Guam Legislature Clerks <clerks@guamlegislature.org>

Messages and Communications

Speaker's Office <speaker@guamlegislature.org>
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

Fri, Jun 26, 2020 at 7:22 PM

06-26-20	6:34 PM	06-26-20	Bill No. 241-35 (COR), signed into law as Public Law 35-87.	Office of the Governor of Guam	35GL-20-1924
06-26-20	6:34 PM	06-26-20	Bill No. 251-35 (COR), signed into law as Public Law 35-88, and Bill No. 252-35 (COR), signed into law as Public Law 35-89.	Office of the Governor of Guam	35GL-20-1925
06-26-20	6:34 PM	06-26-20	Bill No. 323-35 (COR), signed into law as Public Law 35-90.	Office of the Governor of Guam	35GL-20-1926
06-26-20	6:34 PM	06-26-20	Substitute Bill No. 162-35 (COR), signed into law as Public Law 35-91.	Office of the Governor of Guam	35GL-20-1927
06-26-20	6:34 PM	06-26-20	Substitute Bill No. 366-35 (LS), signed into law as Public Law 35-92.	Office of the Governor of Guam	35GL-20-1928
06-26-20	6:34 PM	06-26-20	Substitute Bill No. 214-35 (LS), signed into law as Public Law 35-93.	Office of the Governor of Guam	35GL-20-1929
06-26-20	6:34 PM	06-26-20	Bill No. 367-35 (LS), signed into law as Public Law 35-94.	Office of the Governor of Guam	35GL-20-1930

Sinseru yan Minagåhet,

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

7 attachments

- **Bill No. 241-35 (COR), signed into law as Public Law No. 35-87.pdf**
  1090K
- **Bill No. 251-35 (COR), signed into law as Public Law No. 35-88; Bill No. 252-35 (COR), signed into law as Public Law No. 35-89.pdf**
  1389K
- **Bill No. 323-35 (COR), signed into law as Public Law No. 35-90.pdf**
  1009K
- **Substitute Bill No. 162-35 (COR), signed into law as Public Law No. 35-91.pdf**
  2060K
- **Substitute Bill No. 366-35 (LS), signed into law as Public Law No. 35-92.pdf**
  1184K
- **Substitute Bill No. 214-35 (LS), signed into law as Public Law No. 35-93.pdf**
  1960K
- **Substitute Bill No. 367-35 (LS), signed into law as Public Law No. 35-94.pdf**
  2071K

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

HAND-DELIVERED

June 26, 2020

35GL-20-1928
Speaker Tina Rose Muña Barnes

JUN 26 2020
Time 6:34 ( )AM (X)PM
Received By: MaH

HONORABLE TINA ROSE MUÑA BARNES
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
35th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Substitute Bill No. 366-35 (LS) – An Act to *Amend* §§ 4301(a) and 4302(c)(9) of Article 3, Chapter 4, Title 4, Guam Code Annotated, Relative to Allowing Choice for Subscribers that Participate in the Government of Guam Health Insurance Contract

Dear Madame Speaker:

I am signing Substitute Bill 366-35 (LS) into law because I believe healthcare is a human right, and essential to that right is the ability to choose one's own physician. While this measure provides healthcare choice to GovGuam employees, thousands of our private sector citizens go without the security of a health insurance plan they can trust. If the COVID-19 crisis has taught the world anything, it is that we are only as healthy as our neighbor. For this reason, each of us must responsibly work toward the goal of guaranteeing quality healthcare for every person on Guam. As we pursue this worthwhile goal, our desire to improve healthcare for GovGuam employees must be balanced with our obligation to do right by Guam's tax payers. Doing this means that government employees who wish to choose among health insurance carriers pay for the ability to do so.

For this reason, I am glad that the Legislature made a meaningful attempt at including this principal within the language of the measure I now sign into law.

While some government employees may voluntarily pay more for the right to choose, we must also acknowledge that the cost to government may increase. By passing this measure, the Legislature is acknowledging and ensuring that it will appropriate additional dollars where necessary effective contract year 2022.

RICARDO J. BORDALLO GOVERNOR'S COMPLEX • HAGÅTÑA, GUAM 96910
P.O. BOX 2950 • HAGÅTÑA, GUAM 96932
671.472.8931 • 671.472.8932/6

Though I maintain some concerns regarding our ability to implement the Legislature's language as drafted, we will work as cooperatively as possible to do so. On behalf of our hardworking GovGuam employees, retirees, their families, and dependents, I greatly appreciate your effort.

