

*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
13-36 (COR)	Mary Camacho Torres Tina Rose Muña Barnes Amanda L. Shelton	AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.	1/6/21 4:08 p.m.	1/13/21	Committee on General Government Operations, Appropriations, and Housing	2/3/21 9:00 a.m.	2/11/21 10:21 a.m.	Request: 1/13/21  1/15/21	



# SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS & HOUSING  
I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

10 FEB 2021

The Honorable Therese M. Terlaje  
Speaker  
*I Mina'trentai Sais na Liheslaturan Guåhan*  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

VIA: The Honorable Tina Rose Muña Barnes   
Chairperson, Committee on Rules

**RE: Committee Report on Bill No.13-36 (COR) As Introduced**

Dear Speaker Terlaje:

Transmitted herewith is the Committee Report on **BILL No.13-36 (COR)** – As Introduced by Mary Camacho Torres, Tina Rose Muña Barnes, and Amanda L. Shelton – “AN ACT TO **ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.**”

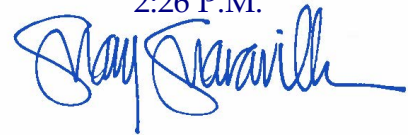
Committee votes are as follows:

5 TO DO PASS  
0 TO NOT PASS  
1 TO REPORT OUT ONLY  
0 TO ABSTAIN  
0 TO PLACE IN INACTIVE FILE

COMMITTEE ON RULES  
RECEIVED:

February 10, 2021

2:26 P.M.



Respectfully,

  
Senator Joe S. San Agustin  
Chairperson, Committee on Appropriations



# **SENATOR JOE S. SANAGUSTIN**

*I Mina' trentai Sais na Liheslaturan Guåhan*

**CHAIRMAN, COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS, AND HOUSING**

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## **COMMITTEE REPORT**

### **BILL NO. 13-36 (COR)**

*As Introduced by Senators: Mary Camacho Torres and Vice Speaker  
Tina Rose Muña Barnes and Amanda L. Shelton*

**AN ACT TO *ADD* A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO *ADD* A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.**



# SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS & HOUSING  
I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

10 FEB 2021

## MEMORANDUM

**TO: ALL MEMBERS**

Committee on General Government Operations, Appropriations, and Housing

**From: Senator Joe S. San Agustin**

Committee Chairperson

**Subject: Committee Report on Bill No.13-36 (COR) As Introduced**

Transmitted herewith is the Committee Report on **BILL No.13-36 (COR)** – As Introduced by Mary Camacho Torres, Tina Rose Muña Barnes, and Amanda L. Shelton – “AN ACT TO **ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.**”

This report includes the following:

- Copy of COR Referral of Bill No. 13-36 (COR)
- Notices of Public Hearing and Other Correspondence
- Copy of Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimony and Supporting Documents
- Committee Report Digest
- Copy of Bill No. 13-36 (COR) As Introduced
- Copy of Fiscal Note from Bureau of Budget and Management Research
- Copy of Funding Availability Note from Office of Finance and Budget
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet, Your Attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

*Si Yu'os Ma'åse'.*

**Senator Joe S. San Agustin**

Chairman, Committee on Appropriations



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

GUAM CONGRESS BUILDING  
163 CHALAN SANTO PAPA  
HAGÁTÑA, GUAM 96910  
TEL 671-472-2461  
COR@GUAMLEGISLATURE.ORG

January 13, 2021

# MEMO

**To: Rennae Meno**  
Clerk of the Legislature

**Attorney Ana Won Pat-Borja**  
Legislative Legal Counsel

**From: Vice Speaker Tina Rose Muña Barnes**  
Chairperson, Committee on Rules

**Re: Referral of Bill No. 13-36 (COR)**

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*Buenas yan Håfa adai.*

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 13-36 (COR).

Please ensure that the subject bill is referred to the **Committee on General Government Operations, Appropriations, and Housing, chaired by Senator Joe S. San Agustin.**

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

**Vice Speaker Tina Rose Muña Barnes**  
Chairperson, Committee on Rules





Catherine Leon Guerrero &lt;cathy.senatorsa@gmail.com&gt;

**First Notice of Public Hearing on Wednesday, 3 February 2021**

1 message

Rose Mesa &lt;rose.senatorsa@gmail.com&gt;

Tue, Jan 19, 2021 at 1:45 PM

To: phnotice@guamlegislature.org

Cc: Joe San Agustin &lt;protocol@guamlegislature.org&gt;, Tom Unsiog &lt;sgtarms@guamlegislature.org&gt;, Guam Legislature

Clerks &lt;clerks@guamlegislature.org&gt;

Bcc: cathy.senatorsa@gmail.com

**19 January 2021****MEMORANDUM****To: ALL HONORABLE Senators, Stakeholders and Media****From: Senator Joe S. San Agustin, Chairman****Subject: First Notice of Public Hearing on Wednesday, 3 February 2021*****Buenas yan Håfa Adai!***

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations, Appropriations and Housing will convene a public hearing on **Wednesday, 3 February 2021, beginning at 9 a.m.** in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña). The Committee will hear and accept testimonies on the:

**9 am:****Bill No. 1-36 (LS)** - Tina Rose Muña Barnes / Jose "Pedro" Terlaje / V. Anthony Ada

AN ACT TO TEMPORARILY WAIVE PAYMENT OF BUSINESS LICENSE FEES FROM OCTOBER 1, 2020 TO SEPTEMBER 30, 2022 AND TO ALLOW FOR A BUSINESS LICENSE FEE CREDIT FOR BUSINESSES WHO PAID THEIR LICENSE FEES PRIOR TO THE ENACTMENT OF THIS ACT; AND TO CITE THIS ACT AS THE "BUSINESS ASSISTANCE ACT OF 2021"

**2 pm:****Bill No. 3-36 (COR)** - James C. Moylan / V. Anthony Ada / Christopher M. Duenas / Frank F. Blas Jr.

AN ACT TO *AMEND* § 26203.3 OF CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE GROSS THRESHOLD FOR LIMITED EXEMPTIONS ON THE BUSINESS PRIVILEGE TAXES FOR CERTAIN SMALL BUSINESSES.

The Public Hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via [I Liheslaturan Guåhan's live feed](#). A recording of the hearing will be available online via [Guam Legislature Media](#) on YouTube after the hearing.

Individuals who wish to submit written testimony may address Senator Joe S. San Agustin, and send it within forty-eight (48) hours to:

- Hand delivery to the Office of Senator Joe S. San Agustin at the Ran Care Building, 2<sup>nd</sup> Floor Suite 3 (CBU#203), 761 South Marine Drive, Tamuning, Guam 96931
- Email: [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)

All government activities, programs, and services are accessible for people with disabilities in compliance with the Title II of the American with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact our office at 989-5445 or via email at [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com).

***UN DANGKOLO NA SI YU'OS MA'ÅSE'!***

***Very Respectfully,***

***RoseMarie T. Mesa***

***Office Manager***

***I Mina'trentai Sais Na Liheslaturan Guåhan***

***(Thirty-Sixth Guam Legislature)***

***Senator Joe S. San Agustin***

***Committee on General Government Operations, Appropriations, and Housing***

***Office: 671-989-5445***

***Email: [rose.senatorsa@gmail.com](mailto:rose.senatorsa@gmail.com)***



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Catherine Leon Guerrero &lt;cathy.senatorsa@gmail.com&gt;

## Change 1 - First Notice of Public Hearing on Wednesday, 3 February 2021

1 message

Rose Mesa &lt;rose.senatorsa@gmail.com&gt;

Thu, Jan 21, 2021 at 10:31 AM

To: phnotice@guamlegislature.org, Dafne Shimizu &lt;dafne.shimizu@revtax.guam.gov&gt;, frank.blasjr@senatorfrankblas.com

Cc: Management Information System &lt;mis@guamlegislature.org&gt;, Joe San Agustin &lt;protocol@guamlegislature.org&gt;, Tom

Unsiog &lt;sgtarms@guamlegislature.org&gt;, Guam Legislature Clerks &lt;clerks@guamlegislature.org&gt;

Bcc: cathy.senatorsa@gmail.com

21 January 2021

### MEMORANDUM

**To: ALL HONORABLE Senators, Stakeholders and Media**

**From: Senator Joe S. San Agustin, Chairman**

**Subject: Change 1 - First Notice of Public Hearing on Wednesday, 3 February 2021**

***Buenas yan Håfa Adai!***

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**9a.m.**

~~**Bill No. 1-36 (LS)** - Tina Rose Muña Barnes / Jose "Pede" Terlaje / V. Anthony Ada - **AN ACT TO TEMPORARILY WAIVE PAYMENT OF BUSINESS LICENSE FEES FROM OCTOBER 1, 2020 TO SEPTEMBER 30, 2022 AND TO ALLOW FOR A BUSINESS LICENSE FEE CREDIT FOR BUSINESSES WHO PAID THEIR LICENSE FEES PRIOR TO THE ENACTMENT OF THIS ACT; AND TO CITE THIS ACT AS THE "BUSINESS ASSISTANCE ACT OF 2021"** - Requested by Committee~~

**Bill No. 4-36 (COR)** - James C. Moylan / V. Anthony Ada / Christopher M. Duenas / Frank F. Blas Jr.

AN ACT TO *ADD* A NEW § 24103(c) TO CHAPTER 24, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO TEMPORARILY SUSPENDING THE ADDITIONAL REAL PROPERTY TAX LEVIED ON IMPROVEMENTS WITH A VALUE OF ONE MILLION DOLLARS (\$1,000,000) OR MORE.

**2 pm:**

**Bill No. 3-36 (COR)** - James C. Moylan / V. Anthony Ada / Christopher M. Duenas / Frank F. Blas Jr.

AN ACT TO *AMEND* § 26203.3 OF CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE GROSS THRESHOLD FOR LIMITED EXEMPTIONS ON THE BUSINESS PRIVILEGE TAXES FOR CERTAIN SMALL BUSINESSES.

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- Email: [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)

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***UN DANGKOLO NA SI YU'OS MA'ÅSE'!***

***Very Respectfully,***

***RoseMarie T. Mesa***

***Office Manager***

***I Mina'trentai Sais Na Liheslaturan Guåhan***

***(Thirty-Sixth Guam Legislature)***

***Senator Joe S. San Agustin***

***Committee on General Government Operations, Appropriations, and Housing***

***Office: 671-989-5445***

***Email: [rose.senatorsa@gmail.com](mailto:rose.senatorsa@gmail.com)***



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Joe S. San Agustin &lt;senatorjoessanagustin@gmail.com&gt;

## Change 2 - First Notice of Public Hearing on Wednesday, 3 February 2021

1 message

Rose Mesa &lt;rose.senatorsa@gmail.com&gt;

25 January 2021 at 09:14

To: phnotice@guamlegislature.org, frank.blasjr@senatorfrankblas.com, "Senator Mary C. Torres"

&lt;senatormary@guamlegislature.org&gt;, senatormoylan@guamlegislature.org

Cc: Management Information System &lt;mis@guamlegislature.org&gt;, ed pocaigne &lt;siedpocaigne@gmail.com&gt;, Joe San Agustin &lt;protocol@guamlegislature.org&gt;

25 January 2021

### MEMORANDUM

**To: ALL HONORABLE Senators, Stakeholders and Media**

**From: Senator Joe S. San Agustin, Chairman**

**Subject: Change 2 - First Notice of Public Hearing on Wednesday, 3 February 2021**

***Buenas yan Håfa Adai!***

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~~**Bill No. 1-36 (LS)** - Tina Rose Muña Barnes / Jose "Pede" Terlaje / V. Anthony Ada ——— **AN ACT TO TEMPORARILY WAIVE PAYMENT OF BUSINESS LICENSE FEES FROM OCTOBER 1, 2020 TO SEPTEMBER 30, 2022 AND TO ALLOW FOR A BUSINESS LICENSE FEE CREDIT FOR BUSINESSES WHO PAID THEIR LICENSE FEES PRIOR TO THE ENACTMENT OF THIS ACT; AND TO CITE THIS ACT AS THE "BUSINESS ASSISTANCE ACT OF 2021"** Requested by Committee~~

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**Bill No. 13-36 (COR)** - Mary Camacho Torres / Tina Rose Muña Barnes / Amanda L. Shelton AN ACT TO *ADD* A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO *ADD* A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC

**HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE FICOMPACT IN FISCAL YEAR 2022.**

**2 pm:**

**Bill No. 3-36 (COR) - James C. Moylan / V. Anthony Ada / Christopher M. Duenas / Frank F. Blas Jr.**  
**AN ACT TO AMEND § 26203.3 OF CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE GROSS THRESHOLD FOR LIMITED EXEMPTIONS ON THE BUSINESS PRIVILEGE TAXES FOR CERTAIN SMALL BUSINESSES.**

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***UN DANGKOLO NA SI YU'OS MA'ÅSE'!***

***Very Respectfully,***

***RoseMarie T. Mesa***  
***Office Manager***  
***I Mina'trentai Sais Na Liheslaturan Guåhan***  
***(Thirty-Sixth Guam Legislature)***  
***Senator Joe S. San Agustin***  
***Committee on General Government Operations, Appropriations, and Housing***  
***Office: 671-989-5445***  
***Email: [rose.senatorsa@gmail.com](mailto:rose.senatorsa@gmail.com)***

—  
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Catherine Leon Guerrero &lt;cathy.sensorsa@gmail.com&gt;

## Second Notice of Public Hearing on Wednesday, 3 February 2021

1 message

Rose Mesa &lt;rose.sensorsa@gmail.com&gt;

Fri, Jan 29, 2021 at 9:12 AM

To: phnotice@guamlegislature.org, "Senator Mary C. Torres" <senatormary@guamlegislature.org>, senatormoylan@guamlegislature.org

Cc: Management Information System <mis@guamlegislature.org>, Tom Unsioq <sgtarms@guamlegislature.org>, Joe San Agustin <protocol@guamlegislature.org>

Bcc: cathy.sensorsa@gmail.com

29 January 2021

### MEMORANDUM

**To: ALL HONORABLE Senators, Stakeholders and Media**

**From: Senator Joe S. San Agustin, Chairman**

**Subject: Second Notice of Public Hearing on Wednesday, 3 February 2021**

*Buenas yan Håfa Adai!*

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations, Appropriations and Housing will convene a public hearing on **Wednesday, 3 February 2021, beginning at 9 a.m.** in *I Liheslaturan Guåhan*'s Public Hearing Room (Guam Congress Building, Hagåtña). The Committee will hear and accept testimonies on the:

**9a.m.**

~~**Bill No. 1-36 (LS)** - Tina Rose Muña Barnes / Jose "Pedro" Terlaje / V. Anthony Ada — AN ACT TO TEMPORARILY WAIVE PAYMENT OF BUSINESS LICENSE FEES FROM OCTOBER 1, 2020 TO SEPTEMBER 30, 2022 AND TO ALLOW FOR A BUSINESS LICENSE FEE CREDIT FOR BUSINESSES WHO PAID THEIR LICENSE FEES PRIOR TO THE ENACTMENT OF THIS ACT; AND TO CITE THIS ACT AS THE "BUSINESS ASSISTANCE ACT OF 2021"~~ Requested by Committee

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**HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE FICOMPACT IN FISCAL YEAR 2022.**

**2 pm:**

**Bill No. 3-36 (COR) - James C. Moylan / V. Anthony Ada / Christopher M. Duenas / Frank F. Blas Jr.**  
**AN ACT TO AMEND § 26203.3 OF CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE GROSS THRESHOLD FOR LIMITED EXEMPTIONS ON THE BUSINESS PRIVILEGE TAXES FOR CERTAIN SMALL BUSINESSES.**

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***UN DANGKOLO NA SI YU'OS MA'ÅSE'!***

***Very Respectfully,***

***RoseMarie T. Mesa***

***Office Manager***

***I Mina'trentai Sais Na Liheslaturan Guåhan***

***(Thirty-Sixth Guam Legislature)***

***Senator Joe S. San Agustin***

***Committee on General Government Operations, Appropriations, and Housing***

***Office: 671-989-5445***

***Email: [rose.senatorsa@gmail.com](mailto:rose.senatorsa@gmail.com)***





# **SENATOR JOE S. SANAGUSTIN**

*I Mina' trentai Sais na Liheslaturan Guahan Thirty-Six Guam Legislature*

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## **PUBLIC HEARING**

**Wednesday, February 03, 2021**

## **AGENDA**

**@9:00AM**

- **Bill No. 4-36 (COR)** – As Introduced by Senators: James C. Moylan and V. Anthony Ada and Christopher M. Duenas and Frank F. Blas, Jr.

