Muña on funding the cancer trust fund that you're so very diligent about, and also reporting to my speaker here to make sure that everything is done within the regulations of the budget bill," Leon Guerrero said.

The Guam Fire Department also received about $432,000. The listed purpose was "operations." The Guam Daily Post requested more specific details from GFD but the department had not responded by press time.

The Department of Revenue and Taxation and Office of Veterans Affairs received about $15,000 and $49,000, respectively, from the transfers.

However, the majority of the transfers went to pay about $5.2 million in retiree health, dental and life insurance which was underbudgeted.

Always underbudgeted

That shortfall was discussed during the special economic service meeting between lawmakers and government finance officials on Nov. 18.

"We actually have a $5.2 million bill, for the lack of a better word," Bureau of Budget and Management Research Director Lester Carlson said during the meeting. "We have claims that we have to address that the premiums were insufficient to cover."

In fiscal 2018, former Gov. Eddie Calvo used his transfer authority to fill a $5.6 million gap in retiree insurance payments, Calrson said at that time.

"Every year it's underbudgeted," he added.

Carlson was also at Tuesday's press conference. GovGuam has about $4 million more for retiree insurance in fiscal 2020, which narrows the gap, he said.

Excess revenue planned for deficit reduction

The $5.2 million fiscal 2019 retiree insurance liability would otherwise add to the $83 million cumulative deficit, Leon Guerrero said on Tuesday.

There is about $22 million in potential excess revenues for fiscal 2019. However, Leon Guerrero has cautioned against calling the amount a surplus because of the government of Guam deficit that has rolled over from past years.

GPD and DOC lapsed funding taken

From the lapsed funds, about $243,000 each was taken from the Guam Police Department and the Department of Corrections.

Leon Guerrero said GPD has $1.7 million in lapsed funding and a $3 million budgetary increase for fiscal 2020.

"So they have a total of about $4.7 million that they can use for personnel funding," the governor said. She said her office is working very closely with Police Chief Stephen Ignacio and the Department of Administration to get the recruitment processes going for new officers.

GPD may see about 28 recruits from a current graduating cycle, Leon Guerrero said.

Carlson said DOC has $1.5 million in appropriations that the governor has recognized would go into personnel.

"We prudently went through the lapses to ensure that the maximum amount of continuing operational capacity for DOC and GPD was secured while still being able to pay our obligations," he said.

Attorneys warned after sentencing delay in drug case

By Nick Delgado
nick@postguam.com

A Superior Court of Guam judge was not happy when a sentencing hearing for a drug defendant was delayed after the attorneys on both sides failed to follow her court order.

Sentencing was set on Tuesday for Kevin John Crisostomo, who pleaded guilty to drug charges earlier this year. However, the hearing was delayed after both defense attorney Stephen Hattori and the Office of the Attorney General of Guam failed to file their sentencing memorandums.

Crisostomo faces six months to four years in prison, according to the plea agreement.

"You have to obey a court's order when I say prepare a sentencing order. You are just going to sit there and argue six months, Mr. Hattori?" said Judge Anita Sukola. "You were ordered! Que pasa? What's going on? You, too, AG!"

Assistant Attorney General Steven Haderlie was the prosecutor who attended Tuesday's hearing.

"We are working on it," Haderlie said.

"Give me something in writing," Sukola said. "It was due last Friday. Your office (AG) has a habit of not filing timely, and you keep riding on that."

Attorney Hattori said he would file his documents by the end of the day.

"What good is it to have rules when neither the defense nor the AG follows it, and you know who it hurts in the end: the defendant," Sukola said.

Sentencing has been scheduled for Dec. 18.

On Jan. 26, officers with the Guam Police Department received a complaint of a vehicle stolen from a residence in Dededo. The victim told police that when he went to sleep, his Toyota Corolla was parked outside his home with the car key hidden under the driver's seat.

Police found the car when it ran out of fuel. Crisostomo was identified as the driver. During a search, police reportedly discovered "a metal mint container containing six straws with a crystallized substance that tested positive for methamphetamine."

