

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
RESOLUTIONS

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE AUTHORS REPORT FILED	NOTES
215-37 (COR)	Frank Blas, Jr. Telo T. Taitague Joanne Brown Christopher M. Dueñas Thomas J. Fisher Jesse A. Lujan	Relative to urgently and steadfastly requesting the Governor of Guam to acknowledge the dire and decrepit conditions that exist at the Guam Memorial Hospital Authority, and to declare a State of Extreme Emergency to address the unsafe, unhealthy, unsanitary, and financially challenging conditions that exist there.	10/4/23 8:00 a.m.		10/12/23	10/6/23	Author			



COPY

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
Thirty-Seventh Guam Legislature

October 16, 2023

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith is **Resolution No. 215-37 (COR)**, “**Relative to urgently and steadfastly requesting the Governor of Guam to acknowledge the dire and decrepit conditions that exist at the Guam Memorial Hospital Authority, and to declare a State of Extreme Emergency to address the unsafe, unhealthy, unsanitary, and financially challenging conditions that exist there,**” which was duly and regularly adopted by *I Mina'trentai Siette Na Liheslaturan Guåhan* on October 12, 2023.

Sincerely,

CHRIS BARNETT
Acting Legislative Secretary

Enclosure (1)

OFFICE OF THE GOVERNOR
CENTRAL FILES
Jessica Dydasco

RECEIVED BY
TIME *11:16 AM 10/16/23*





COPY

Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Siette na Liheslaturan Guahan | 37th Guam Legislature
Committee on Health, Land, Justice and Culture

October 11, 2023

MEMORANDUM

TO: All Members, 37th Guam Legislature
FROM: Speaker Therese M. Terlaje *TMT*
SUBJECT: Call to Emergency Session – Wednesday, October 11, 2023 at 2:00 p.m.

Buenas yan Håfa Adai!

In light of the anticipated restoration of the island to COR 4 at 10 am on October 11, 2023, the emergency legislative session relative to Guam Memorial Hospital, postponed due to Typhoon Bolaven, will be called to order at 2 pm, October 11, 2023.

In light of the conditions confirmed at a recent GMHA Oversight hearing and audit, as Speaker, **I hereby certify that emergency conditions exist which justify an emergency session regarding the Guam Memorial Hospital.**

Further, consistent with the Governor's EO 2023-11 and the President of the United States' declaration of emergency for Guam, **I also certify that emergency conditions exist as a result of the recent Typhoon Bolaven which justify an emergency session.**

Therefore, I Liheslaturan Guahan will be called into Emergency Session on Wednesday, October 11, 2023 at 2:00 p.m. in the Guam Congress Building to address the urgent matters concerning Guam Memorial Hospital that are impeding or threatening the health and safety of the people of Guam and urgent matters resulting from Typhoon Bolaven.

In the absence of a session agenda adopted by the Committee on Rules, notice is hereby given that all introduced bills listed at <https://guamlegislature.com/index/bills/> are

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators, please send to: speaker@guamlegislature.org*

OFFICE OF THE GOVERNOR
CENTRAL FILES
Jessica D'asco

RECEIVED BY
TIME 11:16 am 10/16/23

potential items to be placed on the agenda pursuant to motion, standing rules and consistent with the emergency call.

The Daily Order of Business shall be as set forth in Section 1.02(c) of the 37th Guam Legislature's Standing Rules:

1.02(c) Daily Order of Business. Unless some other order is adopted by the Committee on Rules or the Body, the Daily Order of Business of I Liheslaturan Guåhan shall be as follows: (i) Call to Order; (ii) Prayer; (iii) Recognition of a Recipient of I Milåyan Mås Takhilo' Na Sakrafisu (iv) Reciting of Inifresi; (v) Singing of Guam Hymn in CHamoru; (vi) Singing of National Anthem; (vii) Roll Call; (viii) Call for Approval of Legislative Journal; (ix) Communications and Petitions; (x) Messages from I Maga'hågan Guåhan; (xi) Reports of Standing Committees; (xii) Reports of Select Committees; (xiii) Introduction and First Reading of Bills and Resolutions;(xiv) Motions; (xv) Legislative Concurrence; (xvi) Consent Calendar; (xvii) Second Reading File; (xviii) Consideration of Daily File: (1) Third Reading File; and (2) Voting File; (xix) Brief Extension of Remarks (limited to five (5) minutes per Member); (xx) Announcements; and (xxi) Adjournment.