**AN ACT TO ADD A NEW § 24103(c) TO CHAPTER 24, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO TEMPORARILY SUSPENDING THE ADDITIONAL REAL PROPERTY TAX LEVIED ON IMPROVEMENTS WITH A VALUE OF ONE MILLION DOLLARS (\$1,000,000) OR MORE.**

- **Bill No. 13-36 (COR)** – As Introduced by Senators: Mary Camacho Torres and Tina Rose Muña Barnes and Amanda L. Shelton

**SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL IN FISCAL YEAR 2022.**

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services or for further information, please call the Committee on Education, Finance and Taxation at 989-5445 or email at senatorjoessanagustin@gmail.com

**UN DANGKOLO NA SI YU'OS MA'ASE'**

***Committee Chairman: General Government Operations, Appropriations, and Housing***

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**Ran - Care Commercial Building, CBU #230, 761 South Marine Corps Dr., Tamuning, Guam 96913**  
**Tel: (671) 989-5445 \* Fax: (671) 969-6737 \* email: senatorjoessanagustin@gmail.com**





# SENATOR JOE S. SANAGUSTIN

*I Mina' trentai Sais na Liheslaturan Guåhan Thirty-Six Guam Legislature*

## Public Hearing Sign-in Sheet

**Wednesday, February 03, 2021 • @ 9:00AM • Guam Congress Building**

**BILL NO. 13-36 (COR)** – *As Introduced by Senators:* - Mary Camacho Torres / Tina Rose Muña Barnes / Amanda L. Shelton - AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.

NAME	AGENCY OR ORGANIZATION	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
David Lubofsky	—	Oppose	✓	✓	687-2819	dlubofsky@yahoo.com
Lynnette Fires	GRMC	Support		✓	689-2829	lynnette.fires@yahoo.com
Carla Haddock		Support		✓	4860000	Carla@guamsoccer.com

Page 1 of 1

**Committee Chairman: General Government Operations, Appropriations, and Housing**

**Ran - Care Commercial Building, CBU #230, 761 South Marine Corps Dr., Tamuning, Guam 96913**

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Senator Joe San Agustin

Committee on General Government Operations, Appropriations, and Housing

[senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)

**TESTIMONY for Public Hearing for Bill No. 13-36 (COR)** Wednesday, February 3, 2021 at 9:00 AM.

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My name is David Lubofsky.

Thank you, Senators, for allowing me to give testimony on Bill 13-36. I am NOT in support of this Bill for many reasons and I am also a bit curious as to why this Bill is not under the Committee of Health, as was 239-35, during the 35<sup>th</sup> Guam legislature, especially after they held more than one public hearing. For me, as a medical health care consumer and worried about medical care on island, this raise concerns if special interests are in play for this BILL.

As you may know, due to a family tragedy, I have become involved in advocating for changes in Medical Care on Guam and for patient rights that will have a positive impact and protect medical health care consumers. I have not only had firsthand experience of the tragedies of medical care gone amiss, but I have spoken to dozens of consumers, nurses, doctors, and others about consumer related care and issues over the last two years.

In my opinion, this Bill will put the poorest people on Guam in more jeopardy for increased poor medical care than they already get at GMH. GMH administrator Ms. Lillian Posadas in her testimony during the 35<sup>th</sup> legislature clearly stated that Nurse retention is a big issue for GMH and many leave for a better salary.

I personally see Bill 13 as a special interest Bill to appease nurses rather than to realistically meet their needs and at the same time keeping medical care costs dangerously low on Guam by underpaying nurses. This benefits insurance companies, clinics and others who must pay for any increased rates, including nurses earning more. Health care and protection of consumers, in my opinion, has not been and is not now a priority of the legislature and this Bill is another example. Bill 13-36 will not bring nurses to Guam, will not fix health care problems, nor meet the needs of nurses that the legislatures have ignored for decades.

Do we need this Bill if you just Pay the nurses what they deserve at GMH? You have heard this for years. Instead of responding to the need to pay our nurses what they deserve, you come up with this Bill which will not pay nurses on Guam more, will not attract nurses but will make it easy for our nurses to leave or be recruited for the Big Salary in other Compact states.

When I looked at the 34 compact states, Guam pays nurses the lowest of all, actually the lowest in the country with one of the highest costs of living. Our nurses, the biggest asset to our medical system have not been respected in the past up to now by how they have been underpaid and treated for years. Our nurses should be earning at GMH around \$75,000 per year and that will put them only in the middle of what nurses earn in the compact states. **DO THE PEOPLE OF GUAM NOT DESERVE THE SAME STANDARD OF NURSING CARE REFLECTED BY SALARY AS THE REST OF THE COUNTRY?**

Does anyone here really think that nurses under the COMPACT from other states will say, “my gosh, let’s go to Guam, it’s so beautiful” and be poor, as that is what our salaries look like, Or will our Guam nurses, with this COMPACT, especially GMH nurses say, let’s move to the states and not have to work two jobs, have more time together as a family with better working conditions? It is a no Brainer. **Bill 13 is a Nurse drain Bill and every nurse sitting here knows that. Ms. Posadas stated that nurses were leaving for financial reasons. It cannot be clearer that this BILL will only make the departure of nurses easier.**

Our GMH nurses have the lowest salary in the nation and work under extremely difficult and at times hostile conditions, including being bullied by doctor or others at GMH, especially H1 nurses. Working conditions for nurses need to improve at GMH and I have reported this to the Health Committee, to the Guam Board of Nursing Examiners and to the Guam Association of Nurses to no avail, but here we are talking about giving NURSES an exit off Guam rather than fixing problems nurses face that impact health care.

Bill 13 will increase our dependency on H1 nurses. There is nothing wrong with H1 nurses, except for one thing, THEY FEAR losing their jobs and being sent back home and not being able to support their families. That fear and concern raises serious questions about their ability to step up and assert themselves in a medical LIFE OR DEATH crisis. I have witnessed this firsthand. We need to keep local hire nurses and pay them well. USING THE PANDEMIC TO SELL THE COMPACT IS INAPPROPRIATE AS THESE ISSUES HAVE BEEN HERE FOR YEARS. Bill 13 is said to meet emergencies. While we are waiting for an emergency our underpaid nurses

will be heading for better jobs. **I THINK THAT IS A BIGGER EMERGENCY AND CONCERN.**

Our public hospital will get the short end of the stick and the poorest on Guam will continue to be put at risk with less nurses who are overworked. Bill 13 will impact patient care negatively for the most vulnerable on Guam at GMH where care is already a challenge. I do not want to see another patient go thru the chaos of confused nurses and lack of care that is now present at GMH that I personally witnessed and was documented by the feds under their MEDICARE SERVICES report for 12 patients.

It is also my opinion that the GUAM BOARD OF NURSE EXAMINERS will lose control of who comes to Guam under the compact. This is a big concern with no local vetting. **Why would you rely on others to protect our loved ones on Guam?**

Bill 13 is backwards, the legislature should concentrate on getting Guam nurses pay raised to a rate closer to the national average, \$75,000, to attract more good nurses from off island and to pay our nurses their worth. Bill 13 is another way to keep Guam nurses poor by not addressing the real issues.

**Guam needs to attract good nurses by paying our valued nurses more and improving working conditions at GMH. It's almost embarrassing or even laughable to look at the compact list of states and see that we will be at the bottom for nurses' salaries. It says volumes as to how we value health care on Guam, beyond talk and special interest legislation, compared to other compact states.**

**DOESN'T THAT TELL YOU SOMETHING?**

-

Thank you,

David Lubofsky

Father of Asher Dean Lubofsky

"Justice for all of those killed due to medical negligence."



MANPOWER AND  
RESERVE AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE  
1500 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-1500

January 27, 2021

The Honorable Senator Joe S. San Agustin  
Chair, Committee on General Government Operations, Appropriations and Housing  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

**SUBJ: Bill No. 13-36 (COR) – Nurse Licensure Compact**

Chair San Agustin and Members of the Committee:

On behalf of military families and the Department of Defense (DoD), I am writing to express support for the policy addressed within Bill 13-36 (COR). This bill seeks to enact the Nurse Licensure Compact (NLC) on Guam, by which the Guam Board of Nurse Examiners would be authorized to issue multistate licenses to qualified nurses on Guam, allowing them to practice in other NLC states, and would allow nurses possessing multistate licenses issued by other NLC states to practice on Guam without having to obtain additional licenses.

Licensure issues for both our transitioning military members and their spouses have been a priority for the Department for several years. Sixty-eight percent of married service members reported that their spouse's ability to maintain a career impacts their decision to remain in the military and eighty-eight percent of military spouses report they want or need to work. As our military members and their families move from state to state, the ability for them to quickly gain employment and progress on their chosen career paths is very important.

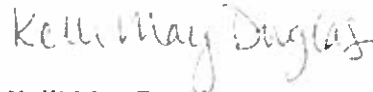
Our office is working to assist states in approving eight occupational licensure compacts, to include the NLC. These occupational licensure compacts provide consistent rules that allow licensed members to work in other states through "privilege to practice" policies or to more easily transfer their license to a new state. Additionally, the current coronavirus pandemic demonstrates that interstate licensure compacts can provide a permanent solution to leverage underutilized medical talent to meet labor shortages in high-need areas, such as nursing. Thirty-four states have already enacted this legislation.

The NLC allows a nurse to have one multistate license in the primary jurisdiction of residence and to practice in other compact states, while subject to each jurisdiction's practice laws. Specific benefits of the NLC include:

- Enabling nurses to practice in person or provide telehealth nursing services to patients located across the country without having to obtain additional licenses.
- Allowing nurses to quickly cross state borders and provide vital services in the event of a disaster.
- Facilitating telenursing and online nursing education.
- Cost effectiveness:
  - Nurses do not have to obtain an additional nursing license(s), making practicing across state borders affordable and convenient.
  - The compact removes a burdensome expense not only for nurses, but also organizations that employ nurses and may share the expenditure of multiple licenses.

In closing, let me say that DoD is extremely grateful for Guam's ongoing commitment and efforts to support our military members and their families, especially concerning career portability. We appreciate the opportunity to support the policy reflected in Bill 13-36 (COR). Please feel free to contact me with any questions you might have.

Sincerely,



Kelli May Douglas  
Southwest Regional Liaison  
Defense-State Liaison Office  
ODASD, Military Community & Family Policy  
571-265-0075

cc:

Senator Mary Camacho Torres  
Senator Tina Rose Muña Barnes  
Senator Amanda L. Shelton



February 2, 2021

Chairman Joe S. San Agustin  
Committee on General Government Operations, Appropriations, Housing  
163 Chalan Santo Papa Juan Pablo Dos,  
Hagatna, Guam 96910

Dear Chairman San Agustin and Committee members,

On behalf of the National Council of State Boards of Nursing ("NCSBN"), I am writing to voice my support for bill 13-36 (COR), which authorizes Guam to join 34 states in enacting the Nurse Licensure Compact ("NLC"). The NLC allows registered nurses and licensed practical nurses to have one multistate license in their primary state of residence and practice in other compact states under that one license. The NLC is a vital tool in the fight against COVID-19.

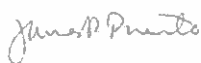
The NLC allows nurses to immediately cross borders and provide vital services to fill gaps in care. This is a vital tool to help alleviate the nursing shortage in Guam as well as in times of a disaster, like COVID-19, when healthcare staffing is strained due to increased patient volume and loss of healthcare workers from the spread of illness. During the COVID-19 pandemic, nurses in NLC participating states were able to immediately cross state lines and treat patients. This mobile nurse workforce is vital to cover gaps in care, both during the pandemic and beyond.

There has been some concern voiced in Guam about the potential out-migration of nurses if the NLC is adopted. The NLC has been operating for over 20 years and no state has ever repealed the NLC. In fact, the NLC has only continued to grow in state participants. If compact states were experiencing a large exodus of nurses, then they would have left the NLC long ago.

Guam can bring needed relief to its hospitals, nurses and patients by enacting the NLC. Once Guam passes the NLC, nurses from compact states can start practicing in Guam without delay, even though Guam may not be able to issue compact licenses to Guam nurses yet.

The NLC increases access to health care, protects patient safety and is a crucial tool to address nursing shortages. Thank you for taking the time to address this important piece of legislation.

Best,



Jim Puente  
Director, Nurse Licensure Compact

Honorable Senators,


I want to thank you for the opportunity to testify in favor of Bill 13-36. My name is Dr. Kevin Hitois. I am a nurse practitioner with the Department of Veteran Affairs and the Vice-Chair for the Guam Board of Nurse Examiners. I have had the privilege of serving the public on the Guam nursing board for the past ten years. Ensuring patient safety and the public's protection through nursing practice regulation is the board's mission. It is this mission and duty that I take on with the utmost importance. It is why I am in favor of the Nurse Licensure Compact (NLC). The NLC is not just about raising greater mobility and access to nursing care for our island. It is also about ensuring the safety of the public through licensing and discipline enforcement.

The COVID-19 pandemic has had an overwhelming effect on our healthcare delivery system. But it has taught us that accessible nursing care has to be fluid and dynamic across state boundaries. It was not the case for our island. Guam has needed to mobilize nursing personnel to staff areas of hospital shortage in the ICU and emergency departments and medical-surgical floors. As a result of the emergency declaration, the governor called the nurses to assist in the pandemic crisis. Although the nurses stepped up to the challenge, they worked in unfamiliar settings.

In some cases, there was a mismatch between skill and area of need. As a result, school nurses were mandated to work in the hospital. Military nurses were also called to assist at our public hospital, requiring time and costs for licenses to be processed through the board. Further, highly paid travel nurses were also hired to fill the inpatient needs. If Guam adopted the NLC, nurses from a compact state would meet the uniform licensure requirement and these experienced nurses would serve the needs of specialty care in the hospital.

The adoption of the NLC allows for help with the nursing shortage in Guam with experienced nurses from other states. The Nurse Licensure Compact is an agreement with other states permitting a nurse to have one license but having the ability to practice in other states, which are part of the compact. This eliminates the burdensome, costly, and time-consuming process of obtaining single state licenses in each state of practice. Thirty-four member states are currently part of the NLC and that represents a pool of 2 million registered nurses who may be a resource for Guam. Under the NLC, nurses are allowed to cross state borders in times of emergency need rapidly. Telehealth nursing would be permitted across the country without the additional need for licenses.

Not everyone qualifies for a multi-state license. An applicant must hold an active, unencumbered license and submit to state and federal fingerprint-based criminal background checks. Furthermore, the nurse must not have been convicted or found guilty, has no misdemeanor convictions related to nursing practice, and is not currently a participant in an alternative program.



Our Guam students would not be limited in online nursing education. The Institute of Medicine Future of Nursing Report recommended that nurses achieve higher levels of education and training through an improved educational system that promotes seamless academic progression. Distance education courses provide nurses tremendous opportunities by offering access to quality nursing education in small communities or rural areas where nursing programs do not exist. They also allow flexibility for those students who otherwise could not attend a nursing program. Through the NLC, online nursing education affords our population and students the opportunities for higher degrees and advancement in different specialties.