THE GUAM BOARD OF MEDICAL EXAMINERS

Regular Board Meeting

Friday, December 13, 2019 at 4:00 p.m.

at the Terlaje Professional Building, 194 Hernan Cortez Avenue 2nd Floor, Suite 209 Health Professional Licensing Office Board Conference Room, Hagåtña, Guam.

For more information please contact the Board office at 735-7404 thru 11. Persons with disabilities needing special accommodations may call the ADA Coordinator at 735-7172.

GUAM BOARD OF EXAMINERS FOR DENTISTRY

Regular Meeting,

Wednesday, December 18, 2019 at 3:00 PM

at the Terlaje Professional Building, 194 Hernan Cortez Avenue, 2nd Floor, Suite 209 Health Professional Licensing Office Board Conference Room, Hagåtña, Guam.

For more information, please contact the Board office at 735-7405 thru 12. Persons with disabilities needing special accommodations may call 735-7172 or the telecommunication device for the Hearing/Speech Impaired (TDD) at 649-1801. Executive meeting may be called if necessary.

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Certified Medical Billing & Coding Specialist (CBCS)
Start Date: JANUARY 22, 2020 *(Evening Session)*

Certified Phlebotomy Technician (CPT)
Start Date: JANUARY 20, 2020 *(Evening Session)*

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Start Date: DECEMBER 13, 2019 *(Evening Session)*

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Guam Board of Examiners for Dentistry
Regular Board Meeting
Wednesday, November 20, 2019
MINUTES

Members Present: Dr. Antonio Rapadas, Chairperson; Dr. Robert Yang, Secretary; Dr. Janice Malilay, Member **Absent:** Dr. Joon Ha, Vice Chairperson;	**Others Present:** Mae Pangelinan, (HPLO)

	TOPIC	DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIMEFRAME	
I.	Call to Order	Called to order at 3:11 p.m.	Chairperson		Quorum Met
II.	Proof of Publication	Published in Guam Daily Post - Wed. 11/13/19 & Mon. 11/18/19.	HPLO		Confirmed
III.	Approval of Agenda	Approved Agenda. (Motion: Dr. R. Yang, Seconded: Dr. J. Malilay)	Board		Approved
IV.	Review of Minutes	Approved Minutes of October 16, 2019. (Motion: Dr. J. Malilay, Seconded: Dr. R. Yang)	Board		Approved
V.	HPLO Report	No Report	HPLO		Noted
VI.	Old Business	1) Pending Cases: Noted HPLO Atty. A. Camacho reviewing all cases. a) Case 10-02 – Elsie Smith b) Case 10-01 - Kennedy c) Case 09-01 – Hugh Sule d) Maria Teresa Angoco - Dental Assistant – (Motion: Dr, R. Yang, Seconded by: J. Malilay) e) James B. Graham, DMD – Dentist (Motion Dr. J. Malilay, Seconded: Dr. R. Yang) f) JeeMin Son, DDS - Dentist (Motion: R. Yang, Seconded: Dr. J. Malilay)	HPLO Atty Board		 Open Open Open Approved Approved Approved
VII.	New Business	**A. <u>INITIAL APPLICATIONS</u>** Approved the following applications for licensure: (Motion Dr. R. Yang, Seconded: Dr J. Malilay) 1) Royce Benavente – Dental Assistant 2) Ashley Marie Reyes – Dental Assistant 3) Jon Jeric R. Talavera - Dental Assistant 4) Ivette G. Fernandez - Dental Hygienist with permit to Administer Local Anesthesia	Board		 Approved Approved Approved Approved

VIII.	Other Business	1) GDS requesting for 3 Category 2 CEU's for "Light Curing in Dentistry" for December 5, 2019, 6:00 p.m. – 9:00 p.m., Guam Hilton Resort and Spa. (Motion: Dr. J. Malilay, Seconded: Dr. R. Yang) 2) Next Board Meeting: December 18, 2019, 3:00 p.m., HPLO Conference Room.	Board		Approved Noted
IX.	**ADJOURNMENT**	3:23 p.m. Motion: Dr. R. Yang, Seconded: Dr. J. Malilay	Board		Approved

Approved: _____ 12/18/19
Chairman or Secretary Date