Guam Legislature Clerks <clerks@guamlegislature.org>

Messages and Communications

1 message

Speaker's Office <speaker@guamlegislature.org> Tue, Dec 29, 2020 at 7:25 PM
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

12/29/20	6:11 PM	12/29/20	Bill No. 415-35 (COR), signed into law as Public Law No. 35-125.	Office of the Governor of Guam	35GL-20-2552
12/29/20	6:11 PM	12/29/20	Bill No. 353-35 (COR), signed into law as Public Law No. 35-126.	Office of the Governor of Guam	35GL-20-2553
12/29/20	6:11 PM	12/29/20	Bill No. 396-35 (COR), signed into law as Public Law No. 35-127.	Office of the Governor of Guam	35GL-20-2554
12/29/20	6:11 PM	12/29/20	Bill No. 302-35 (COR), signed into law as Public Law No. 35-128.	Office of the Governor of Guam	35GL-20-2555
12/29/20	6:11 PM	12/29/20	Bill No. 368-35 (LS), signed into law as Public Law No. 35-129.	Office of the Governor of Guam	35GL-20-2556
12/29/20	6:11 PM	12/29/20	Bill No. 373-35 (COR), signed into law as Public Law No. 35-130.	Office of the Governor of Guam	35GL-20-2557
12/29/20	6:11 PM	12/29/20	Bill No. 417-35 (COR), signed into law as Public Law No. 35-131.	Office of the Governor of Guam	35GL-20-2558
12/29/20	6:11 PM	12/29/20	Substitute Bill No. 56-35 (COR), signed into law as Public Law No. 35-132.	Office of the Governor of Guam	35GL-20-2559
12/29/20	6:11 PM	12/29/20	Substitute Bill No. 62-35 (COR), signed into law as Public Law No. 35-133.	Office of the Governor of Guam	35GL-20-2560
12/29/20	6:11 PM	12/29/20	Bill No. 314-35 (COR), signed into law as Public Law No. 35-134.	Office of the Governor of Guam	35GL-20-2561
12/29/20	6:11 PM	12/29/20	Bill No. 402-35 (COR), signed into law as Public Law No. 35-135.	Office of the Governor of Guam	35GL-20-2562
12/29/20	6:11 PM	12/29/20	Substitute Bill No. 340-35 (COR), lapsed into law as Public Law No. 35-136.	Office of the Governor of Guam	35GL-20-2563
12/29/20	6:11 PM	12/29/20	Bill No. 304-35 (COR), Vetoed.	Office of the Governor of Guam	35GL-20-2564

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

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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'.

13 attachments

- **GoG-Bill No. 415-35 (COR), nka PL. 35-125.pdf** 875K
- **GoG-Bill No. 353-35 (COR), nka PL. 35-126.pdf** 757K
- **GoG-Bill No. 396-35 (COR), nka PL. 35-127.pdf** 1573K
- **GoG-Bill No. 302-35 (COR), nka PL. 35-128.pdf** 1001K
- **GoG-Bill No. 368-35 (LS), nka PL. 35-129.pdf** 2715K
- **GoG-Bill No. 373-35 (COR), nka PL. 35-130.pdf** 699K
- **GoG-Bill No. 417-35 (COR), nka PL. 35-131.pdf** 1803K
- **GoG-SBill No. 56-35 (COR), nka PL. 35-132.pdf** 1098K
- **GoG-SBill No. 62-35 (COR), nka PL. 35-133.pdf** 2151K
- **GoG-Bill No. 314-35 (LS), nka PL. 35-134.pdf** 1325K
- **GoG-Bill No. 402-35 (COR), nka PL. 35-135.pdf** 1646K
- **GoG-SBill No. 340-35 (COR), lapsed as PL. 35-136.pdf** 2381K
- **GoG-Bill No. 304-35 (COR), Vetoed.pdf** 2887K

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

35GL-20-2555
Speaker Tina Rose Muña Barnes

DEC 29 2020
Time 6:11 PM
Received By: Matt

December 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: **<u>Bill No. 302-35 (COR)</u> – An Act to Add a New § 18902 to Article 9 of Chapter 18, Title 22, Guam Code Annotated; and to Amend the Heading Title of Article 9, Chapter 18, Title 22, Guam Code Annotated, Relative to Prohibiting Health Insurance Companies from Cancelling or Reducing Covered Benefits for Covered Patients who Enroll in Qualified Clinical Trials**