Adopting the NLC presents an opportunity to modernize the Guam Board of Nursing with a state of the art system in license management and discipline enforcement. Called the Optimal Regulatory Board System (ORBS), it is a confidential and secure cloud-based system that will allow the Guam nursing board to run with a leading-edge system. It provides modules for licensing, discipline, and education program management functions while efficiently reducing member boards' operational processes. The ORBS digitizes paper processes, is no cost to member boards to use, and requires no system maintenance cost. Purchasing the software would typically cost well over a hundred thousand dollars; It would be available to Guam through a grant from the NLC. Just imagine that our nurses can apply and renew their licenses online.

The Nurse Licensure Compact and ORBS makes sense for the needs of our island. A nurse with a multi-state license can easily and quickly respond to needs in times of crisis. The compact reduces complexity, reduces cost, and provides an even higher level of public protection. I hope you will vote in favor of this bill. Thank you!



Rose Mesa &lt;rose.sensorsa@gmail.com&gt;

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**Invitation to Public Hearing on Nurse Licensure Compact Bill**

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**Senator Mary C. Torres** <senatormary@guamlegislature.org>

Mon, Jan 25, 2021 at 4:57 PM

To: [REDACTED]@gmail.com

Cc: Rose Mesa &lt;rose.sensorsa@gmail.com&gt;, Joseph Mesngon &lt;joe.sensorsa@gmail.com&gt;

Dear Dr. Haddock:

Håfa Adai! Please be advised that the Committee on General Government Operations, Appropriations and Housing will conduct a Public Hearing on Wednesday, February 3, 2021 beginning at 9:00 AM in the Public Hearing Room of the Guam Congress Building, Hagåtña, Guam.

With respect to your experience and perspective, the office invites you to provide testimony on the following important matter:

**Bill No. 13-36 (COR) - Mary Camacho Torres/Tina Rose Muña Barnes/Amanda L. Shelton - "AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022."**

If you wish to provide written testimony, please transmit it via email to the Office of Senator Joe S. San Agustin at [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com) or the Office of Senator Mary Camacho Torres at [senatormary@guamlegislature.org](mailto:senatormary@guamlegislature.org)

The Guam Legislature complies with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact the office of Senator Joe S. San Agustin at 989-5445 or via email at [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com).

Best regards,  
Hazel G. Estrellado

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**Office of Senator Mary Camacho Torres**

Suite 807, DNA Building  
238 Archbishop Flores St.  
Hagatna, Guam 96910

T: 475-6279 E:[senatormary@guamlegislature.org](mailto:senatormary@guamlegislature.org)

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 **Bill No. 13-36 (COR).pdf**  
1887K

Testimony of Zennia Cruz Pecina, MSN, RN  
Health Professional Licensing Office, Administrator  
Guam Board of Nurse Examiners, Executive Director

Committee on General Government Operations, Appropriations and Housing

February 3, 2021

36<sup>th</sup> Guam Legislature

Public Hearing on Bill No. 13-36

AN ACT TO ADD A NEW ARTICLE: 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE  
ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT

Sponsors: Senator Mary Camacho Torres, Senator Tina Rose Muna Barnes, Senator Amanda L. Shelton

Hafa Adai Senators of the 36<sup>th</sup> Guam Legislature. My name is Zennia Cruz Pecina, MSN, RN, Administrator for the Health Professional Licensure Office, EMS Administrator and Executive Director for the Guam Board of Nurse Examiners.

Thank you for this opportunity to present my written testimony in favor of implementing the Nurse Licensure Compact on Guam.

This Public Hearing is exciting for me and many of our nurses on Guam. There are 34 out of 50 states that are members of the Nurse Licensure Compact (NLC), and due to the COVID – 19 outbreak, several other states plan to propose legislation in the coming months. To date, Washington State and Oregon are states pending legislation. When passed, both will be the first in the West Coast to do so. Senators, here we are with our NLC bill up for legislation...with your support, Guam will be the first Territory that would open the doors for specialty nurses and make available Telehealth and online nursing education possible in this remote part of the world. As you hear testimonies about the NLC, I employ you, Senators to weigh in the benefits that the NLC offers and what that will mean for our Island, our Island with limited resources because of our geographical location. The Pandemic has proven the dire need for specialty nurses, Telehealth and online nursing education. A huge benefit for our Island of Guam.

This Public Hearing is a long awaited journey. Before you is a bill that that will enable nurses to practice in person or virtually by way of Telehealth and provide needed care to patients across the ocean without having to obtain multiple licenses. This bill would also allow nurses from 34 states who employ over 2 million nurses to assist Guam in the event of an emergency and vice versa. The NLC has been operational for 15 years and has proven to be safe and efficient.

You will hear the testimony of many of our nurses in support of the NLC. And rightfully so because it is the right thing to do. For years we have been struggling with the shortage of nurses. Thank the Lord for the greatness of our University of Guam, School of Nursing that produces nurses consistently for our Island. But that is not enough to alleviate the shortage of experienced, seasoned and specialized nurses. That is where we fall short of providing nursing services. WE LACK Specialty nurses to assist in specialized areas of the hospital....the intensive care unit, the emergency room and operating room. Adoption of the NLC is one vehicle that will promote recruitment of nurses to our Island. The care of our people during the pandemic was dependent on the hiring of travel nurses. A temporary measure with a

huge price tag attached to it. The pandemic has proven that we can bring the necessary specialty nurses that our Island lacks. But let's be smart and frugal with our monies and allow nurses with multistate licenses to be recruited locally so there is no disparity in pay amongst our Island nurses.

As the Administrator of the Health Professional Licensing Office (HPLO), I wanted to shift gears and share two things: 1. an update of the medical Compact Licensure and 2. And a timeline of our journey to obtain NLC.

First, the Guam Board of Medical Examiners adopted the Medical Compact that was passed into law in 2018 with full implementation in 2019. To date, the Island gained 34 physicians as a result of the compact. This is amazing as we know how difficult it can be to recruit physicians.

Secondly, I wanted to share a timeline of our quest for NLC:

- February 2018 – The NLC was first introduced to Guam Nurses by my predecessor and the Guam Board of Nurse Examiners. A conference was held, providing a round table discussion with key stakeholders. Presenters from the National Council of State Boards of Nursing (NCSBN) funded the conference and a presentation provided by three members of the council.
- June 2018 – A second meeting was held on Guam in June of 2018 to meet with key stakeholders. I do not have any record of the output or disposition of the NLC at that time.
- April 2019 – In April of 2019, the idea of resurrecting the quest for NLC was discussed by the Guam Board of Nursing. In collaboration with our national partners, a second conference was offered.
- May 2019 – In May of 2019, the NCSBN sent representatives to Guam and provided a two day conference attended by Guam Nurses, Nursing Leaders, Hospital Administrators, Government Officials, Senators and our newly elected Governor. The conference provided information about the NLC and its impact to Guam and the nursing workforce. It afforded our nursing community an opportunity for questions and answers. And most importantly a chance to receive feedback from key stakeholders. At the end of the day, we had an overwhelming support for NLC from our Island Nurses, with the request to get going with our pursuit for NLC.....and so the journey begun.
- June/July/August 2019 – Guam was chosen as a recipient by the NCSBN to receive the Optimal Board Regulatory System (ORBS). The ORBS is a turnkey solution for independent NCSBN members in the US and Guam will be the first Territory to avail to this system. The system will assist the HPLO with license management and discipline enforcement across the lifespan of a nurse. Guam currently utilizes NURSYS, a comprehensive electronic information system that collects and stores a nurse's personal information, licensing information, discipline information and license verifications. The ORBS is the ultimate upgrade of that system that cost close to \$250,000. The first phase of the project was funded by NCSBN. Three contract individuals were hired to input our current paper filing system of active and inactive nurses into a data base in preparation for ORBS which was completed in 2020. The second phase of the project is the integration of Nursys to ORBS.
- September 2019 – Attended an NLC conference to gain information about the NLC and its guidelines for implementation.
- October 2019 – Educational Sessions with the community and key stake holders



- October 2019 – Senator Mary Torres agreed to sponsor the NLC Bill with Speaker Tina Muna Barnes as co-sponsor
- November 2019 – Continued educational sessions with key stakeholders
- November 2019 – Draft Bill for Guam NLC
- December 2019 – Bill No. 239-35 sent to Committee on Health pending date for public hearing.
- January 20, 2020 – Public Hearing scheduled for Bill No. 239-35
- January 2020 – Public Hearing cancelled due to holiday.
- September 2020 – 11 months later and a public hearing was re-scheduled for September 30, 2020
- Hearing: **1:00 p.m. to 3:00 p.m.**
  - ***Bill No. 239-35 (COR)*** - Mary Camacho Torres / Tina Rose Muña Barnes; “Act to add a New Article 3A to Chapter 12 of Title 10 Guam Code Annotated, relative to Adopting the Nurse Licensure Compact; and to add a new Subsection D to Section 12307 of Chapter 12 of Title 10 Guam Code Annotated, relative to Establishing Additional Duties of the Guam Board of Nurse Examiners to facilitate the licensure of Nurses under the Compact.”
  - **3:30 p.m. to 5:30 p.m.** - **ROUNDTABLE DISCUSSION** on Impediments to the recruitment of temporary, emergency, foreign, and off-island nurses to meet Guam’s Nursing Needs, pre and post Covid-19
  - **6:00 p.m. to 8:00 p.m.** – **SECOND HEARING on Bill No. 239-35 (COR)**
- Bill No. 239-35 - Despite the overwhelming support of the bill by nursing experts, the bill was not introduced into session for voting.
- January 2021 – The Guam Board of Nurse Examiners regrouped and sent out a survey monkey to all nurses licensed on Guam. Over a 1000 emails were sent. The questions and results of the survey as of February 3, 2021:
  - Are you a resident of Guam?
    - 82.18% Yes 510 Respondents
    - 17.84% No
  - Do you support joining the Nurse Licensure Compact?
    - 97.84% Yes 509 Respondents (1 skipped)
    - 2.16% No
- January 2021 – Bill No. 13-36 introduced by Senator Torres, Senator Muna and Senator Shelton is scheduled for a Public Hearing on February 3, 2021
- February 3, 2021 – Bill No. 13-36 will be heard by the public on February 3, 2021
- Next Steps, upon enactment of the NLC on Guam:
  - Nurses with a multistate license will immediately be able to travel and work on Guam
  - The implementation of the ORBS system will take up to a year
  - Guam will not be able to provide multistate license pending implementation of ORBS
  - This will be an opportunity for Guam to work on concerns regarding nursing salaries on Guam
  - GBNE to establish an upgrade fee for multistate licensure

The Guam Board of Nurse Examiners is grateful for the introduction of Bill No. 13-36. And we are hopeful that this time around, the voices of our experts will be heard.

The current opposition claims the NLC will dilute our nursing talent pool but in actuality, the NLC will benefit our patients and health care system, as we will be better able to attract talented nurses from other health care systems who could introduce better, evidence based practice or efficiencies in nursing care. Another opposition is lost revenues. An updated financial impact resulted in the following.

- Revenue Loss: There are 183 nurses in the mainland who hold a Guam license but are not residence of Guam. If they continue to renew at \$80.00 every two years, the loss would amount to \$14,640.00.
- Revenue Gain: There are 84 nurses in the mainland who hold a Guam license and are residence of Guam and 50 nurses who currently work in a Compact State who hold a single Guam license. A total of 134 nurses who would have to avail to Guam's compact fees at \$100.00 every two years, resulting in a gain of \$13,400.
- Anticipated Revenue Loss of \$14,640.00 and Revenue Gain of \$13,400. There is no significant revenue loss assuming that the above license holders renew or apply for multistate licensure.

It is quite evident by the overwhelming support of respondents from the survey monkey that Guam Nurses want the Nurse Licensure Compact. The survey resulted in 97.84% in support of the NLC. It is unfortunate that our voices were not heard last year, 2020 but Senators, you can change that this year, 2021. Let the voices of the experts who know what is best for the Island of Guam be heard. When it comes to our profession, I say, let the experts make the decision. With your support, we can do what is right for our Island. And the right thing to do is to give the Nurse Licensure Compact a chance to be the vehicle to attract what Guam needs, strong, experience, seasoned nurses to help care for our people of Guam.

Sincerely,

Zennia Cruz Pecina, MSN, RN

**Legislative Public Hearing on Bill No. 13-36  
Nurse Licensure Compact (NLC) Proposed Legislation  
Wednesday, February 3, 2021**

Buenas Senators of the 36<sup>th</sup> Guam Legislature and Health Care Leaders.

My name is Christine Tuquero. I will speak on behalf of GMHA's Nursing Administrators:

- Myself as the Deputy Assistant Administrator of Nursing Services
- Ms. Jemmabeth Simbillo, our Assistant Administrator of Nursing Services
- and on behalf of our Hospital Administrator/CEO and Nurse Leader, Mrs. Lillian Perez-Posadas.

We join our CEO, as a registered nurse herself, with more than 30 years of experience in hospital nursing practice, community health nursing practice, academia, nurse administrator/management and now in her current capacity of Hospital Administrator, to present testimony in support of the proposed Bill No. 13-36.

Thank you for giving us this opportunity to participate in this Public Hearing on the proposed legislation for Nurse Licensure Compact (NLC):

Bill No. 13-36 (COR) - Mary Camacho Torres/Tina Rose Muña Barnes/Amanda L. Shelton - "AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022."

As Guam's only government/public hospital and, as our community's largest government employer of "nurses", we have 300 plus RNs and LPNs currently employed at the Guam Memorial Hospital and the Skilled Nursing Facility, in addition to 16 at the Department of Corrections clinics.

Over these last ten (10) months, GMHA has merged efforts with our entire health care community to face one of our biggest challenges... fighting COVID-19. As the designated COVID-19 hospital, we have seen over 722 in-patient admissions for our community's sickest patients (March 15, 2020, to January 26, 2021). To include those COVID patients only seen at our Emergency and Urgent Care areas.

We transformed many areas of care to open seven (7) COVID Care Units. In order to effectively manage both our COVID and Non-COVID patients, travel nurses were contracted to meet our crisis staffing needs. This helped GMHA to maintain quality of patient care; decrease risk of poor outcomes; and alleviate nursing staff fatigue and burnout. The need was for experienced nurses in specialty areas, such as our Emergency Department, ICU/CCU, Telemetry and Hemodialysis Units.

In these situations, NLC can help significantly, especially for crisis staffing in the face of implementing crisis standards of care. We fully support NLC. However, this has to go hand-in-hand in fully supporting a pay structure that can help recruit and retain nurses. Without a competitive pay structure, we would not be able to take full advantage of this bill. We recommend to first address, update, and right-size the salaries of hospital nurses so that they are more competitive with other States or Territories that are currently or may become members of the NLC.

GMHA just does not have enough nurses to meet the demands of our community. Having access nurses under the NLC can ease critical staffing needs.

Several months ago, we conducted a brief and quick poll from the Nursing Management team. The following represents feedback from thirty-three (33) Nurse Managers:

- 19 (58%) nurse managers supported NLC
- 12 (36%) were undecided
- 2 (6%) Do not support

The single-most critical reason the 6% state why they do not support the NLC legislation is premised on the Government's current salary structure for nurses. And although the advantage of the NLC is the expediency and reduction of processing the Nurse Licensure Application so that the nurse can begin working immediately, the downside is that there will also be a continual loss of our local nurses. Hence, it is imperative that we address and adjust the current salary structure for our nurses.

Another significant advantage of the NLC membership, should this legislation pass, is the enhanced ability to employ nurses from the military population. Active duty nurses and dependents of military personnel who are nurses and are looking to gain experience in Guam's civilian hospitals. Many military nurses are discouraged because of the added expenditure process or lower wages, especially for specialty areas in our hospital.

