clerks@guamlegislature.org

From: Committee on Rules 36GL <cor@guamlegislature.org>
Sent: Friday, September 30, 2022 10:28 AM
To: Clerks; Rennae Meno
Cc: Speaker Therese M. Terlaje
Subject: Messages and Communications for Doc. No. 36GL-22-2556*
Attachments: 36GL-22-2556.pdf

Håfa Adai Clerks,

Please see below M&C Doc. No. 36GL-22-2556 for processing:

36GL-22-2556	Legislature's Reconsideration of Override of Governor Lou Leon Guerrero's Veto of Bill No. 11-36*	Office of the Governor of Guam

Si Yu'os Ma'åse',

COMMITTEE ON RULES

Vice Speaker Tina Rose Muña Barnes, Chairperson
36th Guam Legislature
I Mina'trentai Sais Na Liheslaturan Guåhan
Guam Congress Building | 163 Chalan Santo Papa Hågatña Guam 96910
Email: cor@guamlegislature.org

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---------- Forwarded message ---------
From: **Speaker Therese M. Terlaje** <speaker@guamlegislature.org>
Date: Fri, Sep 30, 2022 at 10:18 AM
Subject: Messages and Communications for 36GL-22-2556
To: Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>, Committee on Rules 36GL <cor@guamlegislature.org>

Håfa Adai,

Please see attached M&C Doc. No. 36GL-22-2556*

36GL-22-2556	Legislature's Reconsideration of Override of Governor Lou Leon Guerrero's Veto of Bil 11-36*

Please note: Time electronic copy was received is 10:07 p.m. (see highlighted timestamp below).

Si Yu'os Ma'åse',

Marie Cruz
Community Relations Liaison

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice and Culture
I Mina'trentai Sais na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com
website: www.senatorterlaje.com

---------- Forwarded message ---------
From: **Brianne LG Dunstan** <brianne.dunstan@guam.gov>
Date: Thu, Sep 29, 2022 at 10:07 PM
Subject: Legislature's Reconsideration of Override of Governor Lou Leon Guerrero's Veto of Bill No. 11-36
To: Speaker Therese M. Terlaje <speaker@guamlegislature.org>
Cc: Gov. Lourdes A. Leon Guerrero <governor@guam.gov>, Joshua F Tenorio <joshua.tenorio@guam.gov>, Lieutenant Governor <lt.governor@guam.gov>, Jon Junior Calvo <jon.calvo@guam.gov>, Leslie Travis <leslie.travis@guam.gov>, Jeffrey Moots <jeffrey.moots@guam.gov>, Cheerful Catunao <cheerful.catunao@guam.gov>, Eliza G. Dames <eliza.dames@guam.gov>, Shamra L.A. Chargualaf <shamra.chargualaf@guam.gov>, Josephine C. Cepeda <josephine.cepeda@guam.gov>, Stephanie G. Flores <stephanie.flores@guam.gov>, Kathleen C. Cepeda <kathleen.cepeda@guam.gov>, Krystal J. Paco <krystal.paco@guam.gov>, Rikki Orsini <rikki.orsini@guam.gov>, Logan Reyes <logan.reyes@guam.gov>, Ely John Catalan <ely.catalan@guam.gov>

Hafa Adai Madame Speaker,

Please see attached letter from Acting Governor, Joshua F. Tenorio regarding the above matter.

Thank you.

Respectfully,

--

Brianne LG Dunstan
Unisifan I Maga'hågan Guåhan
Office of the Governor of Guam
Office of Legal Counsel
513 West Marine Corps Drive
Ricardo J. Bordallo Governor's Complex
Hagåtña, Guam 96910
Office: 671.473.1118
brianne.dunstan@guam.gov

Speaker Therese M. Terlaje <speaker@guamlegislature.org>

Legislature's Reconsideration of Override of Governor Lou Leon Guerrero's Veto of Bill No. 11-36

Actual time stamp on forwarded email is 10:07 p.m.

Brianne LG Dunstan <brianne.dunstan@guam.gov> Thu, Sep 29, 2022 at 10:18 PM
To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>
Cc: "Gov. Lourdes A. Leon Guerrero" <governor@guam.gov>, Joshua F Tenorio <joshua.tenorio@guam.gov>, Lieutenant Governor <lt.governor@guam.gov>, Jon Junior Calvo <jon.calvo@guam.gov>, Leslie Travis <leslie.travis@guam.gov>, Jeffrey Moots <jeffrey.moots@guam.gov>, Cheerful Catunao <cheerful.catunao@guam.gov>, "Eliza G. Dames" <eliza.dames@guam.gov>, "Shamra L.A. Chargualaf" <shamra.chargualaf@guam.gov>, "Josephine C. Cepeda" <josephine.cepeda@guam.gov>, "Stephanie G. Flores" <stephanie.flores@guam.gov>, "Kathleen C. Cepeda" <kathleen.cepeda@guam.gov>, "Krystal J. Paco" <krystal.paco@guam.gov>, Rikki Orsini <rikki.orsini@guam.gov>, Logan Reyes <logan.reyes@guam.gov>, Ely John Catalan <ely.catalan@guam.gov>

Hafa Adai Madame Speaker,

Please see attached letter from Acting Governor, Joshua F. Tenorio regarding the above matter.

