

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
7-36 (COR)	V. Anthony Ada	AN ACT TO ADD A NEW § 26203(k)(38) TO CHAPTER 26 AND A NEW § 28106(j) TO CHAPTER 28, BOTH TO TITLE 11, GUAM CODE ANNOTATED RELATIVE TO REPEALING THE ASSESSMENT OF BUSINESS PRIVILEGE AND USE TAXES ON MEDICAL EQUIPMENT AND TELEMEDICINE TECHNOLOGY.	1/4/21 3:27 p.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 7 -36 (COR)

Introduced by:

V. Anthony Ada 

AN ACT TO ADD A NEW § 26203(k)(38) TO CHAPTER 26 AND A NEW § 28106(i) TO CHAPTER 28, BOTH TO TITLE 11, GUAM CODE ANNOTATED RELATIVE TO REPEALING THE ASSESSMENT OF BUSINESS PRIVILEGE AND USE TAXES ON MEDICAL EQUIPMENT AND TELEMEDICINE TECHNOLOGY.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the
3 coronavirus pandemic has made the medical community acutely aware of the
4 importance of having access to many more medical services on Guam. Quarantine
5 and isolation requirements have made it nearly impossible to expeditiously
6 transport ill patients to the Philippines, Hawaii and California for hospital services.
7 To add new services, clinics and hospitals will be required to make considerable
8 new investments in medical equipment and telemedicine technology. This
9 equipment includes, but is not limited to field hospitals, diagnostic equipment,
10 surgical equipment, cardiology machines, hospital beds, lab equipment and dental
11 equipment.

12 *I Liheslaturan Guåhan* further finds that telemedicine technology has greatly
13 expanded access to medical care, in the United States, for patients with limited
14 ability to access distant specialty facilities during the pandemic. There are
15 documented cases throughout the country where patients' illnesses and injuries
16 were successfully treated at general hospitals under the remote supervision of

1 specialists through telemedicine technology. Access to proper medical equipment
2 is an important factor in these types of procedures. The availability of specialty
3 medical equipment is also an important factor for attracting temporary physicians
4 like heart and neuro surgeons to extend their practice on Guam on a rotational
5 basis.

6 *I Liheslaturan Guåhan* further finds that imposition of business privilege and use
7 taxes add to the cost of accreditation, certification and maintenance associated with
8 offering specialty medical, surgical and diagnostic procedures. Since major
9 investments in new medical technology were not anticipated in the business
10 privilege and use tax bases, there should be no erosion of the current anticipated
11 revenues of these taxes in the current or future tax years.

12 It is the intent of *I Liheslaturan Guåhan* to exempt medical equipment and
13 telemedicine technology from business privilege and use taxes.

14

15 **Section 2.** A new § 26203(k)(38) is *added* to Chapter 26, Title 11, Guam Code
16 Annotated, to read:

17 “(38) Medical equipment, machines and appliances including beds and
18 examination/treatment chairs and telemedicine technology for use in hospitals and
19 clinics. Clinics, for purposes of this section, are those operated by healthcare
20 professionals licensed by the provisions of Chapter 12, 10 GCA.”

21

22 **Section 3.** A new § 28106(i) is *added* to Chapter 28, Title 11, Guam Code
23 Annotated, to read:

24 “(i) Medical equipment, machines and appliances including beds and
25 examination/treatment chairs and telemedicine technology for use in hospitals and
26 clinics. Clinics, for purposes of this section, are those operated by healthcare
27 professionals licensed by the provisions of Chapter 12, 10 GCA.”