The current government pay structures for "Nurses" are as follows:

<b>Hospital Nurses' Salary</b>	<b>Hourly Rate</b>	<b>Annual Salary</b>	
SN I (Entry Level – Step 1)	\$17.37	\$36,129.60	
SN II (Step 2 – After 2 yrs exp in U.S. hospital w/ BSN)	\$21.05	\$43,784.00	
SN II (Step 2 – After 3 yrs exp in U.S. hospital w/ADN)	\$21.05	\$43,784.00	
LPN I (Entry Level – Step 1)	\$13.42	\$27,911.00	
LPN II (After 2 yrs exp in U.S. hospital – Step 1)	\$14.55	\$30,259.00	

While the position of our Nursing Leadership support the NLC concept and its intended purpose and, given that we continually lose nurses, particularly among the new and young nurses from the University of Guam School of Nursing and Guam Community College who, after working and acquiring two (2) years of hospital experience, they not only resign and leave GMH, many of them leave the island. We invest in preparing and training these nurses only to lose them to the U.S. mainland in pursuit of higher salaries.

The average hourly pay for RNs in the U.S. ranges from \$40.21 per hour to as high as \$54.44 per hour in California. The most popular states that many of the nurses leave to are:

1. California = \$54.44/hour
2. Hawaii = \$50.03/hour
3. D.C. = \$45.59/hour
4. Oregon = \$44.69
5. New York = \$42.23/hour
6. Las Vegas, Nevada = \$42.49/hour

California and Hawaii are the two (2) states that commonly do not hire nurses unless they have two (2) years of hospital experience.

In terms of the LPNs/LVNs, hourly rates in the mainland range from \$23.32/hour to \$32.69/hour. The average rate is \$24.00/hour.

In conclusion, we recommend to adjust/amend the current salary structure for GMHA's hospital RNs and LPNs before the implementation of NLC.



**Testimony of Bernadette Santos, MPA, BSN, RN  
Chairperson, Guam Board of Nurse Examiners**

**Committee on General Government Operations  
Wednesday, February 3, 2021**

**Testimony in Support of Bill 13-36**

Good morning Chairperson San Agustin and Senators of the 36<sup>th</sup> Guam Legislature. Thank you for the opportunity to share my written testimony. My name is Bernadette Santos, and I am the Chairperson of the Guam Board of Nurse Examiners. I have been fortunate to serve on the Board of Nursing for the past 5 years. I am also the nurse manager for the Guam VA Clinic in Agana Heights. I'd like to state that my testimony today is not any reflection on the part of the Department of Veterans Affairs.

As I begin my testimony in support of Bill 13-36, I'd like to thank Chairperson San Agustin and bill sponsors Sen. Torres, Sen. Muna Barnes and Sen. Shelton. Thank you for moving the NLC forward showing your commitment and support for the nursing community by scheduling this public hearing very early in this new term of the 36<sup>th</sup> Guam Legislature.

I'd like to briefly acknowledge the work of that of our former executive officer, Marlene Carbullido, and fellow board member/former GBNE Chair, Dr. Kevin Hitosis, who brought the idea of exploring NLC for Guam back in August of 2017. It was during a networking conversation with Mr. Jim Puente at the National Council of State Boards of Nursing Annual Conference that the concept of Guam becoming a member of the NLC was initiated. I'd like to also acknowledge our current executive officer, Ms. Zennia Pecina who literally hit the ground running her first day of work with GBNE in 2019. She oriented quickly and since then has facilitated preparatory steps in anticipation of NLC membership.

I've had the opportunity to learn about the NLC over the past 3 years and I believe that enacting this legislation will be good for Guam. The Nurse Licensure Compact allows nurses with unencumbered licenses to have one license to practice in other compact states or jurisdictions. Over the course of this public hearing, you will hear testimony about the benefits of the Nurse Licensure Compact with respect to expanding access to care for the people of Guam, telehealth nursing, nursing education, nursing support in disaster relief, and support of military families. Thank you for allowing me to present my support for this bill from my perspective as the chair for the Board of Nursing.

The Council of State Governments website reports that there are more than 200 interstate compacts in the US and one of those compacts allows for us to use our driver's license to drive in any state or US territory. I would like to see Guam join in the Nurse Licensure Compact which would allow a nurse to physically or virtually practice in any of the 34 states that are currently a part of the NLC. It is with the understanding that anyone who possesses a driver's license has the knowledge and skills to safely operate a car in any US jurisdiction. In the same way, we can be confident in the nurse holding a multistate license because the NLC Commission established a set of 11 uniform requirements that a nurse must meet to be eligible to obtain a multistate nursing license.

As a board member, my mind is put at ease knowing that not only are we able to allow nurses to seamlessly practice on Guam, but that any nurse who comes to work on Guam under a multi-state license has no record of a felony or misdemeanor related to nursing practice. As one of the NLC uniform requirements, any nurse flagged with either of these in the mandatory local police and FBI background checks are deemed ineligible for a multi-state license. This serves as a protective layer for our island.

What is this NLC Commission that I just referenced? The heads of the state licensing boards become the Compact Administrator for their states and provide representation in the Interstate Commission of Nurse Licensure Compact Administrators. Per Bill 13-36, which is essentially the language all NLC states have adopted, Guam will have equal representation in the Commission. Guam's representative would be our GBNE Executive Officer. The NLC Commission meets annually, historically at the same time of the National Council of State Boards of Nursing Annual meeting. Zennia, our GBNE Executive Officer, Rosemary from the HPLO office and I along with our counterparts from the CNMI actually attended the last face to face NLC Commission meeting held during the 2019 NCSBN Annual Meeting in Chicago. Attendance to this annual meeting comes at no cost to the Guam Board of Nurse Examiners since travel funding for board members is provided by the National Council of State Boards of Nursing.

A question many ask is what is the associated cost of implementation of NLC? Joining the NLC not only opens up our island to any of the two million nurse who hold multi-state licenses, but also comes with the gift of the Optimal Regulatory Boards System known as ORBS which will revolutionize GBNE. ORBS will modernize operations at our Board of Nursing. According to the article, *Rising to the Challenge: ORBS*, found in the IN FOCUS Summer 2019 publication, ORBS is described as a "turnkey solution" for Boards of Nursing that will assist with license management and discipline enforcement across the lifespan of a nurse. Advantages cited in the article include digitizing paper processes and reducing the manual input of data. This has been especially burdensome for our GBNE staff during the pandemic. ORBS and all its advantages will come to GBNE with NLC membership at the price tag of ZERO dollars. This is a program that is worth over six hundred thousand dollars in its implementation year. In addition to the free installation of this program, NCSBN would absorb the cost for licensing, hosted infrastructure, professional services of deployment, maintenance, upgrades and ongoing support. This is a dream come true for boards of nursing. What would Guam's responsibilities be financially as an NLC member? As stated in the bill, there is a nominal fee of \$6000.00 per annum associated with NLC Membership. GBNE would identify a full time Project Manager who will run ORBS. From GBNE's perspective, based on the latest financial impact statement completed in January 2021, the projected revenue loss with NLC implementation will not greatly impact GBNE operations.

Being part of the NLC gives Guam marketers another bullet point in their advertisements to attract nurses to come to our beautiful island. We are always in a nursing shortage as others have previously testified about. With NLC membership, we'd be able to attract more nurses - particularly nurses who desire to live on US soil and closer to countries in Asia.

I've had the privilege of being the supervisor of four military spouse nurses, who although only worked for me for 1-2 years, provided critical support in my facility especially during the pandemic. All of the military spouse nurses expressed how much they liked Guam. In fact, one informed me that she and her active-duty husband love Guam so much that they put in an extension for a longer tour of duty. NLC would relieve military spouse nurses coming to Guam from having to endorse their licenses to obtain a Guam license. GBNE launched a survey this past weekend which at the time of reporting yielded 54 Nurse Military Spouses responses. 98% of the respondents indicated they would be more likely to practice in a Guam Civilian facility if Guam was a member of the NLC. Of the 54 respondents, 23 or (42%) of the respondents currently hold a Multistate License.

GBNE also sent a separate survey out to all 1,456 Guam licensed nurses this past weekend. As of 72 hours after launching the survey, 510 licensees (or 35% of the total licensees) had responded. Residency breakdown was as follows: 83% Guam residents and 17% non-residents of Guam. A total of 498 or 98% of the respondents indicated support in joining NLC. During the public hearing for Bill 239-35 held in September 2020, there was overwhelming support given by testimony of nursing leaders throughout the

island. Based on the recent survey and the previous hearing for NLC, joining the Nurse Licensure Compact is something Guam's nurses want to move forward with.

Guam's experience with the COVID-19 pandemic underscores the advantage Guam would have had if it was under the compact. If Guam became a member of the NLC today, travel nurses with multi-state licenses could immediately begin working on Guam. This would remove the administrative burden to HPLO staff needing to process emergency temporary work permits under the Emergency Declaration. To reiterate, these nurses will have already met all of Guam's mandatory licensure requirements and Guam would have the assurance that background checks have been completed. This is precious time that is saved especially during a pandemic.

Being part of the NLC could entice more nursing instructors to teach online courses for our growing pool of Guam nurses seeking graduate and doctoral studies. I personally know of at least 10 nurses who have obtained their master's in nursing or a doctoral degree within the past two years. As you may or may not know, these programs are not available on Guam. Our Guam nurses want and deserve these opportunities for higher education and NLC helps with that.

The NLC brings the ability of nurses from other jurisdictions to provide care to patients via telehealth. Some examples of nursing care include telephone triage, nursing supportive care for patients with diabetes, congestive heart failures, COPD, the list goes on. Telehealth communications interactions by phone, video conferencing or secured messaging have widely been adopted by healthcare facilities and supported by Medicare due to the pandemic. The nurses providing care from thousands of miles away must possess a privilege to practice on Guam because nursing care is being delivered to a patient who is physically on Guam.

When Guam becomes a part of the NLC, Nurses still have the option for applying and renewing their Guam licenses as a single state license. In fact, if NLC is passed on Guam, GBNE initially anticipates partial implementation in that aforementioned ORBS system will need to be put into place with the help of NCSBN and NLC before Guam can start issuing any multistate licenses to Guam's Nurses. Guam will however will instantaneously benefit upon enactment of NLC in that current holders of multi-state licenses would be able to start practicing in Guam immediately.

Pursuing membership to NLC is a great undertaking, however, we must not let fear of change prevent us from moving forward. I believe it is achievable with the support of NCSBN and NLC. We need to shift our thinking and recognize that the NLC must be viewed as one approach to addressing the nursing shortage in Guam. This is a great recruitment strategy. Many in the community believe that Guam must simultaneously initiate strategies for retention of nurses, such as addressing nursing salaries. The timing for both of these to occur is now. The time for modernization of GBNE is now. Please do the right thing and support Bill 13-36. Thank you for the opportunity to provide testimony.

Respectfully,



Bernadette Santos, MPA, BSN, RN



SCHOOL OF HEALTH  
Office of the Dean

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THERESE M. TERLAJE

February 3, 2021

Senator Joe S San Agustin  
Committee on General Govt. Operations, Appropriations, and Housing  
*I Mina'trentai Sais na Liheslaturan Guåhan*  
36th Guam Legislature

02-03-2021

Time: 10:38AM  
Received: [Signature]

**Testimony on:**

**Bill No. 13-36 (COR)** - Mary Camacho Torres / Tina Rose Muña Barnes -An Act to add a New Article 3A to Chapter 12 of Title 10 Guam Code Annotated, relative to Adopting the Nurse Licensure Compact; and to add a new Subsection D to Section 12307 of Chapter 12 of Title 10 Guam Code Annotated, relative to Establishing Additional Duties of the Guam Board of Nurse Examiners to facilitate the licensure of Nurses under the Compact.

Hafa Adai Senator San Agustin, Senator Torres, Speaker Terlaje and other members of the Legislature. My name is Dr. Margaret Hattori-Uchima, Dean of the University School of Health. Thank you for the opportunity to provide this testimony. On behalf of the UOG Nursing Program, I must formally raise specific concerns related to the Compact. The UOG bachelors program has an existing Health Professions Training Program (formerly called Nursing Training Program NTP) which funds nursing students by providing for tuition, fees, books, and a stipend. This has been a critical program enabling students to obtain their BSN degree and have a service payback of 2 years for each year of financial support. This program has been successful, in particular, because of our high NCLEX pass rate, that is, all NTP recipients in recent years have become licensed RNs and hired by our local hospitals and health care agencies. For the last three years, the graduates have remained on island post graduation, with only those who are military dependents, leaving. In 2018 93% were hired locally, in 2019 it was 94%, and our 2020 class has a 100% local hire rate (and remember they were hired early to assist in the pandemic). We are grateful to our partners, in particular, GMHA, GRMC, HSP, DPHSS, and TakeCare, who hire our graduates in a timely manner and foster their career growth, and growing local and regional capacity.

In FY 2018 the scholarship program had 33 recipients, 26 in FY 2019, and 29 in FY2020. I anticipate similar or higher numbers for this coming FY. The graduates have always been strongly encouraged to remain on Guam for their service payback and beyond. With the passage of this bill I implore the nursing leaders including the Guam Nurses Association and the Guam Board of Nurse Examiners to be careful when publicizing the Compact. Please limit glamorizing and any suggestions encouraging our local nurses to take advantage of the

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Mailing Address: 303 University Drive UOG Station Mangilao, Guam 96913  
*The University of Guam is a U.S. Land Grant Institution accredited by the Western Association of Schools and Colleges and the Accreditation Commission for Education in Nursing (ACEN)*  
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**Compact.** The reality is that there is a nursing shortage. It is severe and not improving. We must, as leaders, take care in promoting the Compact as a means to bring nurses to Guam, NOT as a way to enable our nurses to have increased mobility.

The program continually discusses the nursing shortage and the need to assist our island community without students. The compact passage will make it easier for our graduates to move off island and I implore our leaders to discourage use of the Compact by our graduates. We are unable to limit the new graduates and disallow them from applying for the Compact licensure. The scholarship is NOT a loan program. It is a service payback program to ease the nursing shortage and to assist in providing nurses for the island. I have continually voiced my concerns and have been informed that this cannot be included in the Bill and that the Nurse Licensure Compact Administrators require all states and territories to utilize the same Compact.

On the positive side, I support measures that will bring more nurses to our island. But first and foremost, I believe we must, in parallel with this bill, do whatever we can to improve retention. This Bill will make it easier for nursing faculty who live off island, to be hired to teach without obtaining a Guam RN license. It will make the process easier, for nurses to be brought to Guam for emergencies and disasters. I support the need to modernize the HPLO, and if this Bill is the most effective and expedient way to do that, then that is an important consideration. We have not been able, locally, to make significant improvements in the HPLO in the past decades. The NLC promises to assist the GBNE and modernize our processes.

Thank you for your time and allowing me to formally voice the concerns of the UOG BSN program. We support increasing the numbers of nurses on island, which is a complex problem that must be solved with multiple measures. This Bill is not a cure-all, and I implore the Legislature to take additional steps to implement measures that will improve retention of nurses. A complex matter requires that we work together on multiple fronts. This may be a step in the right direction, but will not result in increasing retention without other measures. We must do what it takes to retain our highly skilled, dedicated nurses and to recognize that they have been ignored for too long. I realize that many feel that retention is a different issue, but it also deserves attention at this time. Thank you.

Senseramente,

  
Margaret Hattori-Uchima, PhD, RN, FAAN  
Dean, School of Health

February 3, 2021

Dear Mrs. Senator Camacho and Mr. Senator San Agustin:

I would like to first say that I wished I was able to attend today's Public Hearing on Guam's Public Bill 13-36. I unfortunately was unable to attend personally to share in my testimony on Guam's legislative decision upon becoming a member of the Compact Licensing States. I would like to share my testimony for the inclusion of Guam into the CLS.

I am a registered nurse here on Guam and I have been a nurse for almost twenty-one years. I've devoted my entire career to improving not only nursing but to include business and education into my clinical practice. I'm working currently towards achieving one of the highest levels of nursing practice terminal education routes, my Doctorate of Nursing Practice in healthcare leadership systems. I also hold a degree in business administration, and I am currently studying to include adult education as part of my educational background.

