clerks@guamlegislature.org

From: Speaker's Office <speaker@guamlegislature.org>
Sent: Tuesday, September 29, 2020 7:38 PM
To: Clerks Office
Cc: Rennae Meno
Subject: M&C Fwd: EXECUTIVE ORDER NO. 2020-35: Relative to Providing Financial Assistance to Medical and Health Providers and Families of COVID-19 Related Fatalities
Attachments: 20.0929 Executive Order No. 2020-35 - Relative to Providing Financial Assistance to Medical and Health Providers and Families of COVID-19 Related Fatalities.pdf

09/29/20	7:20 PM	09/29/20	Executive Order No. 2020-35.*	Office of the Governor of Guam	35GL-20-2247

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'.

---------- Forwarded message ---------
From: **June M.C. Borja** <june.borja@guam.gov>
Date: Tue, Sep 29, 2020 at 7:20 PM
Subject: EXECUTIVE ORDER NO. 2020-35: Relative to Providing Financial Assistance to Medical and Health Providers and Families of COVID-19 Related Fatalities
To: Speaker's Office <speaker@guamlegislature.org>
Cc: Gov. Lourdes A. Leon Guerrero <governor@guam.gov>, Lieutenant Governor <lt.governor@guam.gov>, Guam

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Hafa Adai Madame Speaker,

Please find attached copy of letter dated September 29, 2020 from Legal Counsel Leslie A. Travis *with enclosed* Executive Order No. 2020-35:

- **EXECUTIVE ORDER NO. 2020-35: Relative to Providing Financial Assistance to Medical and Health Providers and Families of COVID-19 Related Fatalities**

A hard copy will be transmitted to your office once operations resume back to normal.

Thank you.

Respectfully,

June M.C. Borja
Administrative Services Officer
OFFICE OF THE GOVERNOR OF GUAM
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910
P.O. Box 2950, Hagatna, Guam 96932
Direct Telephone No.: (671) 473-1117
Main Office No.: (671) 473-1118

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

September 29, 2020

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: Executive Order No. 2020-35

Dear Madame Speaker:

Pursuant to Public Law 34-16, transmitted herewith is the following Executive Order:

EXECUTIVE ORDER NO. 2020-35:
RELATIVE TO PROVIDING FINANCIAL ASSISTANCE TO MEDICAL AND HEALTH PROVIDERS AND FAMILIES OF COVID-19 RELATED FATALITIES

If you have any questions, please contact my office at # 473-1118.

Senseramente,

LESLIE A. TRAVIS
Legal Counsel

Enclosure(s): Executive Order No. 2020-35

cc via email: *Maga'hågan Guåhan*
Sigundo Maga'låhen Guåhan
Hon. F.Philip Carbullido, Chief Justice of Guam
Compiler of Law
Central Files
Cabinet Members

ISLAND OF GUAM
OFFICE OF THE GOVERNOR
HAGÅTÑA, GUAM 96932
U.S.A.

EXECUTIVE ORDER NO. 2020-35

RELATIVE TO PROVIDING FINANCIAL ASSISTANCE TO MEDICAL AND HEALTH PROVIDERS AND FAMILIES OF COVID-19 RELATED FATALITIES

WHEREAS, on March 14, 2020, I, Lourdes A. Leon Guerrero, *I Maga'hågan Guåhan*, Governor of Guam, acting pursuant to the power provided by the Organic Act and the laws of Guam, declared a public health emergency in the island of Guam due to the potential dangers posed by the 2019 novel coronavirus ("COVID-19"); and

WHEREAS, on March 24, 2020, in Executive Order 2020-06, I ordered the creation of the COVID-19 Unified Response Effort ("CURE") Action Team, led by the Chief Medical Advisor, and composed of representatives from the public and private sectors of Guam's medical and healthcare community, for the purpose of advising our medical response to the pandemic; and

WHEREAS, Executive Order 2020-06 further established that, as part of the COVID-19 Response Plan, healthcare clinics were directed to provide necessary healthcare services as instructed by the CURE Action Team; and

WHEREAS, these clinics, known as Tier 1 and Tier 2 clinics, have provided and continue to provide services that are critical to our community's overall health and well-being during the COVID-19 crisis; and

WHEREAS, according to a study performed by the Blavatnik Institute at Harvard Medical School, primary care medical practices are projected to lose revenues of Fifteen Billion dollars ($15,000,000,000.00) across the United States following drastic declines in office visits and fees for services during the COVID-19 pandemic; and

WHEREAS, the healthcare industry in Guam, including our Tier 1 and Tier 2 clinics, has experienced financial hardship as a result of the pandemic; and

WHEREAS, in recognition of the vital role these clinics serve in our community, especially during the COVID-19 crisis, and to ensure that Guam's healthcare system remains stable and operational during this critical period, it is necessary and appropriate to provide financial assistance to these clinics, to help ensure their continued viability; and

WHEREAS, on March 22, 2020, I requested and on March 27, 2020, President Donald J. Trump declared Guam a disaster area and directed that federal aid be made available to assist in our response to the pandemic; and

WHEREAS, on March 27, 2020, the United States Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act, to deliver an economic relief package to protect the American people from the public health and economic impact of COVID-19; and

Doc. No. 35GL-20-2247.*

WHEREAS, Guam has received One Hundred, Seventeen Million, Nine Hundred, Sixty-Eight Thousand, Two Hundred, Fifty-Seven dollars and Eighty cents ($117,968,257.80); and