Thank you for your attention and cooperation. Please see attached memorandum relative to requests for emergency session.

cc: Executive Director
Clerk of the Legislature
Legislative Counsel
MIS
Protocol
Sgt. at Arms
Media

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators, please send to: speaker@guamlegislature.org*

Attachment: October 9, 2023 Call to Session Memo with previous attachments
Bill No. 164-37(LS)
Resolution No. 215-37(COR)
TMT Letter to FBJ Regarding October 9, 2023 Session
TMT Letter to JSA Regarding Bill No. 164-37(LS)
Bill No. 164-37(LS) Fiscal Note
Executive Order No. 2023-11: Relative to Declaring a State of Emergency in
Anticipation of the Approach of Tropical Storm Bolaven
October 8, 2023 Letter from WP Requesting an Emergency Session

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators,
please send to: speaker@guamlegislature.org*

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Resolution No. 215-37 (COR)

Introduced by:

Frank Blas, Jr.
Telo T. Taitague
Joanne Brown
Christopher M. Dueñas
Thomas J. Fisher
Jesse A. Lujan
Chris Barnett
Tina Rose Muña Barnes
William A. Parkinson
Sabina Flores Perez
Roy A. B. Quinata
Joe S. San Agustin
Dwayne T.D. San Nicolas
Amanda L. Shelton
Therese M. Terlaje

Relative to urgently and steadfastly requesting the Governor of Guam to acknowledge the dire and decrepit conditions that exist at the Guam Memorial Hospital Authority, and to declare a State of Extreme Emergency to address the unsafe, unhealthy, unsanitary, and financially challenging conditions that exist there.

1 **BE IT RESOLVED BY *I MINA'TRENTAI SIETTE NA LIHESLATURAN***
2 ***GUÅHAN*:**

3 **WHEREAS**, the Guam Memorial Hospital Authority (GMHA) is a critical and
4 vital public resource which must be a priority and receive ongoing adequate funding
5 and attention. At no point should GMHA lack critical medication and supplies because

1 funding or support is not provided by the Administration as it is the last line of life-
2 saving defense for tens of thousands of Guamanians; and

3 **WHEREAS**, GMHA has been operating unaccredited since 2018, compromising
4 the delivery of quality, compassionate life-saving medical care for the island's sick and
5 dying, and threatening the hospital's ability to meet the minimum health and safety
6 standards by the Social Security Act that is required of providers and suppliers
7 participating in the Medicare and Medicaid programs; and

8 **WHEREAS**, meeting the basic standards set by the Centers for Medicare and
9 Medicaid Services required for certification should be the utmost priority for Guam's
10 leaders as more than One Billion Dollars (\$1,000,000,000) have been received through
11 the CARES Act, the American Rescue Plan Act, and other federal financial resources
12 that should have been used for GMHA'S facility rehabilitation and operations since
13 2020; and

14 **WHEREAS**, through testimony entered into the public record that was provided
15 in person and in writing to *I Liheslatura*, it has been revealed that GMHA lacks the
16 leadership and resources to procure and provide a steady supply of basic sanitation
17 supplies for medical personnel to deliver dignified care for their patients; and

18 **WHEREAS**, on September 28, 2023, in testimony provided by a certified critical
19 care nurse working at GMHA at an oversight hearing on the hospital, the nurse stated,
20 "We regularly lack essential materials like linens and pillows, diabetic tube feeding
21 formula, underpads for patients to poo and pee on, inner tracheostomy cannulas, wipes
22 to clean patients, pre-filled epinephrine syringes for medical emergencies, and so many
23 other things to add to this list." The nurse went on to state, "We didn't have wipes for
24 months. As an alternative, we were told to use paper towels to clean and bathe our
25 patients. To our embarrassment, patients' families witnessed this and have donated