I have been on the island of Guam for over three years and I would love to share in my journey and how I have moved forward to become a resident here. I began my journey here as a travel nurse with VerorN, Cincinnati, OH. I arrived on island for a thirteen-week contract. Once I was here, I worked at GRMC in the intensive care unit. As I completed my thirteen-week contract, I was so excited about continuing and renewing another contract for thirteen-weeks here on island. This continued over and over because I began to feel a close connection to the people and the island of Guam. In the year 2019, I chose to stay here on island to continue my efforts to improve the health of the people on the island. I continued to work through my agency here but I also took on a position through GCC to educate licensed practical nurses and just recently, through this pandemic, have successfully graduated the first group of nineteen NCLEX-prepared nurse candidates and associate of science degree practical nurses for their examination to sit and become the future members of Guam's nursing professionals. I've even begun to think about how I can incorporate business and education into providing Guam with a new means of nurse driven incentives such as providing legal assistance to attorneys for medical malpractice issues and driving a new area of rehabilitative efforts to helping those with disabilities as a life care planner.

I believe in the autonomy of nurses to afford that they can practice to the highest level of education attainment. This means that there needs to be legislation that addresses how nurses can receive reciprocity between and among states, especially during crisis much like we have and are experiencing here on Guam and across the United States. I personally am involved with being a professional member of the NLC/NCSBN. One of the benefits of becoming a member of the NLC/NCSBN is that it removes complications for nurses practicing in multiple states. Nurses from NLC states are able to work across state lines without having to worry about applying for licensure in each state or being burdened by multiple renewal requirements and fees.

As legislative members, you might ask, how can implementation of a Guam compact licensure ensure the safety and quality of healthcare delivery with the influx of incoming nurses from many different regions of the US? There are key provisions that can be addressed to help enhance nursing licensure compact requirements. This includes uniform licensure requirements and background checks and key disciplinary provisions. There are even mandatory reporting processes regarding disciplinary actions. This can help to ensure that the citizens of Guam can benefit from added security and safety of those that delivery healthcare services as members of a compact nursing licensure state. There are still rigorous checks to provide safety in care delivery much as there currently are in the Boards of Nursing throughout the US states now.

One of the unfortunate results of nursing is in how to address human resources specific for nursing. I'm not sure if the members of legislation understand how maintaining a "pipeline" of new nurse graduates is needed to continue in the nursing resources pool during limited times of certain circumstances such as the one this pandemic has caused. For nearly eight months, our students were unable to complete clinical hours until the eleventh-hour before their completion of their nursing program. These students will enter into the professional world of nursing needing a mentoring support from others in our profession. Recently, I found that UOG has suspended their nursing program until 2022. What this suggests is that there will be limited nursing resources for registered nurses for Guam. As a licensed practical nurse instructor, I can attest that our students are well prepared for the demands of nursing but that their areas of expertise may not include such areas of critical and emergency or even critical pediatric care. Without having an ability to pull from added resources, there is a burdening pressure placed on our healthcare system of not only on the island, but also in the whole of the US healthcare delivery system. With the benefit of having an opportunity to utilize registered nurses from other regions of the US, we can support our island's healthcare delivery system by ensuring a steady "pipeline" of nursing resources in emergent cases such as the pandemic has caused. We utilized members of the military in efforts to deal with this outbreak, which suggests that we are willing to think outside of the learning box during a crisis like this one. If we think outside the box where it comes to implementing Public Health Law 13-36, then we can properly prepare and have a prevention strategy for overwhelming and burdening our very limited supply of nursing on island.

One might add that a nurse wouldn't want to come to the island because of the pay. This is absolutely a false statement. Working at GMH as a certified intensive care nurse, I have directly spoken with travelers that say that pay does not matter, the experiences and the camaraderie of the nursing profession drives internal motivation to come to the island and provide for passionate care to our islanders. The one thing that really hit home was discussing how the media played into the pay during the bringing in of travelers onto the island was manipulated and abused. Many of these travelers paid thousands upon thousands of dollars for costs of housing because many business and personal realtors felt that they were being paid too much, so they raised their costs of rental properties. This spilled over into areas such as transportation, etc.

One of the benefits of becoming a NLC member is that it provides the nurse with autonomy to practice in an unencumbered level of clinical privileges. There is an added benefit at the state level by know and participating as a prevention strategy for dealing with limited nursing resources and crisis management. We can remove some of the bureaucratic paperwork and allow quick mobilization of nurses when and if we continue to have episode of healthcare crisis such as the one COVID-19 has caused our island. With unlimited provisions of healthcare nursing resources, we are able to tap into this

pool of nurses during any healthcare crisis, preventing a delay in the delivery of quality and safe healthcare practices with our current limited resources of nurses.

Finally, I would like to say that, as a resident of Guam, I am proud of our community and I am especially proud of those professional individuals that came together to combat our pandemic. We must remain steadfast and always think in a preventative means because we do not know what our tomorrows might bring. Furthermore, I am proud to become a member of our islands multicultural community and I will continue to uphold and dedicate my service to the needs of others in and around our island communities. With this, Si Yu'os Ma'åse'.

Please consider passing the Public Health Bill 13-36 to support our nursing needs and supply for the future of our island and in the delivery of quality and safe healthcare practices.

Sincerely,

William Eric Lee, MSN/MBA, BSN, RN, CEN, CCRN, PCCN, CMCN





SENATOR MARY CAMACHO TORRES

*I Mina'Trentai Sais na Liheslaturan Guåhan* 36TH Guam Legislature

DNA Building, Suite 807 | 288 Arnoldshod Flores St. | Hagatña, Guam 96910

Phone: (671) 475-6279 Email: [senatormary@guamlegislature.org](mailto:senatormary@guamlegislature.org)

## **Appropriations Chair Prioritizes Nurse Community**

### **BILL 13 SCHEDULED FOR CMTE'S FIRST PH**

(January 25, 2021 – Hagatña, Guam) Answering the call of Guam's nurse leaders, the **Committee on General Government Operations, Appropriations, and Housing** has scheduled a Public Hearing for **Bill No. 13-36 (COR)** next Wednesday, February 3, 2021 at 9:00 AM.

The re-introduced measure, which is authored by Senator Mary Camacho Torres, and co-sponsored by Vice Speaker Tina Rose Muña Barnes and Senator Amanda L. Shelton, would add Guam to the Nurse Licensure Compact (NLC) – making it easier for nurses in other NLC states to practice on Guam.

*"I introduced this measure in 2019 to address what had already been a persistent problem on our island," said Torres. "Since then, Guam has been embroiled in a pandemic that has only underscored how strained our healthcare system is."*

If enacted, Bill 13 would further enable nurses in other compact states to provide telehealth services to patients, as well as allow nurses to immediately cross state borders and provide vital services on Guam in the event of a natural disaster or other emergency, without the need to wait for an emergency declaration.

Under the NLC, members would also have access to a shared database containing the licensure, work, and disciplinary history of each compact nurse. This includes ongoing investigations which are not included in current databases utilized by the Guam Board of Nurse Examiners.

*"While there are clear benefits to enacting this policy, the truth is that we introduced Bill 13 simply because our nurses asked us to," said Torres. "I thank Chairman San Agustin for listening to the community and urge our nurses to make their voices heard once more at this Public Hearing."*

The hearing will be conducted in the Public Hearing room at the Guam Congress Building in Hagatña. Members of the public are encouraged to submit their testimony to the Committee on Appropriations at [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com) or to the Office of Senator Mary Camacho Torres at [senatormary@guamlegislature.org](mailto:senatormary@guamlegislature.org).

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For more information, please contact the Office of Senator Mary C. Torres at [senatormary@guamlegislature.org](mailto:senatormary@guamlegislature.org) or (671) 475-6279.



# SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS & HOUSING  
I MINA'TRENTAI SAIS NA LIHESIATURAN GUAHAN

February 1, 2021

**Transmitted Electronically via:**  
**senatormary@guamlegislature.org**

**The Honorable Mary Camacho Torres**  
**Senator**  
*Mina'trentai Sais na Liheslaturan Guåhan*

**Re: Response to Letter of February 1, 2021.**

*Hafa Adai* Senator Torres!

I am in receipt of your letter requesting to allow nurses to testify virtually on Bill 13-36 and while I understand our ability to conduct public hearings virtually, I have opted to use the face-to-face format for my Committee Hearings unless public health protocols require us to resume to full-virtual practices.

I want to invite all those who may not physically attend to submit their testimonies in the traditional method in writing or in a 3-to-4-minute video. I will commit to playing these video testimonies during the hearing.

I also want to assure you that all testimonies- written, in-person and recorded, will be thoroughly reviewed and appended to the bill's committee report.

I am confident that this committee will work closely with you and your leadership along with those in our nursing community toward seeing this bill through its final stages and appreciate your advocacy for the bill and those who stand to benefit from its' passage, for in the end, we will all benefit.

Please let me know if there is anything else. I may assist with.

*Si Yu'os Ma'ase'!*



Joe S. San Agustin



**SENATOR MARY CAMACHO TORRES**

*I Mina'Trentai Sais na Liheslaturan Guåhan* 36TH Guam Legislature

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February 1, 2021

Transmitted via Electronic Email  
[senatorjoesanagustin@gmail.com](mailto:senatorjoesanagustin@gmail.com)

The Honorable Joe S. San Agustin  
Senator, 36th Guam Legislature  
761 S. Marine Corps Drive  
Ran Care Bldg. Suite B2  
Tamuning, Guam 96913

**Re: Request to Let Nurses Virtually Testify**

Dear Mr. Chair:

I want to thank you for swiftly scheduling a Public Hearing for Bill No. 13-36 (COR) at the Guam Congress Building this week.

While I have full confidence that your Committee is taking every precaution to ensure safety protocols are practiced and enforced, I have been informed by a number of participants within the nursing community that they will only be able to participate via video conferencing.

As you know, many of these attendees are front line workers whose time and schedules may not permit them to physically leave their place of work and attend this hearing. I do not believe that they should be deprived of this long-awaited opportunity simply because they are doing their jobs. Nor do I think that their participation should be limited to mere submission of testimony if they wish to be virtually present for the duration of the hearing.

Given that this bill was scheduled at their request and that the Legislature has already established a precedent of conducting hybrid hearings, I respectfully request that your Committee make accommodations as necessary to allow for virtual participation.

My office stands ready to assist in staffing this hearing, should you require it.

Thank you again, and I look forward to your favorable response.

Sincerely,

  
Mary Camacho Torres



# SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS & HOUSING  
I MINA'TRENTAI SAIS NA LHESLATURAN GUÅHAN

## COMMITTEE REPORT DIGEST

### **1. OVERVIEW**

**Bill No. 13-36 (COR)** was introduced on **January 06, 2021** by **Mary Camacho Torres, Tina Rose Muña Barnes, and Amanda L. Shelton**. The bill was subsequently referred by the **Committee on Rules** to the **Committee on General Government Operations, Appropriations, and Housing** on **January 13, 2021**.

The Committee on General Government Operations, Appropriations, and Housing convened a public hearing on **Bill 13-36 (COR)** on **Wednesday, February 03, 2021** at ***I Liheslaturan Guåhan*, Public Hearing Room**.

#### **Public Notice Requirements**

Public Hearing notices were disseminated via **e-mail** to all senators and all main media broadcasting outlets on (First Notice), **Monday, January 25, 2021** (5-Day Notice) and (Second Notice) **Friday, January 29, 2021** (48-Hour Notice).

#### **Senators Present:**

Senator Joe S. San Agustin, Chairperson  
Senator Amanda L. Shelton, Vice Chairperson  
Speaker Therese M. Terlaje, Member  
Vice Speaker Tina Rose Muña Barnes, Member  
Senator Jose "Pedro" T. Terlaje, Member  
Senator Mary Camacho Torres, Member  
Senator James C. Moylan  
Senator Telo T. Taitague

#### **Appearing before the Committee:**

David Lubofsky, Private Citizen  
Lynette Fires, Registered Nurse, Guam Regional Medical Center  
Dr. Carla Haddock, Nurse Practitioner,

#### **Written Testimony Submitted:**

David Lubofsky, Private Citizen  
Kelli Douglas, Southwest Regional Liaison, Office of the Assistant Secretary of Defense  
Jim Puente, Director, Nurse Licensure Compact  
Dr. Kevin Hitois, Nurse Practitioner, Department of Veteran Affairs and Vice Chair, Guam Board of Nurse Examiners  
Zennia Cruz Pecina, Administrator, Health Professional Licensing Office and Executive Director, Guam Board of Nurse Examiners  
Christine Tuquero, Deputy Assistant Administrator of Nursing Services, Guam Memorial Hospital Authority

Bernadette Santos, MPA, BSN, RN, Chairperson, Guam Board of Nurse Examiners  
Dr. Margaret Hattori-Uchima, Dean, School of Health, University of Guam  
William Eric Lee, MSN/MBA, BSN,RN,CEN,CCRN,PCCN,CMCN, Travel Nurse, Guam  
Regional Medical Center and Instructor, Guam Community College

## **II. SUMMARY OF TESTIMONY AND DISCUSSION**

### **The Public Hearing was Called-to-Order at 9:25 A.M.**

**Chairman Joe S. San Agustin:** We will now proceed and be prepared to move to Bill 13-36. The Committee on General Government Operations, Appropriations is called back to order for the purpose of hearing Bill 13-36. The time now is 9:25. Notices for this public hearing was disseminated via email to all Senators and all main media broadcasting outlets. First public notice was issued on Tuesday January 19 and then issued on Thursday January 21<sup>st</sup>. Then issued again on January 25<sup>th</sup> and Friday, January 29<sup>th</sup>. For the record today is Wednesday, February 3<sup>rd</sup>, 2021 and the time now is 9:25. Committee will hear and accept testimonies on Bill 13-36 introduced by Senator Mary Camacho Torres co-sponsored by Vice Speaker Tina Muña Barnes, Legislative Secretary Senator Amanda Shelton. An act to add a new Article 3a to Part I of Chapter 12, Division I, Title 10 Guam Code Annotated, relative to adopting the Nurse Licensure Compact and to add a new § 12307(D) of article 3, part 1, Chapter 12, Division I, title 10 Guam Code Annotated, relative to establishing additional duties of the Guam Board of Nurse Examiners to facilitate the licensure of nurses under the compact; and to further appropriate the sum of six thousand dollars from the Health Professional Licensing Office revolving fund to the department of public health and social services to fund the annual membership fee to the nurse licensure compact in fiscal year 2022.

I'd like to acknowledge the senators that are here to participate. We have also the author of the bill and her cosponsors. Vice Speaker Tina Rose Muña Barnes and Legislative Secretary Amanda Shelton. We also have Speaker Therese Terlaje and Senator Jose Pedro Terlaje in addition to Senator Moylan. We do have three individuals who have signed up to testify. We have Mr. Dave Lubofsky, Lynnette Fires and Ms. Carla Haddock.

I would actually remind everyone of the conduct of this hearing. Those testifying on behalf of Bill 13-36 or against, will be recognized by myself and we will begin with the order that I have read the names. They have signed up. Written testimony shall be submitted to the Committee. Please provide my legislative staff with your written testimony for photocopying. Testimony may be read and the length of the testimony should be summarized to about 5 minutes. Testimony should be confined to the substance. Individuals may be allowed to submit oral testimony only once. Once you are done, you may be asked to remain in the room for questions or for additional testimony as may be desired by the members of the Committee. Proper form shall be practiced by all those present in the Public Hearing Room for these proceedings. Individuals who fail to maintain proper form and decorum may be restricted from providing oral testimony, and may be asked to leave or be escorted from the room.

When you speak, please be sure that the microphone is on and that you speak into the microphone. Please state your name and title for the record. We will now begin discussion, but first, I will ask the author of the bill to give her opening statement. Senator Torres, Ma'am.

**Senator Mary Camacho Torres:** Thank you Mr. Chair, and thank you for reading the title of the bill. I introduced this measure alongside Vice Speaker Tina Muna Barñes last term to address what had already been a persistent problem on our island.