WHEREAS, in addition to amounts allocated for the Guam Small Business Pandemic Assistance Grant and direct aid to needy families through *Prugramman Salape' Ayudon I Taotao,* I have allocated a portion of Guam's CARES Act funds specifically for the benefit of our Tier 1 and Tier 2 clinics and other medical and behavioral healthcare providers; and

WHEREAS, the Guam Economic Development Authority ("GEDA"), designee under Section 1B, was created as a public corporation by Public Law 8-80 (now codified at Title 12 Guam Code Annotated ("G.C.A.") Chapter 50) on August 21, 1965, to assist in the implementation of an integrated program for the economic development of Guam. GEDA's enabling legislation sets for its purposes and authorized activities, including aiding private enterprises; and

WHEREAS, to carry out its authorized activities, GEDA is granted the specific power "to enter into and perform such contracts, leases, cooperative agreements, or other transactions with any agency or instrumentality of the United States, or with any state, territory or possession or any political subdivision thereof, or with any person, firm, association or corporation, as may be deemed necessary or appropriate to the conduct of the activities authorized by this Division, and on such terms as may be prescribed by the Corporation." 12 G.C.A. § 50104(g); and

WHEREAS, as of the execution of this Order, forty six (46) individuals in Guam have died after contracting the COVID-19 virus; and

WHEREAS, the members of our community who suffer from COVID-19 related deaths leave behind family who must not only cope with the sudden, traumatic loss of their loved one after contracting this deadly disease, but also the difficult and emotional task of making costly end-of-life arrangements while they are grieving; and

WHEREAS, it is necessary and appropriate to provide financial assistance to families who lose loved ones who had contracted the COVID-19 virus, so that they may make dignified end-of-life arrangements for their loved ones; and

WHEREAS, as of the time of this writing, Guam remains under Pandemic Condition of Readiness ("PCOR") 1 according to the PCOR system of readiness that guides decision-making for the purpose of coordinating health and safety responses, imposing restrictions on activities, and directing government services; and

WHEREAS, the current public health emergency declaration is scheduled to expire on September 30, 2020; and

WHEREAS, the circumstances that necessitated extension of the public health emergency will continue beyond September 30, 2020, and an extension of the public health emergency is necessary and appropriate.

NOW THEREFORE, I, LOURDES A. LEON GUERRERO, *I Maga'hågan Guåhan,* Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam as amended, do hereby order:

1. **EXTENSION OF THE PUBLIC HEALTH EMERGENCY.** Effective at 12:01AM on October 1, 2020, the public health emergency first declared in Executive Order No. 2020-03, extended in Executive Order Nos. 2020-09, 2020-11, 2020-16, 2020-22, 2020-24, and 2020-29, and currently set to expire on September 30, 2020, is extended for an additional thirty (30) day period. The public health emergency is now set to expire on October 30, 2020.

2. **ESTABLISHMENT OF THE HEALTHCARE SYSTEM STABILIZATION GRANT PROGRAM.** GEDA is designated as the entity responsible for the administration of the Healthcare System Stabilization Grant Program ("Program") in the Territory of Guam. The Administrator of GEDA is designated as the official responsible for overseeing the program, which includes the following items:

    a. Consulting industry stakeholders in the creation of a relevant program of aid for Tier 1 and Tier 2 clinics, and for other qualified medical and mental health providers.

    b. Creating the Program, inclusive of application, standard operating procedures, and other relevant documentation. Eligible entities shall include medical providers whose licensure is governed by the Guam Board of Medical Examiners, and behavioral health providers whose licensure is governed by the Guam Board of Allied Health Examiners.

    c. Receiving and reviewing applications and reporting a payment schedule to the Department of Administration for check issuance to eligible clinics and providers.

    d. Instituting a system of reporting, to include auditable certification to ensure accountability.

    e. Allow for applications until such time that the budget allocated for the Program is exhausted, but no later than December 31, 2020.

    f. Maintain a schedule of reimbursements for costs excluded from regularly budgeted items associated with the Program. This should *not* be included in the designated budget allocation for the Program.

3. **ESTABLISHMENT OF THE COVID-19 BEREAVEMENT ASSISTANCE FUND.** The Guam Department of Administration's Benefits Section is hereby directed to create the COVID-19 Bereavement Assistance Fund ("the Fund") to assist the families of individuals who have died due to COVID-19 or COVID-19

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related complications by providing one-time grants of Ten Thousand dollars ($10,000.00) per decedent. This relief shall be distributed in accordance with program requirements, which shall include the following requirements:

a. Identifies Guam residents who have died due to COVID-19 or COVID-19 related complications, as determined by the Guam Memorial Hospital Authority.

b. Ensures that a proper recipient of the grant is identified, pursuant to program guidelines.

c. Provides a system of reporting, including auditable certification to ensure accountability.

This Section shall be effective at such time as the Guam Department of Administration develops and adopts applicable program guidelines, and shall continue for the duration of the public health emergency declared in Executive Order No. 2020-03, and as extended, or until such time as the Fund is exhausted.

4. **SEVERABILITY.** If any provision of this Executive Order or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Order that can be given effect without the invalid provision or application, and to this end, the provisions of this order are severable.

5. **PRIOR ORDERS REMAIN IN EFFECT.** All prior Executive Orders remain in full force and effect except to the extent they conflict with this Order.

SIGNED AND PROMULGATED at Hagåtña, Guam, this **29th** day of **September, 2020**.

Lou Leon Guerrero

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

Attested by:

Joshua F. Tenorio

JOSHUA F. TENORIO
Sigundo Maga'låhen Guåhan
Lt. Governor of Guam

Doc. No. 35GL-20-2247.*