Dear Madame Speaker:

Guam residents enrolled in approved clinical trials were previously not protected from cancellation of their insurance coverage. Bill No. 302-35, now known as ***Public Law No. 35-128***, raises our insurance protection to the level of other United States residents under the Patient Protection and Affordable Care Act (ACA) by requiring insurance plans to continue coverage of routine costs while the insured individual is enrolled in an approved clinical trial. While Section 2 of this Bill defines approved clinical trials to include those which have an investigational new drug applications, the subject of companion Bill No. 304-35, which I have vetoed, Public Law No. 35-128 remains critical to fill the gap in coverage for the remaining categories of approved clinical trials, including those approved by the Food and Drug Administration. It is my hope that this measure will help ease the burden on the members of our community during this difficult time.

Senseramente,

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

Enclosure: Bill No. 302-35 (COR) *nka P.L. 35-128*

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 **Bill No. 302-35 (COR), "AN ACT TO *ADD* A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED; AND TO *AMEND* THE HEADING TITLE OF ARTICLE 9, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING HEALTH INSURANCE COMPANIES FROM CANCELLING OR REDUCING COVERED BENEFITS FOR COVERED PATIENTS WHO ENROLL IN QUALIFIED CLINICAL TRIALS,"** was on the 17th day of December 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 17th day of Dec, 2020, at 10:26 o'clock P.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 12/22/2020

Public Law No. 35-128

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

Bill No. 302-35 (COR)

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

AN ACT TO *ADD* A NEW § 18902 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED; AND TO *AMEND* THE HEADING TITLE OF ARTICLE 9, CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING HEALTH INSURANCE COMPANIES FROM CANCELLING OR REDUCING COVERED BENEFITS FOR COVERED PATIENTS WHO ENROLL IN QUALIFIED CLINICAL TRIALS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the *Patient Protection and Affordable Care Act* (ACA) provided protection from cancellation of insurance coverage for patients with cancer and other serious

illnesses who are enrolled in a clinical trial. Cancellation protection does not include any mandates for coverage of any part of the cost of the clinical trial. The cancellation protection is limited to coverage for routine treatment costs based on the assumption that the patients are not enrolled in clinical trials. Although Guam is covered by the ACA's employer mandate, the Guam Department of Revenue and Taxation concluded that Guam is not subject to the cancellation protections afforded to other residents of the United States while enrolled in a clinical trial.

Therefore, it is the intent of *I Liheslaturan Guåhan* to ensure that health insurance companies maintain routine coverage for patients who enroll in a clinical trial.

Section 2. A new § 18902 is *added* to Article 9 of Chapter 18, Title 22, Guam Code Annotated, to read as follows:

"§ 18902. Coverage of Routine Costs of Care During Approved Clinical Trials.

(a) A health insurance company or healthcare plan shall continue coverage of routine costs for any insured during the approved clinical trial.

(b) For the purposes of this Section, routine costs of care include any treatments, procedures, and services the insured may need while participating in the clinical trial that would normally be covered if the insured were not participating in a trial.

(c) For the purposes of this Section, approved clinical trials are designed to study new methods to prevent, detect, or treat cancer or another life-threatening illness. An approved clinical trial must meet any of the following conditions:

(1) be federally approved or funded - this means that one (1) or more of the organizations listed below approved or funded the clinical trial:

(A) the National Institutes of Health (NIH), including organizations under the NIH such as the National Cancer Institute (NCI);

(B) organizations funded by the NIH or NCI, including academic institutions, designated cancer centers, and cooperative groups;

(C) the Centers for Disease Control and Prevention (CDC);

(D) the Agency for Health Care Research and Quality (ARHQ);

(E) the Center for Medicare and Medicaid Services (CMS);

(F) the Department of Defense, the Department of Veteran Affairs, or the Department of Energy, if the trial is subject to unbiased, scientific review that is similar to NIH requirements;

(2) have an investigational new drug application; or

(3) be excused from investigational new drug application requirements.

(d) Health insurance companies or healthcare plans are not required to cover the cost of any clinical trials."

Section 3. The heading title of Article 9 of Chapter 18, Title 22, Guam Code Annotated, is *amended* to read as follows:

"ARTICLE 9

HEALTH INSURANCE COVERAGE"