Long before the COVID-19 outbreak, Guam was battling a nursing shortage. Our public and private hospitals had been forced to declare divert status—even though they had the bed capacity to take people in. The lack of registered nurses prevented full utilization of our specialty units. And an overflow of patients defined our emergency rooms. The message was clear: nurses are understaffed and overworked. We needed to recruit.

At the urging of the nursing community, the Vice Speaker and I authored Bill 239-35 which proposed to add Guam to the Nurse Licensure Compact. The Guam Board of Nurse Examiners had urged that simplifying the licensing process would make it easier for nurses in other states to practice here—decreasing wait time while increasing accountability through the Compact’s high regulatory standards.

The day before we dropped Bill 239, GMH Administrator Lillian Posadas stated that “If Guam were to participate in the licensure compact...the licensing process won’t be as cumbersome. This will go a long way in helping us.” There were clear benefits to the policy—but the truth is we introduced it simply because our nurses asked us to. That was in 2019. And that bill never made it out of Committee.

Since then, Guam, like the rest of the world, has been embroiled in a pandemic for almost a year—increasing the demand on our already-strained healthcare system. Our island has responded with every stop-gap measure we could think of—issuing emergency licenses, requesting extensions for active-duty medical personnel, and contracting with hiring agencies at a huge expense to our public hospital.

We ask, how could the NLC have benefited Guam? Unlike our current single license model, the NLC allows registered nurses and licensed practical nurses to have one multistate license in their primary state of residence and practice in other compact states under that one license. This allows nurses to come to Guam and practice immediately—without the need to apply and wait for a Guam nursing license or a disaster declaration.

Under the Compact’s uniform licensure requirements, nurses must meet a minimum set of standards, including submission to a federal finger-print based criminal background check. This not only facilitates accountability but also streamlines the verification process for our Board of Nurse Examiners.

This is a practical benefit that we saw great need for this past year, Mr. Chair. While our Guam board moved quickly and courageously, many traveling nurses found themselves held up by a cumbersome credentialing process last September. Had we been members to the Compact, nurses might have gone from airplane to hospital much faster—conserving precious time and resources.

Having discussed these benefits, I’d like to take a moment, Mr. Chair, to address some myths about the NLC that were circulated last term out of fear or perhaps a failure to read the bill.

The first myth is that there’s no immediate relief. It was believed that this bill would not offer any immediate relief. And opponents have argued that we should delay what our nurses asked for because no one can come to Guam until our Board develops rules and regulations—which could take up to a year. Mr. Chair, that is patently false.

As the bill makes clear, rules and regulations were already developed under the Compact. Once we enact this bill, we adopt those Compact rules. While Bill 13 does require our Board to implement a multi-state licensure fee and coordinate background checks—which can take time—those provisions pertain to Guam residents.

In other words, nurses from other compact states can immediately practice here once we enact the NLC. This is a benefit that recent members like New Jersey have used to quickly bring nurses into their state. Even though New Jersey is not able to issue multistate licenses to their residents yet, out-of-state nurses with multi-state licenses are able to practice there. This was a vital tool to help New Jersey address nursing shortages caused by the pandemic.

So let me be clear: if we were to become members tomorrow—our Board will be granted the time it needs to implement a process to issue a multistate license to our residents, but nurses in other NLC Compact states can practice in Guam immediately.

The second myth, another argument I've heard is that we can't pursue the NLC without first increasing local salaries here. I agree that we should do all we can to incentivize retention. That's why I authored Bill 35-125 which funds a previously mandated study out of my own office budget. While we certainly don't need a study to tell us our nurses deserve better, we do need an expert to consult on nurse classification and compensation rates specific to Guam, and my law allows for it. What I don't agree with is the idea that retention and recruitment are somehow mutually exclusive.

While Guam can and should do both to stabilize our local nurse force, the unfortunate reality is that we don't have enough nurses to adequately care for our island right now. Joining the Compact immediately opens us up to a pool of over 2 million nurses, including specialty nurses, who possess the years of experience needed to fill Guam's gap in care. Recent nurse graduates do not have that needed experience.

Becoming a member of the NLC may also attract nurses in Compact states who wish to practice on U.S. soil closer to other areas in the Pacific region, such as the Philippines or Japan. Finally, I'd like to dispel the argument that this bill will lead to an exodus of our nurses. To date, there is no evidence from any of the 34 Compact states that adoption has led to a surge in out-migration. If this were the case, then states would have repealed their membership in the NLC—and so far, none have. Additionally, there is nothing preventing our nurses from leaving Guam to practice elsewhere right now. In fact, many of the "popular" states that our nurses leave to are non-Compact states. In other words, if a nurse wants to leave, he or she is able to do so right now, and the Compact does not change that.

I ask my colleagues to think about the paternalizing message this fear sends to our health care community: that we should withhold a policy they asked for so others can hold them hostage. With or without this policy, our nurses should decide what's best for their personal lives. And I for one won't pretend to know better than the frontliners who requested this bill.

Mr. Chair, since last year, eight more states have proposed legislation to be added on to the Compact—and more are planning to file this year. It just makes sense. The COVID-19 crisis has only underscored our need to mobilize quickly and efficiently.

As NLC Director Mr. James Puente put it, "if the NLC was expanded to all 50 states, none of the guesswork with emergency orders would be necessary because nurses could travel to other states where they are needed. No applications, fees or background checks would be necessary.

Disaster preparedness is a nonpartisan issue. The NLC is a solution to modernizing licensure and responding to disaster.”

I want to thank the Guam Board of Nurse Examiners who first came to me in 2019 about this policy and all those on our front lines who couldn’t physically be here but have submitted testimony today. Virtual appearance may have been more convenient for them, but unfortunately, they had requested that I instead ask that their testimonies be read into the record on their behalf. I am also grateful, Mr. Chair, for your prioritizing the community and holding this hearing so quickly.

A question which was raised last term that has since stuck with me throughout this process: if we can’t predict what the impacts of NLC are for Guam, should we proceed? My and other supporters’ response is that we can only rely on the data we have before us—and that data points to a growing number of states seeking to join the NLC following the impact of COVID-19.

Now, more than ever, the arguments for improving access to care and patient safety compel states to adopt this policy. Simply put, we shouldn’t let fear be the reason why we don’t proceed. Let us finally proceed. Thank you, Mr. Chair.

**Chairman Joe S. San Agustin:** Thank you, Senator Torres. I’d like to also recognize the colleague that has joined us, Senator Telo Taitague. I’d ask the MIS, is there slides that they were going to present? Or are we going to see that later, Senator Torres, after the live testimony first?

**Senator Mary Camacho Torres:** No, sir.

**Chairman Joe S. San Agustin:** Okay. So we’ll begin then with Mr. Dave Lubofsky. You’d be first, followed by Ms. Lynnette you’ll be next. And then Carla would follow. And then we’ll have the slides and any written testimony that Senator Torres has received because I know we do have a handful and if they can be read for the record, I’d appreciate it. Dave.

**David Lubofsky, Private Citizen:** Good morning, Senators. My name is David Lubofsky. Thank you for allowing me to give testimony on Bill 13-36. I’m sorry, but I am not in support of this bill for many reasons. As you may know, due to a family tragedy, I have become involved in advocating for changes in medical care on Guam for patient rights that will have a positive impact and protect medical health care consumers. I’ve not only had first hand experience of the tragedy of medical care gone amiss, but I have spoken to dozens of consumers, nurses, doctors and others about consumer related care and issues over the last two years, including and especially at GMH.

In my opinion, if this bill becomes law, it will put the poorest people on Guam in more jeopardy for increased poor medical care than they already now receive at GMH due to the departure of nurses for better salaries.

Nurse retention due to salaries is already an issue per GMH Administrator, Ms. Lilian Posadas in her Testimony during the 35<sup>th</sup> legislature on the same bill. I raise the question, do we need this bill if we just pay our Guam nurses what they deserve at GMH? Which should be around \$75,000 per year. \$75,000 per year is the national average. Won’t that attract off island nurses and pay nurses on Guam a deserved salary that they have been deprived of for decades?



This bill will make it easier for our nurses to leave or be recruited for the big salary in other Compact states, with Guam's average nurse salary at the lowest of the 34 Compact States. Our nurses should be earning at GMH about \$75,000 per year. That will put them only in the middle of what nurses earn in the Compact states. Do the people of Guam, not deserve the same standard of nursing care reflected by salary as the rest of the country? Does anyone here really think that nurses under the Compact from other states will say, 'Oh my gosh! Let's go to Guam. It's so beautiful.' And then get here and be poor? Because that is what our nurses salaries look like. Or, will our Guam nurses with this Compact, especially GMH nurses say, 'You know what? Let's move to the states, not have to work two jobs, have more time to the family with better working conditions.' Our GMH nurses happen to have one of the lowest salaries in the nation and work under extremely difficult and at times hostile conditions, including being bullied on the job, especially HI nurses. Working conditions for nurses need to improve at GMH with an increase in pay to attract nurses or they, as Ms. Posadas alluded to, will leave.

Bill 13 will increase our dependency if nurses do leave, on HI nurses. There's nothing wrong with HI nurses. They're great, except for thing, they fear losing their jobs and being sent back home and not being able to support their families. That fear, if they're the ones who replace our nurses, raises serious questions about their ability to step up and assert themselves with doctors and other in a medical life or death crisis. I have witnessed this. I have lived this. I saw this first hand at the hospital.

Bill 13 is for bringing nurses easier to Guam to meet emergencies or like the pandemic. While we are waiting for the next emergency, our underpaid nurses will be heading for better jobs. Personally, I think that is the bigger emergency and concern, losing nurses that we have now. Our Personally, I think that is the bigger emergency and concern, losing nurses we have now. Our public hospital will get the short end of the stick, and again, the poorest on Guam will continue to be put at risk with less nurses who are overworked, impacting medical care, patient care negatively for the most vulnerable on Guam at GMH, where care already is a challenge. As I witnessed and was documented by the feds under the Medicare Services, CMS report for 12 patients. If you have not read that report, I suggest that you do. Also, from what I understand, the Guam Board of Nurse Examiners will lose control of who comes to Guam under the Compact. This is a big concern with no local vetting. Why would you rely on others to protect our loved ones on Guam. Even the doctors, the doctors have a compact, but they still screen incoming doctors, doctors who want to come into Guam.

I think Bill 13 is backwards. The legislature should concentrate first on getting Guam nurses' pay raised to a rate closer to the national average which is \$75,000 to attract more good nurses from off island, and to pay our nurses their worth, rather than keeping our nurses poor by national standards.

Guam needs to attract good nurses. That's a given, and the best way to do this is by paying our valued nurses more and improving working conditions at GMH. To be honest with you and due respect, it's embarrassing and even laughable to look at the Compact list of states and see that Guam will be at the bottom for nurses' salaries. This says volumes as to how we value health care on Guam, beyond talk and special interest legislation, compared to other Compact States. That should tell you something. Thank you, Senators.

**Chairman Joe S. San Agustin:** Thank you. Thank you, sir. Ms. Lynnette. Your last name is Fires right?

**Lynnette Fires, Registered Nurse, Guam Regional Medical Center:** Yes it is.

**Chairman Joe S. San Agustin:** Okay. Just wanted to make sure.

**Lynnette Fires, Registered Nurse, Guam Regional Medical Center:** Good morning. Thank you for allowing this public hearing that discusses this very important topic that allows adequate nursing care to the people of this island. My name is Lynnette Fires. I am a registered nurse. I work at GRMC in the ICU for approximately the last four years. I began my nursing career 23 years ago as an Army Nurse Officer for a short period of time. I am currently a military spouse. My husband and I are completing an extended military assignment here on Guam and I've enjoyed being on this beautiful island and have loved experiencing and caring for these people. Here on Guam, we are challenged with nursing shortages much more than our stateside counterparts due to our remoteness and also due to not having a flow pool of nurses here to support. Long before this pandemic, we always had experienced shortages. Guam needs nurses. This Bill 13-36 would allow Guam to join the other 34 states plus as part of the enhanced Nurse Licensure Compact. It would also allow for uniform licensure requirements, an updated system, and it would allow the nursing board to quickly look for problems with the nurses' license. It would allow telehealth nursing to take place. It would also allow other nurses to begin to practice nursing immediately, not just travel nurses, but also military spouses in nearby overseas areas like Okinawa, South Korea and Japan, to include other places. These are US nurses that are sometimes not allowed to work in these nearby overseas areas due to military SOFA laws. I realize that there is a concern of mass exodus of our local nurses. If someone were to move from Guam, I can tell you it is not likely due to just holding a multi-state nursing license. Being a military spouse nurse myself, that moves every two to four years, I can tell you that the cost of a nursing license is only a very minuet cost and detail of moving. If someone is going to move, they're going to move whether or not they have had a multi-state license. I have moved on multiple occasions and have had six nursing license. We can talk about retention, we can talk about recruitment, but when nurses are asked what factors keep them at their current nursing job, we can probably agree that there are so many factors, but we will never know unless we are able to have a pool of nurses to choose from. For me, the factors that keep me at my nursing job are the challenge of continued learning and experience from higher patient acuties, management that listens and works with their staff, fair pay, adequate staffing that allows us to safely take care of our patients. The last one being probably the most important thing, adequate staffing. I can make more money at Guam Naval Hospital, but I researched Guam hospitals when I arrived on island four years ago, and I wanted the experience, the patient acuity and the ability to make the most difference, and I chose my hospital. I asked the same question. What are some factors that make you more willing to stay at your current nursing job? I have a facebook group, Guam Military Spouse Nurses that helps other Guam nurses that are military spouses or deal with the military, and I also asked another military spouse group that are also nurses from all over. Their responses included appreciation, a sense of accomplishment, making a difference, work life balance with schedule flexibility, adequate staffing with safe patient ratios, competitive compensation, benefits, tuition reimbursement, opportunities for professional and personal growth and advancement, teamwork with ability to provide input as a team leader, being listened to and having support from leadership, location to home and adequate orientation and training periods. No where in that did they say, they stayed or they moved because they had a multi-state license. As you can see, retention is a multi-factorial issue. Having a multi-state license will not necessarily lead a nurse to leave their current job. Loss of nurses will come from not meeting the previously mentioned factors. If nurses choose to leave, they will whether or not Guam becomes part of the Compact states or not. Recruitment and retention are two separate issues and not the purpose of this bill. One thing is clear, we will not have retention of nurses if we don't have recruitment of nurses. We will not have patient safety in the hospitals if we don't have safe staffing. We have been asking

for safe staffing for the longest time. When I first heard of the possibility of Guam becoming part of the Compact states three years ago, I started an online petition on Change.org that asked for support for Guam to become part of the Enhanced Nurse Licensure Compact States. I'm proud to say that there are currently just under 4,000 online signatures. Our current Guam nurses are overwhelmed with overtime, sicknesses, family issues, increased patient ratios and understaffing. We have been understaffed, and we are tired. Please hear our local nurse leaders and our nurses as we, we ask for your help in getting more nurses here. This will help the island of Guam in providing safe care to our people here in Guam. With overwhelming support for this bill, let's move it forward so that we even have the chance to discuss and work on the other factors that allow the nurses to stay at their current nursing job. Allow Guam to become a part of the Nurse Licensure Compact States. Thank you.

**Chairman Joe S. San Agustin:** Thank you. Ms. Haddock, ma'am, Doc. Correct? Doctor Haddock. Thank you.

**Dr. Carla Haddock, Nurse Practitioner:** Hafa adai, Speaker, Vice Speaker and Senators. I am here today to testify in favor of this bill as a nurse, and as a nurse who has worked in various different places on Guam. I have been a GMH nurse for, I worked at GMH for about 10 years, and while I agree that the salary is low, I don't believe that that is the issue in this bill. As Ms. Lynnette said, recruitment and retention are two entirely separate things, and I feel like we've already addressed having this retention through the Bill 35-125 that was introduced last session.

