From: Committee on Rules 36GL
To: Clerks; Rennae Meno
Cc: Speaker Therese M. Terlaje
Subject: Messages and Communications for Doc. No. 36GL-22-2588*
Date: Tuesday, October 4, 2022 7:04:13 PM
Attachments: image.png
36GL-22-2588.pdf

Håfa Adai Clerks,

Please see attached M&C Doc. No. 36GL-22-2588 for processing:

36GL-22-2588	Executive Order No. 2022-23: Relative to Extending the Public Health Emergency*	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: Tue, Oct 4, 2022 at 5:18 PM
Subject: Messages and Communications for 36GL-22-2588
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-22-2588*

36GL-22-2588	Executive Order No. 2022-23: Relative to Extending the Public Health Emergency*	Office of the Governor of Guam

Please Note: Actual timestamp on electronic copy is 5:04 p.m. (see highlighted 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: Tue, Oct 4, 2022 at 5:04 PM
Subject: Executive Order No. 2022-23 Relative to Extending the Public Health Emergency
To: Speaker Therese M. Terlaje <speaker@guamlegislature.org>
Cc: GOVERNOR Lourdes A. Leon Guerrero <governor@guam.gov>, LT. GOVERNOR Joshua F. Tenorio <lt.governor@guam.gov>, Guam Compiler of Laws <guamcompiler@gmail.com>, Geraldine A. Cepeda <gcepeda@guamcourts.gov>, <jdelorie@guamcourts.gov>, CHIEF OF STAFF Jon Junior Calvo <jon.calvo@guam.gov>, DEPUTY COS Alice Taijeron <alice.taijeron@guam.gov>, Legal <legal@guam.gov>, Leslie Travis <leslie.travis@guam.gov>, Jeffrey Moots <jeffrey.moots@guam.gov>, Cheerful Catunao <cheerful.catunao@guam.gov>, Ely John Catalan <ely.catalan@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>, Rhea Chang <rhea.chang@guam.gov>, Krystal Paco-San Agustin <krystal.paco@guam.gov>, Rikki Orsini <rikki.orsini@guam.gov>, Logan Reyes <logan.reyes@guam.gov>, Jessica Cruz <jessica.cruz@guam.gov>, Elaine Tajalle <elaine.tajalle@guam.gov>, Lester Carlson <lester.carlson@bbmr.guam.gov>, Analyn Eustaquio <analyn.eustaquio@bbmr.guam.gov>

Hafa Adai Madame Speaker,

Please find attached letter dated October 4, 2022 from *I Maga'hågan Guahan's* Legal Counsel, Leslie A. Travis, with *enclosed* Executive Order No. 2022-23:

- **Executive Order No. 2022-23:** Relative to Extending the Public Health Emergency

A hard copy will be delivered to your office.

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>

Executive Order No. 2022-23 Relative to Extending the Public Health Emergency

Brianne LG Dunstan <brianne.dunstan@guam.gov> Tue, Oct 4, 2022 at 5:04 PM
To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>
Cc: "GOVERNOR Lourdes A. Leon Guerrero" <governor@guam.gov>, "LT. GOVERNOR Joshua F. Tenorio" <lt.governor@guam.gov>, Guam Compiler of Laws <guamcompiler@gmail.com>, "Geraldine A. Cepeda" <gcepeda@guamcourts.gov>, jdelorie@guamcourts.gov, CHIEF OF STAFF Jon Junior Calvo <jon.calvo@guam.gov>, DEPUTY COS Alice Taijeron <alice.taijeron@guam.gov>, Legal <legal@guam.gov>, Leslie Travis <leslie.travis@guam.gov>, Jeffrey Moots <jeffrey.moots@guam.gov>, Cheerful Catunao <cheerful.catunao@guam.gov>, Ely John Catalan <ely.catalan@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>, Rhea Chang <rhea.chang@guam.gov>, Krystal Paco-San Agustin <krystal.paco@guam.gov>, Rikki Orsini <rikki.orsini@guam.gov>, Logan Reyes <logan.reyes@guam.gov>, Jessica Cruz <jessica.cruz@guam.gov>, Elaine Tajalle <elaine.tajalle@guam.gov>, Lester Carlson <lester.carlson@bbmr.guam.gov>, Analyn Eustaquio <analyn.eustaquio@bbmr.guam.gov>

Hafa Adai Madame Speaker,

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Thank you.

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-22-2588
OFFICE OF THE SPEAKER
Therese M. Terlaje
Date: 10/04/2022
Time: 5:04 p.m.
Received: MCruz

COMMITTEE ON RULES
RECEIVED:
October 4, 2022
5:18 P.M.