Substitute Bill 366-35 (LS) is now ***Public Law 35-92***.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure(s): Substitute Bill No. 366-35 (LS) *nka Public Law 35-92*

cc via email: *Sigundo Maga'låhen Guåhan*
Compiler of Laws

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

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

This is to certify that **Substitute Bill No. 366-35 (LS), "AN ACT TO *AMEND* §§ 4301(a) AND 4302(c)(9) OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING CHOICE FOR SUBSCRIBERS THAT PARTICIPATE IN THE GOVERNMENT OF GUAM HEALTH INSURANCE CONTRACT,"** was on the 15th day of June 2020, duly and regularly passed.

Tina Rose Muña Barnes
Speaker

Attested:

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 15th day of June, 2020, at 5:01 o'clock P.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 6/26/2020

Public Law No. 35-92

2020-11023
RCVD AT CENTRAL FILES
JUN 15 '20 PM5:01

Elaine Tajalle

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

Bill No. 366-35 (LS)
As substituted; and amended on the Floor.

Introduced by: Jose "Pedo" Terlaje
Tina Rose Muña Barnes
William M. Castro
Régine Biscoe Lee
Kelly Marsh (Taitano), PhD
James C. Moylan
Louise B. Muña
Telena Cruz Nelson
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *AMEND* §§ 4301(a) AND 4302(c)(9) OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING CHOICE FOR SUBSCRIBERS THAT PARTICIPATE IN THE GOVERNMENT OF GUAM HEALTH INSURANCE CONTRACT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 4301(a) of Article 3, Chapter 4, Title 4, Guam Code Annotated, is hereby *amended* to read:

"(a) *I Maga'håga* (the Governor) is authorized to enter contracts and reject proposals, with the written concurrence of the Speaker of *I Liheslaturan*

Guåhan (the Guam Legislature) or the Chief Justice of the Supreme Court of Guam whose consents may be withheld in their sole discretion, with insurance companies, authorized to do business in Guam, for group insurance, including, but not limited to, hospitalization, medical care, life, and accident, for all employees or separate groups of employees, and foster children, of the government of Guam. If the Legislative or Judicial Branches of government elect to enter into separate contracts for their employees as authorized in § 4301(c), *I Maga'håga* shall obtain the written concurrence of the Branch electing to remain with the Executive Branch on or before March 1 of each year. Notwithstanding any authority granted in each entity's enabling legislation to procure separate health insurance coverage, all entities in the Executive Branch, including autonomous and semi-autonomous agencies, public corporations and authorities, shall participate in the Government of Guam Group Health Insurance Program. The government shall not be construed as an agent of any insurance company in negotiating or administering this group insurance program. Health benefits provided under this authority may be self-funded and administered by a third party if it is determined to be cost-effective. DOA shall hire an independent auditing firm to verify the participating contract refunds/no refunds reported by the carriers. Such verification shall include validating claims reported by insurance carriers."

Section 2. § 4302(c)(9) of Article 3, Chapter 4, Title 4, Guam Code Annotated, is hereby *amended* to read:

"(9) The Negotiating Team upon selection and review of the best available proposal by participating healthcare respondent(s)/provider(s), which reflect the most economical and beneficial healthcare insurance proposal plans for government of Guam employees and retirees, and foster

children, shall forward the three (3) highest ranking qualified proposals to *I Maga'hågan Guåhan* for consideration and selection of the most economical and beneficial health insurance plan, and transmit to *I Liheslaturan Guåhan* for its review no later than July 31, and prior to the annual legislative sessions wherein the upcoming fiscal year budget for the government of Guam is before *I Liheslaturan Guåhan* for consideration. Notwithstanding any other provision of law, rule, or regulation, of the remaining qualifying plans, the employee or retiree may choose one (1) of the remaining qualified plans, and any difference in premiums shall be paid by the employee or retiree at their own cost. Notwithstanding any other provision of law, rule, or regulation, the most economical and beneficial healthcare insurance proposal plan for government of Guam employees and retirees, and foster children, shall be defined as the lowest cost option."

Section 3. Effective Date. This Act shall be effective upon enactment, and shall not apply to solicitations, negotiations, or contracts for government of Guam group health insurance for Fiscal Year 2021.

Section 4. 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 is severable.