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Respectfully,

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Brianne LG Dunstan
Unisifan I Maga'hågan Guåhan
Office of the Governor of Guam
Office of Legal Counsel
513 West Marine Corps Drive
Ricardo J. Bordallo Governor's Complex
Hagåtña, Guam 96910
Office: 671.473.1118
brianne.dunstan@guam.gov

DOC NO. 36GL-22-2556
OFFICE OF THE SPEAKER
Therese M. Terlaje
Date: 09/29/2022
Time: 10:07 p.m.
Received: MCruz

22.0929 Acting Governor to Speaker Terlaje re Bill No.11-36 [Transmitted Version].pdf
320K

COMMITTEE ON RULES
RECEIVED:
September 30, 2022
10:18 A.M.

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

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

Transmitted via email to: speaker@guamlegislature.org

September 29, 2022

HONORABLE THERESE M. TERLAJE
Speaker
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Legislature's Reconsideration of Override of Governor Lou Leon Guerrero's Veto of Bill No. 11-36

Dear Speaker Terlaje:

I am writing regarding the Legislature's consideration of an override of Bill No. 11-36 in its current session. Though it may seem opportune at this time to end the public health emergency, due to the low community risk level and the absence of community-level restrictions, on behalf of myself and Governor Leon Guerrero, I must urge the Legislature to decline to do so.

As of the time of this writing, I am pleased to report that Guam is at a low level of community risk, as calculated according to U.S. Centers for Disease Control and Prevention guidelines. Our high vaccination rate and the availability of therapeutics enabled us to methodically reopen our island, and lift virtually every community level restriction imposed before these resources were available. Of course, our emergency response encompasses far more than restrictions – it involves the coordination of resources and personnel to provide critical services.

Most everyone in our community has, at some point during the pandemic, availed themselves of these services, which include community testing, vaccinations and treatment. The operations behind the provision of these services have, in many respects, relied on emergency powers available through the declaration of a public health emergency, including the following:

- **Activation of Guam National Guard.** Though we have substantially reduced our operational requirements for Guam National Guard assistance, our guardsmen continue to provide COVID-19 response services, including providing support for vaccination and booster clinics.

- **Licensure of Healthcare Professionals.** Licensing requirements, permits or fees required by Guam law are waived until termination of the public health emergency. Pursuant to this authorization, since March 2020, the Health Professional Licensing Office has issued over 1,000 Emergency Temporary Work Permits, including for 92 doctors, subject to strict guidelines from the Guam Board of Medical Examiners ("GBME") and the Guam Board of Nurse Examiners. As of the time of this writing, 55 Emergency Temporary Work Permits remain pending, including for nurses, physicians and respiratory therapists.

  As the Legislature considers ending the public health emergency, it is important to explore mechanisms to allow our public health and medical facilities to recruit and retain medical personnel, including legislation that would authorize the GBME, in coordination with the Department of Public Health and Social Services ("DPHSS"), to waive licensing requirements, permits or fees to respond to critical shortages that may arise in specific healthcare specialties, outside of a public health emergency context.

- **Liability Waiver for Healthcare Providers.** Healthcare facilities or providers directly supporting the COVID-19 Unified Response Effort ("CURE") Action Team's plans or directives are entitled to immunity under 10 GCA Section 19804(b)(2). The liability waiver provided in Section 19804 is contingent upon the declaration of a public health emergency.

- **COVID-19 Response Differential Pay.** Category 1 Government of Guam employees are presently eligible for ten percent (10%) COVID-19 Differential Pay. As of the time of this writing, the affected employees, whose COVID-19 Differential Pay is threatened by ending the public health emergency, include 187 firefighters, 327 members of the Guam Police Department, 527 Guam Memorial Hospital Authority employees, and 94 DPHSS employees, a total of 1,135 Government of Guam frontliners.

- **Emergency Supplemental Nutrition Assistance Program ("SNAP") Allotments.** Section 2302 of the Families First Coronavirus Response Act ("FFCRA") authorizes the provision of emergency allotments to SNAP households "[i]n the event of a public health emergency declaration by the Secretary of Health and Human Services…based on an outbreak of coronavirus disease 2019 (COVID-19) and the issuance of an emergency or disaster declaration by a State based on an outbreak of COVID-19. On Guam, this emergency allotment provides over $2 million in cumulative monthly assistance to over 15,000 households.

As you can see, public health emergency response measures have been significantly condensed to provide services broadly accepted as necessary even in our current low risk level, and which our community continues to rely on every day. Medical and healthcare professionals were scarce resources on our island prior to the pandemic, and our recruitment opportunities have dwindled further as a result of the crisis. The temporary licensure and liability waivers for medical and healthcare professionals are therefore critical, not only to our continued COVID-19 response, but also to our efforts in stabilizing our island's healthcare system as our community resumes seeking treatment for non-COVID conditions.

I hope this letter helps clarify the current state of our island's COVID-19 response, operations that continue to rely on the declaration of a public health emergency, and the compelling reasons the emergency must continue, even as our metrics have improved. Governor Leon Guerrero and I encourage the Legislature to work with our agencies, particularly our healthcare agencies, to transition emergency measures to steady state operations to ensure we do not inadvertently compromise our island's fragile healthcare system during this critical time.

Senseremente,

JOSHUA F. TENORIO
Åkto Maga'låhen Guåhan
Acting Governor of Guam

cc via email: *Honorable* Lourdes A. Leon Guerrero, Governor of Guam