I wanted to bring to attention the fact that the nurses were actually excluded from that Hay Study a while ago. When I was a nurse at GMH, they said that we were not part of the Hay Study because we already received a Nurse Pay Plan Study. However, when I received my GG-1, when the rest of the government got two, three, four, five-dollar raises, I got a mere seventeen cents raise. I started my salary at \$17.25 at GMH. Why did I not choose to leave island? Because salary alone is not the reason why I stay. It's service to my people, service to my island, having all my family here. Those are reasons why I choose to stay. And when I talked to the travel nurses that have come by, some of them have even said to me, 'I want to stay on this island.' And some of them have. Some of them fulfilled their traveling nurse contract and have stayed. And I asked them, 'Why did you stay? Because you took a pay cut when you're travel contract expired.' And they said to me, 'no where else in this world can I work with such great colleagues, with such high patient acuity that I'm learning something every single day on the job, and no where else can I see things that I have never seen before in other places I have worked. And that makes me a better nurse and a smarter nurse.' So yes, salary is an issue, but it's not the only issue. And it's not the only reason.

And the GBNE actually brought this issue up as far back as 2018. In 2018, we were, the nurses and stakeholders were invited to roundtable discussions, to dinner meetings, where they presented this idea. This happened long before the pandemic, long before we had a shortage of nurses, long before we weren't able to use our H1 visa nurses. Mr. David brought up a question, if we need this bill, do we need this bill if we raise the salary? And I say, absolutely. We need it because we have some nurses who are migrants. They come as military spouses. They come as people who are on short term contracts, and they don't know if they will be here on Guam for how many years. And they choose to work in federal jobs or in the military jobs where they don't need to get a Guam license. And so we lose these nurses to these other civilian or these other military or federal jobs because they don't know if they want to invest in a short term. So say they are only here for six months, they want to be able to contribute back to the island, but it doesn't make sense to them. And further, you have some of these military spouses who don't really understand the impact that having to do a nursing license on Guam can have or how the

process works or how to get the police and court clearances or things like that. And so they choose to opt for the easier route and just work with their current license in these facilities.

I am also a military reservist, and the military requires me to maintain an active license. My license on Guam, sometimes isn't updated immediately with the credentialing office. So, I had to choose to get a secondary license from Hawaii. Does my secondary license in Hawaii mean that I'm going to move to Hawaii, that I'm going to migrate out of Guam? Absolutely not. And I want to tell you the ease that it was to get my Hawaii license. I went on. I applied. I electronically signed the application. In 24 hours, I had my Hawaii License. If, I was able to do that with a Compact License, and I'm coming to Guam for a short term, I can guarantee you, more people would want to work in the civilian sector. In fact, I've talked to several of my colleagues who are active duty. And they would love to be able to afford the opportunity to moonlight in our local hospitals. They would love the opportunity to be able to have sessions where they could teach the nurses certain skills or teach them a new equipment that's only available at Naval Hospital, but they can't do so unless they have an active Guam license.

Further, there was a concern about GBNE losing control or screening or whatever. Just because you have a license on Guam to work, does not dictate who, your employment. Licensure does not guarantee employment. It's up to the employers to decide, who they want to hire. And they can ask their own screening questions, their own background checks and their own things. There's nothing to say that if you get this Compact License, you are guaranteed a job on Guam.

And it's true, nothing about the Compact will lead nurses to stay or to leave. I have had several colleagues who without the Compact, have decided on their own that they wanted to move off of Guam, and their reasons weren't just salary. One of my colleagues moved because she wanted to gain residency to make college affordable to her for her daughter. Another one of my colleague's family got sick and he needed treatment that couldn't be done on Guam and so moved off island. There is nothing to say that you can't go now, and nurses do. So, I really encourage all of you to examine this bill very carefully and allow us to have some nurses who otherwise wouldn't work on Guam, be afforded the opportunity to be licensed under the Compact. It is a nationally developed law. It's gone through a lot of rigorous process, and I really think Guam needs to be part of the Compact. Thank you.

**Chairman Joe S. San Agustin:** Thank you, Dr. Haddock. Senator Torres, do you have other testimony that was submitted that you wanted to read out, Maam?

**Senator Mary CamachoTorres:** Yes, Mr. Chair, there is several testimony that were submitted and requested that we read into the record. And so I will read some. I'll have my colleagues help me because there are more than one. So if I can ask Vice Speaker to read some and then Senator Shelton and then I'll read the last piece of testimony. Thank you, Mr. Chair.

**Chairman Joe S. San Agustin:** All right. Thank you. Go ahead, Madam Vice. Vice Speaker, if you can go ahead and start and then whichever colleague is going to read, just continue reading so that we can hear the testimony and it can be read for record. Thank you.

**Vice Speaker Tina Rose Muña Barnes:** Thank you. Thank you, Mr. Chair for giving me the opportunity and before I read the couple of letters that I have in front of me. If I could just share a couple of comments. I want to say *Un Dangkulo 'na Si Yu 'os Ma'ase'* for hosting this hearing this morning. And since 2019, Senator Torres and I had looked at making our island of Guam join the Nurse Licensure Compact, and since then we did have over 4,000 signatories on a petition urging this body to be a part of the NLC and I know that it was brought up earlier.

Thank you very much. We have also received favorable letters of support from the DOD community, and we have met with and spoke to many of the spouses of service members who are stationed here and they want to give back to the island community. They are certified nurses ready to augment a critical need here on our island of Guam. The standards of the NLC are more higher than that of our current standards and we would be able to target a pool of over 2 million nurses from 34 member states. And from the many off island nurses I have spoken to, they all envy the beautiful island paradise that we live on here on our island of Guam and they want to come here. I want to say, Mr. Chair, let's do right by our people and address the problems we know of, not worry about what could happen and neglect the issues that are in front of us. I also want to share a note that a very close friend to my brother-in-law who was a traveling nurse and had been given the opportunity to come here on a couple of occasions is now back in the United States making much, much more than what she was making here on the island of Guam, but was asked that if she had the opportunity to come back to Guam to continue to do her work? She said that by a micro-minute that she would come back and do it here and stay here. She said [inaudible]...but the work here and the spirit and the hospitality of our island people is something that we here on Guam take for granted because the respect here is so high. And it literally made me feel *banidosa* really, proud when those comments were shared. And til this day, she continues to write and share things with the family and even to my brother-in-law not knowing that they continue to have a pen pal relationship I guess is what I would call it. But the love she said she had just taking care of my mom and family members that are very close to her still, she said she would come to Guam if afforded the opportunity, so it works both ways, Mr. Chair, and we have something good that can happen here. And if there are any major issues, things can always be worked out. I also believe that if you build it, they will come and based on that Mr. Chair, I do have a couple of letters I'd like to read. This first one is from the Office of the Assistant Secretary of Defense. It's addressed to you, Mr. Chair, and subject is Bill 13-35 (COR) Nurse Licensure Compact.

**[Written testimony from the Office of the Assistant Secretary of Defense is read into the record. Refer to appended testimony]**

The next one, Mr. Chair, is addressed to you on February 2<sup>nd</sup>. I will note for the record, Mr. Chair that that letter from Ms. Douglas, Ms. Kelli May Douglas was dated January 27<sup>th</sup>, 2021. This new letter is dated February 2<sup>nd</sup>, addressed to you.

**[Written testimony from Nurse Licensure Compact Director, Jim Puente is read into the record. Refer to appended testimony.]**

Mr. Chair, thank you for giving me the opportunity to read that on the record. And I also want to say from personal experience, when my mom had a stroke two years ago in 2018, I had a couple of nurses that took the time to work closely with her when she was ICU and then in the private room she had after getting out of ICU. There was a couple of nurses that came up to me when they realized that I was a senator and asked how I could help. This was back in October 31<sup>st</sup>, November 1<sup>st</sup>, in that time period of 2018. And that request was how can we help bring more nurses to Guam, how can we help lift and how can we help? And I said to that nurse that we didn't have one nursing program on Guam, we had two. We have a program that works closely with the Guam Community College and also with the University of Guam. And it was at that time that I didn't even realize there was a waiting list of nursing students that wanted to get in and couldn't get in. And I asked what the reason was to them. And they said that the reason why there was a hold up was because there's not enough professors to do the class depending on, there's a ratio that was needed for teacher to the number of nursing students. And the recommendation of the NLC had come to mind. Mr. Chair, that was in 2018, we are

now in 2021. My mother is still going through the need of nursing assistants. We are working closely with a couple of CNAs who are immediate relatives and I have an adoptive niece who started GMH because there's a great shortage. And all I could say to her last night, because I have Mama duties on Tuesdays and Sundays and then we alternate for those that can't make it for some reason or another. And I had to tell my adopted niece that I'm very proud of her and I'm very proud. And she said, you know Auntie Tina, it took me a very long time to get into the program. More importantly, now that I just started the program again because of that opportunity, I now have this job, but I have to work from midnight, she goes in at 11 and she works from midnight to 8 in the morning. She said we're really short on nurses. Are you going to that hearing? And can you help because they asked me to ask you. And I told her that I was really proud of her and that I would continue this fight. And she said, I know Grandma Muña, it's been two years, since 2018, and we're going on year number three and I hope soon, that that opportunity can come to help bring more nurses because I'm just starting out and I know that they need help. But because she couldn't go through the program back then, it didn't stop her from continuing to try and learn and go through whatever private trainings she was working with, I don't know which group it is that she was with. But the mere fact that someone who is literally trying to go through the nursing program knows that it was difficult to get in and knows that if there's anything we could do to help, please try. So I'm committed to that, Mr. Chair. With all due respect, again, looking at programs that can build upon for us is very, very key, and I hope that this opportunity to speak is good.

**Chairman Joe S. San Agustin:** Madam Vice, excuse me for pausing. Can you check if youtube stopped, the system stopped and we're not live? And we'll take a few minutes pause and then you can continue, Madam Vice.

**Vice Speaker Tina Rose Muña Barnes:** Oh, okay.

**Chairman Joe S. San Agustin:** Thank you, to the people of Guam, thank you for your patience. We are back live on facebook and we're still tracking on TV, but for the audience that are watching on Facebook. Madam Vice, do you have anything further please continue.

**Vice Speaker Tina Rose Muña Barnes:** Yes. Thank you. Thank you very much for trying to fix the technical glitch earlier. So I'll just go ahead, I just received another letter that I'd like to read into the record Mr. Chair, if I may.

**[Written testimony from Dr. Kevin Hitosis is read into the record. Refer to appended testimony.]**

Mr. Chair, thank you very much for giving me the opportunity to present these and read these testimonies into the record. More importantly, based on personal experience and having had the opportunity to speak to nurses here working in our system, we understand that the University and the Guam Community College also have great programs and if there's a need for us to even look at strengthening and opening opportunities for the University of Guam and Guam Community College. Mr. Chair, I have no problems looking into that because we want to make sure that the nursing component for Guam is at a standard where Guam, would only be a benefit for our island of Guam. So in that effort, Mr. Chair, it is important that I continue to support the efforts of this bill moving forward. It's been several years and I will continue to be an advocate and support these efforts for our nursing community on Guam. *Saina Ma'ase.*

**Chairman Joe S. San Agustin:** Thank you, Madam Vice. Legislative Secretary Amanda Shelton, you have testimony you're going to read for the record.

**Senator Amanda L. Shelton:** Thank you, Mr. Chair. And I'd like to thank the nurses who were here today to testify and for their continued advocacy for their profession and for improved health care on our island. I'd also like to thank Senator Torres for sponsoring this bill and for allowing me to be a cosponsor and for her work and continued commitment to seeing this bill through. I'd like to read for the record, testimony from Zennia Cruz Pecina, MSN, RN, Health Professional Licensing Office Administrator, Guam Board of Nurse Examiners, Executive Director. This is addressed to the Committee of General Government Operations, Appropriations and Housing, February 3<sup>rd</sup>, 2021.

**[Written testimony from Zennia Pecina of the Health Professional Licensing Office is read into the record. Refer to appended testimony.]**

And Mr. Chair, if I may read one more testimony into the record.

**[Written testimony from Christine Tuquero, GMHA is read into the record. Refer to appended testimony.]**

And again that was testimony from Christine Tuquero of the Guam Memorial Hospital. Thank you very much, Mr. Chair, for allowing me to read those into the record and allowing me now to reiterate my support for this bill. Also, to ask our colleagues to support this bill, to support the experts, the nurses who have come before us. I know there are some concerns that are brought up by our GMH nurses, which I think we've taken some of the first steps as we passed a bill for a pay study for nurses at the end of the 35<sup>th</sup> Guam Legislature. So, we are well on our way to doing that. Thank you very much, Mr. Chair.

**Chairman Joe S. San Agustin:** Thank you, Madam Secretary, Senator Shelton. Senator Torres, do you have any other testimony that you'd like to read for the record please?

**Senator Mary Camacho-Torres:** Yes, Mr. Chair. I just have one more testimony to read, and this is the testimony of Bernadette Santos, MPA, BSN, RN who is the Chairperson of the Guam Board of Nurse Examiners, and it reads:

**[Written testimony from Bernadette Santos of GBNE is read into the record. Refer to appended testimony.]**

Thank you, Mr. Chair, and I just want to emphasize in closing that I read into the record all testimonies as requested because I believe that the concerns and the questions are not necessarily things that we should put aside. But I think that the thought process that has to occur has to take into account all concerns, and I believe that where these concerns have been raised, the answers have also been presented. Including, the incremental solutions such as what we did with Public Law 35-125 which will initiate a comprehensive study of the nurse pay scale on Guam. So, *Si Yu'os Ma'ase* to my colleagues for helping me to read the testimony and thank you all for providing the written testimony this morning. *Si yu'os ma'ase*.

**Chairman Joe S. San Agustin:** Thank you, Senator Torres. Does any of my colleagues like to speak on behalf of the bill? I'll ask Madam Speaker first and then we'll proceed and cover, everyone will get a shot. Senator, Madam Speaker.

**Speaker Therese M. Terlaje:** Thank you very much, Mr. Chair. And I want to thank those who have submitted testimony today and come in today to testify as well. I very much

appreciate the fact that nurses like the Compact. It gives them mobility. It allows them to avoid any perceived hassle of applying in any other state that's under the Compact. They are allowed to simply show up without having to be licensed in those other states. But the fact remains that, not every state is a part of this Compact and they have chosen not to be. And I just want to caution that Guam has a very unique situation, and we have to also make a very unique decision.

So some of the states that are not part of this Compact at the current time include Alabama, Arizona, Arkansas, Colorado. I'm sorry. I'm reading the wrong list. States that are not part of the Compact include Massachusetts, Michigan, Pennsylvania, Alaska, Rhode Island, Vermont, California, Connecticut, the District of Columbia, Hawaii, Illinois, Minnesota, Nevada, New York, Ohio, Oregon, Washington State, and the Territories. And the fact that they're not members of the Compact, I take very seriously because this issue has also been debated very strenuously in those jurisdictions. And there have been people and professionals and experts on both sides of the question. But I do believe that each one of these jurisdictions made a determination based on its own unique circumstances. And I very much, you know, I hear the testimony that, especially those in a hiring capacity at institutions across the island, who are trying to hire nurses, that hiring a Compact nurse would preclude that administrative hassle of applying to the Guam Board and getting licensure. But I want to note that the fee for a Guam license is \$150. So, they would be saving that fee which in my opinion is not significant, given that you know, we are allowing the privilege for them to practice that the Board must regulate that practice. We've had other Boards who have had issues with the fees that they are receiving not being enough to regulate their practice. So for example, GMH says that although the advantage of the NLC is the expediency and reduction of processing the nurse licensure application so that the nurse can begin working immediately, the downside is that there will also be a continual loss of our local nurses. Hence it is imperative that we address and adjust the current salary structure for our nurses.