1 wiper because of the pitiful situation the hospital is in. It is sad and embarrassing and it
2 is disgraceful that you have allowed this to be the standard of care for our people”; and

3 **WHEREAS**, in further testimony provided by GMHA’s Acting Chief Clinical
4 Informatics Officer at the oversight hearing, it was stated, “one of the most alarming
5 consequences of the hospital’s financial struggles is the growing number of unpaid
6 vendors. As the hospital fails to meet its financial obligations, vendors supplying vital
7 medical equipment, pharmaceuticals, and other essential supplies are left unpaid. This
8 not only jeopardizes the hospital’s ability to operate efficiently but also puts patient care
9 at risk. Urgent action is needed to address this issue and ensure the hospital can continue
10 to procure necessary supplies”; and

11 **WHEREAS**, the deplorable conditions at GMHA have deteriorated below
12 acceptable local, national, and international safety standards for both the patients
13 seeking medical attention and the employees who provide life-saving treatment as
14 attested to by practicing health care professionals; and

15 **WHEREAS**, during the September 28, 2023 oversight hearing, GMHA’s Chief
16 Financial Officer Yukari Hechanova and Acting Associate Administrator of Medical
17 Services, Dr. Dustin Prins, stated for the record that GMHA is currently under credit
18 watch and credit hold with at least sixty (60) vendors and is still not receiving critical
19 medication needed for patients; and

20 **WHEREAS**, the 36th Guam Legislature passed, and Governor Lou Leon
21 Guerrero signed into law, legislation to fund and build a brand new hospital that was
22 deemed urgent for Guam. However, the Governor believes that a greater priority should
23 be placed in the construction of a medical complex that would include spaces for public
24 and behavioral health services. While it is clearly understood that a multi-functioning
25 facility is years away from becoming a reality, the need for a proper and adequately
26 functioning hospital is now. So, for the immediate and medium term, the current GMHA

1 facility must be sufficiently funded and made an extreme priority by the elected leaders
2 of our island. The people of Guam cannot wait for a medical complex. Addressing the
3 issues and concerns of GMHA needs to take precedence and action must be taken now;
4 and

5 **WHEREAS**, *I Liheslatura* finds that through numerous testimonies, official
6 reports, photographs, and constituent complaints, it is clear that the compromised
7 operations, dilapidated facilities, and substandard level of care at the Guam Memorial
8 Hospital Authority necessitates the need for immediate and decisive action to prevent
9 the further deterioration and decomposition of our island's only public hospital; and


10 **WHEREAS**, *I Liheslatura* further finds that without a declaration of a state of
11 emergency with immediate action and diligence from the GMHA leadership and the
12 Governor of Guam to correct the dysfunctional state of the Guam Memorial Hospital
13 Authority, it will necessitate the call for federal receivership to ensure that proper
14 management, guidance, and support for GMHA to begin the process needed to restore
15 the hospital's ability to provide a deserving and acceptable level of health care for the
16 people of Guam; now therefore, be it

17 **RESOLVED**, that *I Mina'trentai Siette Na Liheslaturan Guåhan* does hereby,
18 on behalf of the people of Guam, urgently and steadfastly request *I Maga'hågan*
19 *Guåhan* declare an immediate state of emergency to address the rapidly deteriorating
20 conditions at the Guam Memorial Hospital Authority, and to direct funding and
21 resources to assist Guam's only public hospital with its financial challenges, supply
22 deficiencies, and structural rehabilitation and repairs; and be it further

23 **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to, the
24 adoption hereof, and that copies of the same be transmitted to the members of the Board
25 of Trustees of the Guam Memorial Hospital Authority; to the Honorable Joshua F.

- 1 Tenorio, *I Sigundo Maga'lâhen Guâhan*; and to the Honorable Lourdes A. Leon
- 2 Guerrero, *I Maga'hâgan Guâhan*.

DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÂHAN* ON THE 12TH DAY OF OCTOBER 2023.



THERESE M. TERLAJE
Speaker



CHRIS BARNETT
Acting Legislative Secretary