EO 2022-23 RELATIVE TO EXTENDING THE PUBLIC HEALTH EMERGENCY.pdf
232K

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

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

Via Hand Delivery
***and* E-mail: speaker@guamlegislature.org**

October 4, 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: EXECUTIVE ORDER NO. 2022-23

Hafa Adai Madame Speaker:

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

EXECUTIVE ORDER NO. 2022-23: RELATIVE TO EXTENDING THE PUBLIC HEALTH EMERGENCY

Thank you.

Senseremente,

LESLIE A. TRAVIS
Legal Counsel

Enclosure: Executive Order No. 2022-23

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
HAGATNA, GUAM 96932
U.S.A.

EXECUTIVE ORDER NO. 2022-23

RELATIVE TO EXTENDING THE PUBLIC HEALTH EMERGENCY

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 of Guam and the laws of Guam, declared a public health emergency on the island of Guam due to dangers posed by the 2019 novel coronavirus ("COVID-19"); and

WHEREAS, since I first declared the public health emergency, our island has made substantial progress towards protecting our community from the deleterious effects of COVID-19, through testing, vaccination and treatment initiatives; and

WHEREAS, though our community level metrics have fluctuated in recent months, they have trended downward overall. As of the time of this writing, our COVID-19 Community Level, calculated according to criteria announced by the U.S. Centers for Disease Control and Prevention ("CDC") is Low. Our test positivity rate is 4.0%, our effective retransmission value is 0.82, and we have 12.6 daily new cases; and

WHEREAS, while it appears our island may have weathered the surges brought on by the Omicron variant, it is important to remain mindful of our continued vulnerability to the regional spread of COVID-19, including the recent surge in cases experienced by the island of Chuuk, which is one flight away from our island; and

WHEREAS, the progress made in our local and national response to COVID-19 is not a complete measure of success when the potential for emergence of new variants continues to pose a threat to our safety; and

WHEREAS, notwithstanding the continued existence of a global threat posed by COVID-19, our administration continues to work towards the wind-down of our local public health emergency, by transitioning certain emergency measures to permanent operations, which will enable us to cultivate internal resources that will help our island prepare for whatever the future may bring; and

WHEREAS, our hard-won elimination of community restrictions is only one aspect of emergency measures implicated during the pandemic; several outstanding issues must be resolved prior to ending the public health emergency; and

WHEREAS, the remaining items sustained by the continued renewal of our local public health emergency include 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.

Doc. No. 36GL-22-2588.*

- **Licensure of Healthcare Professionals.** Licensing requirements, permits or fees required by Guam law are waived until the termination of the public health emergency. This measure enabled our island to avail of the services of over one thousand (1,000) medical healthcare professionals during the pandemic, including ninety-five (95) physicians. At present time, fifty-five (55) Emergency Temporary Work Permits remain pending, including for nurses, physicians, and respiratory therapists. The public health emergency enables our professional boards to issue these temporary permits, and loss of this mechanism will cripple our recovery. Guam medical resources are scarce, even outside the emergency context. Providing a mechanism for temporary permitting in the absence of a public health emergency will require legislation and coordination with medical compacts to which Guam is a party. There is simply no immediate solution to this issue once the public health emergency is ended.

- **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 eligible for ten percent (10%) COVID-19 Differential Pay. As of the time of this writing, affected employees include one hundred eighty-seven (187) firefighters, three hundred twenty-seven (327) members of the Guam Police Department, five hundred twenty-seven (527) Guam Memorial Hospital Authority employees, and ninety-four (94) Department of Public Health and Social Services employees, a total of one thousand one hundred thirty-five (1,135) Government of Guam frontliners.

- **Emergency Supplemental Nutrition Assistance Program ("SNAP") Allotments.** Section 2302 of the Families First Coronavirus Response Act ("FFCRA") authorizes emergency allotments for 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. As of May 2022, this emergency allotment provided over $2 million in cumulative monthly assistance to over fifteen thousand (15,000) households. Current projections indicate that affected households still exceed thirteen thousand (13,000) households; and

WHEREAS, in light of the critical nature of these pending issues, it is necessary to renew the public health emergency at this time; and

WHEREAS, our community continues to act with the necessary care and compassion in our recovery from COVID-19, which enabled us to lift restrictions and reopen broadly months ago, and which allow us to enjoy the same level of ease in the face of fluctuating

metrics. On behalf of myself and Lt. Governor Josh Tenorio, I thank you for helping our community stay healthy at the peak of the pandemic, and today.

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.** The public health emergency first declared in Executive Order No. 2020-03, and most recently extended in Executive Order No. 2022-22, shall be extended for an additional thirty (30) day period, effective October 6, 2022. The public health emergency is now scheduled to expire on November 5, 2022.

2. **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.

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

SIGNED AND PROMULGATED at Hagåtña, Guam, this **4th day** of **October 2022.**

Lou Leon Guerrero

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

Attested by:

Therese M. Terlaje

THERESE M. TERLAJE
Åkto Sigundo Maga'hågan Guåhan
Acting Lt. Governor of Guam

Doc. No. 36GL-22-2588.*