The Chairperson of the Guam Nurse Licensing Board and the HPLO Administrator, also they testify very similarly that this would remove the administrative burden that is currently on our Nursing Board, our HPLO staff to process licenses, to process emergency temporary work permits they say, under the emergency declaration. But what I've asked them is if it's a processing issue, it's something that Guam can control. Guam controls its nurse licensing laws. It controls its nurse licensing processes. This is one of the reasons other states won't give up that right. They want to be able to control nurse licensing in their jurisdictions, to impose standards that they feel are relevant to their jurisdictions. And I don't believe that our standards are lower than the Nurse Compact standards. In fact, I think there is no standard that the Nurse Compact is instituting that Guam cannot institute if the nurses and the Nurse Licensing Board want to do that.

This would remove discretion of our Nurse Licensing Board. It would remove application of any additional requirements that Guam would like to place. But my biggest concern with the bill is just that, in addition to other concerns stated by the professionals which include that this bill must be addressed in conjunction with recruitment and retention measures. We have not completed those. We are not anywhere near completing those. And this is a very serious issue for the Guam Memorial Hospital especially.

In addition to that, in the Government of Guam's efforts to address nurse shortages over the years, they have been very wise. They have set up programs like they have done for other professions where we are short on Guam. They have setup programs at the University of Guam. They have partnered with other states for education purposes. So that we can grow our own



local workforce. So that we can pay our own local workforce the salaries that we have been forced to pay off-island nurses during this pandemic and prior to this pandemic due to our nurse shortage. And when the Governor lifted all the restrictions on nurse licensing during the pandemic, we did not see that mad rush of nurses to Guam. We will continue to face these issues despite whether we make the licensing easier despite whether we continue to impose our own standards on licensing. We need to fix the systems that all the experts have pointed to us that need to be fixed which are the recruitment and retention programs.

The University of Guam has also submitted testimony where they as well point out you know the potential benefits of the bill as well as the potential downsides. And if I may read this, Mr. Chair. It's dated February 3, 2021, addressed to Senator Joe San Agustin.

**[Written testimony from Dr. Margaret Hattori-Uchima, Dean of School of Health at the University of Guam, BSN Program is read into the record. Refer to appended testimony.]**

Mr. Chair, again, if this Compact is clearly going to bring nurses to Guam, no one would oppose it. The problem was, when we had hearings before, even the Nurse Compact professionals, representatives from the states could not give us data. They would not give us any data as to what the impacts had been in other jurisdictions or had there been any studies as to what the impacts might be on Guam. At the time, even GFT brought up the issue as to the potential recruitment of Guam nurses who are getting paid less currently to states where they would earn more. And I think that is a significant issue and of course we're all trying to address that by addressing nurse salaries. However, that issue is not fully addressed. And so I would like to take the concerns of GMH and UOG and all the efforts that have been made by the government of Guam to recruit and to retain these nurses by improving the work conditions at GMH and raising their salaries, frankly. So that we can keep them there. And if it's, and not to throw that all away just for licensing convenience. I do believe we can bring licensing convenience to the HPLO office and that they must do that.

I want to also just point out a couple things that were said. One person pointed out that in Hawaii, they were licensed easily. Hawaii is not a Compact state, and that's why I truly believe that we can make our licensing process as easy as Hawaii's. And again, bringing the nurses to Guam during the pandemic is a completely different story as we had the Governor had removed all barriers to bringing nurses to Guam and yet we were still paying nurses huge amounts to practice on Guam. And I would just like to see those amounts go to our local nurses. I think we need to do that and then open up our borders. We don't do this with any other profession on Guam. We don't allow lawyers, I'll speak about lawyers because I know about lawyers. We don't allow open licensing on Guam. No jurisdiction does. That's because every jurisdiction wants to protect the practice of law in their jurisdictions. They want to protect their people in their jurisdictions. And that's what these licensing boards are supposed to do.

And while Guam approved the Medical Licensing Compact, it's not exactly the same as the Nurse Licensing Compact. And while they have licensed under the Compact beginning, I want to say recently, 2020. They finally began, after years of having it in statute, they finally began actually licensing medical professionals under the Medical Compact. Not all of those professionals actually practice on Guam, their just licensed on Guam and the Medical Board actually goes through the list and approves them. It's a different way that it's implemented, but I think we should also talk to them about their experience with that, talk to the Board. The chairperson of that Board is Dr. Berg and he had made some comments to me. I would like to solicit his testimony on this matter as well.

**Chairman Joe S. San Agustin:** Do you have anything else?

**Speaker Therese M. Terlaje:** Yes, just one more thing is that. For example, for the military nurses that want to practice during this have been no barrier to them. None at all, and if there was a barrier, there was a failure in our Nursing Board or some other process, but I don't think there was a barrier because my understanding is that they were able to process nurses for GMH within a day or two at the most. And that was testimony that we received at our roundtable. So, I just think that if there are barriers in our licensing, we should address those. If there are gaps in what we feel are the safest, for example, law enforcement requirements, then we should demand those. But if the risks of this Compact are correct, then we should not risk those. Not until we fix the other issues that have been very clearly presented to us that if you want to open up licensing on Guam for nurses to any nurses from any state, that would be fine, if we can fix salaries, particularly at GMH so that we remain competitive, we can keep our highly skilled nurse. And again, Mr. Chair, I think it has been testified on different occasions, different hearings, so I think it's like a matter of well-known fact by now that Guam's nurses are highly skilled. They are very good nurses in high demand if they were to go anywhere else because of the skills they earn here. And we've even heard the testimony today that that's why some of the visiting nurses like it here, because of the skill that they are surrounded by. And I just don't want to defeat the efforts that have been worked out through UOG and GMH to train local nurses. We've got an opportunity right now with this workforce development money to really boost that up. And while we will always need specialized nurses to come to Guam to help us when we are lacking, I just don't believe that we necessarily need to achieve that through moving our control of licensing on Guam. And so, again, I want to just, I'm not against the bill, but I do feel responsible. Not just for whether we like to be, you know, if I'm a lawyer and they ask me, would I support a license that would allow me to practice anywhere, I absolutely would say yes. Of course, I would. That is a benefit to me, but if I am the person, like I am right now, in charge of oversight of GMH. How are we going to assist GMH? How are we going to assist them in recruiting and keeping nurses on Guam, and making sure that we can cover all those beds permanently, that we can make sure that we, our local people are brought into this nursing practice, then I just don't want to give up on those efforts right now. I say, we pursue those. We pursue the salary adjustments. We pursue the training. We remove every impediment that there is for training, recruitment, retention. And then open up, because then as employers at GMH, hopefully we won't be losing our nurses at that time, to go off island. And the records are very clear, Mr. Chair, as to how much nurses they loses every year even without the Compact and according to their testimony, they do believe it is a risk that they will lose nurses as well under this Compact.

And so I'm just imploring my colleagues as well that we honor, that if this is a complex issue that needs to be addressed on all levels, that that is how we address it. And that we don't defeat one sides efforts to grow local nurses by removing their capacity to keep these nurses here. Thank you, Mr. Chair.

**Chairman Joe S. San Agustin:** Thank you. Senator Pedro, before I allow you, I had the hand of Senator Telo. Senator Telo, you have any statements and then you'll be followed by Senator Pedro Terlaje.

**Senator Jose Pedro Terlaje:** Thank you very much, Mr. Chair. You know, I wanted to stay all the way through this hearing because first of all, I want to listen to all the testimonies that is being provided. And first off, I want to thank the author of the bill, of Bill 13-36. And I also want to thank all those people that testified regarding 13-36. Either they supported or not. And I guess I wanted to stay back and I wanted to listen to all the testimonies because I want to be

definite on my position to either support the bill or not support the bill. I guess I absorbed all the pros and cons that was provided by those that provided the testimony. I just want to thank everybody. And that is all that I wanted to do, just listen to the testimony so that I could make that definite direction on just how I'm going to vote for this bill.

**Chairman Joe S. San Agustin:** Thank you, Senator Terlaje. Senator Telo, do you have any questions or statements you'd like to make, ma'am?

**Senator Telo Taitague:** Si yu'us ma'ase, Mr. Chair for the opportunity to speak on this measure. As we all know, we heard this bill in the 35<sup>th</sup> Guam Legislature and the testimonies from others. And I greatly appreciate, Mr. Chair, all the work the nurses, and their dedication to the medical field. And if anything, the oversight chair for health definitely does her homework and researches a lot of the issues and the good points and the bad points to something. But if we look at the bigger picture here about what this bill would do, I think it's common sense tells you that why would a person from the state of California or the state of Hawaii or another state come to Guam where the salaries is almost double lower than the amount that they would receive in the states. As well as, to put on top of that, the cost of living to live on Guam. It's a no-brainer here.

I understand the concerns of all the other nurses, but I think that we are addressing that with the concerns of the salaries. Because that's basically what the bigger picture is here. It's the salaries. If we want to attract these nurses, then we need to pay them what they're getting in the states. In fact, Mr. Chair, you know finances, we need to pay them a little bit more because the cost of living on Guam is so much higher.

The good oversight chair was mentioning some of the states that weren't part of this. During COVID, I'm pretty sure a lot of things stood still. They were paying nurses \$5,000 a week to have them come to their states to work in some of these hospitals because of the lack of nurses. I mean we felt that crunch, Mr. Chair, when we brought the traveling nurses and we got the bill and we saw how much it cost after that. But it took money to bring them here. But Mr. Chair, not only some of the states, but do you wonder why CNMI, American Samoa, Puerto Rico, these are territories that are similar to Guam and why they're not on this Compact. Because I think they realized the issue of trying to get nurses to come to their island where the cost of living is high, but the salaries are about the same as Guam, maybe a little bit higher. But they realized the ramifications that would happen, and we are a US territory as well. And it was also brought up that we didn't get any data from nurses in the states. I have a sister who's in the medical field, who works at Tripler Hospital. So, I decided to ask her, can you do a survey for me over at that hospital and ask some of these nurses, and this is how much it costs, how they feel. And this was just you know, before coming in here, Mr. Chair, I just text her if she can talk to some of the nurses there. One of the nurses that she did approach was someone from Guam actually. And in that text, she said that, that she sent to me was, the answer was from someone from Guam, and that person said half of me says yes, to be with family. Half of me is no because how would I support myself. So, I'm leaning toward no. She's still talking to some other because she's in quarantine in Honolulu right now, talking to some other nurses. And then when I told her how much the starting pay was, my sister said, be prepared for no from these other nurses.

We heard a testimony from nurse Hattori, the professor over at the University of Guam. That's compelling. That's a testimony who she's trying to build up the nurses on Guam because God knows we have a great shortage on Guam. We had one of our colleagues talk about nurses with her mom, and it's really common sense to tell you that are we going to have those same nurses

to take care of our families here on Guam? Are we anticipating a whole plane load of nurses coming here because they want to get paid less, twice less than what they get in the states'?

I was talking to my father the other day too, as I was preparing for the public hearing, and he just couldn't believe it. He says, oh absolutely not, Telo. It's common sense. I know there's an issue with the salaries. And that's what I believe even the good oversight chair had been working on legislation to help with that. I think it's great. It's a start. And then maybe if we can raise the salaries of these nurses which they justly deserve, then maybe we can look at this legislation again, at another time. And implement it knowingly that in good conscience that for the sake of our families and our community of Guam, if they were here today to testify, could tell you that they would feel comfortable too in that case.

But, Mr. Chair, I also want to put for the record because it seems sometimes people don't disclose, but the person testifying today was the author's daughter. So, I just wanted to put that in for the record as well, since it wasn't mentioned, then I'll mention it. Thank you, Mr. Chair, for the opportunity.

**Chairman Joe S. San Agustin:** Does anyone else would like to testify before Senator Torres closes this bill? There being none. Senator Moylan chose not to. Senator Torres, If you could please, closing statement please and we'll wrap up this bill.

**Senator Mary Camacho Torres:** Yes, thank you Mr. Chair and it has been a long morning. But certainly there was a lot of testimony provided and the people who testified were not able to be here because many of them are front line workers and others are residing off island so I appreciate that you gave me the ability and my colleagues to read their testimony into the record.

I want to just address a couple things. And this is really the challenge that the nursing leaders on Guam have had in presenting this to the legislature. The cloud of myths that they have tried to address, but somehow seemed to be consistently you know brought up notwithstanding the answers that have been provided and the evidence. So, with regard to the NLC states, the number of states that are presently members of the compact, I just want to update everyone that we keep alluding to 34 states that are presently members. The update is and that is correct, 34 have adopted the nurse licensure compact in their states. There are however another eight states who have legislation in place right now to join the compact and those states include Washington, Oregon, Alaska, Michigan, Ohio, Vermont and Rhode Island, so and Guam. So, with that if you were to consider the 34 that are in place and the eight that have pending legislation. You're now looking at over 40 states, 42 states across the US and their territories. We also have received testimony in the past that our neighbors, the CNMI are very interested in what Guam is doing and so the idea that that people have shut it out, I think, is not entirely accurate. And that perhaps the only one that I could see, that I could find who voiced why they are not joining is because many of their residents, many of the people that hold licenses there or practice there are not residents of their district, and that would be the District of Columbia, Washington D.C. So, for those that wonder why others are not on board, actually, the trend is growing to where eight have recently come on board with pending legislation at least. And that the great majority of the states and territories across the US are buying into the NLC because of the known and proven benefits.

I want to also reiterate that the issue of out migration or hard and fast data about states that have experienced nurses leaving because of their joining the NLC and the lure of higher salaries elsewhere or whatever lure might draw them out of practicing within their states. There is no

data and Jim Fuente from the NLC, the director has explained to us that there is no data because there is no effect. If they could, if they could, anyone could measure that this has had that kind of an impact, then they can you know assess it but the fact is, there is nothing to assess. There is no known or obvious migration, out migration. So, to say that that we aren't providing that, well that data doesn't exist because that effect that negative effect does not exist and what the director did point out was one reaction to that kind of an adverse effect would be for them to choose to get out. If it was hurting them, they would choose to get out. They would sever from the Compact and that statistic has also not happened. So, I just wanted to um bring that up again. That that was one issue.

The other thing that I want to address with the salaries is many of the testimony has addressed the salaries, but the idea is, I believe that you know the GMH position really has, is based on a fundamental misunderstanding of the immediate impact of this bill. It will take time for the board to implement a process to issue multi-state licenses to Guam nurses. And the idea that if a nurse wants to leave, a nurse will leave Guam. Nurses leave, any person on Guam has the right and the freedom to reside wherever they want for whatever circumstances. And having a Compact or not having a Compact has little to do with that decision of that individual person. So, I agree that we do need to do dress incentive and retention and I've taken that first step, which is why I authored Public Law 35-125, and I paid for it with my own office budget. I didn't mandate anybody to cough up the money. I believed in it enough to help the nurses, to help them in their multi-pronged approach to retention and recruitment that I gave up my money, \$50,000 that I could have used to hire someone to help me, but I didn't. I chose to help them. So, I put my money where my mouth is.

Now, I want to address one thing though that really disturbs me from a civil point of view. Yes we have investments in people. We have, we invest in people and we want to keep people with us, working with us. Nobody wants to lose anybody. A mother doesn't want to lose a child who sees better opportunities somewhere else. A person who trains an employee doesn't want to lose that employee when they're head hunted by someone else, but we're totally, they're totally free to do that. The idea that you would refrain from a policy because you fear that it might make it easier for somebody to seek better opportunity somewhere is patently wrong in our modern society. Let me explain without insulting anybody. In the days of the plantation, they made it so hard for anybody to move out of that plantation. You cannot bind someone and hold them hostage to a situation. We don't do that. Involuntary servitude does not exist in our modern, our society now. And in some ways, it's a semblance of that. I'm not going to make it easy for you to move on. Yes, you are going to make it easier for anybody to seek opportunities that will enrich their lives, if they choose to go that route. Why people choose to do things, we can explain away. Why I choose to be a senator and deal with this aggravation? I don't know. Maybe because I love you enough that I do it, perhaps. So, please, I don't want to, I don't want to disrespect the intelligence and the professional discretion of all those who have asked me to champion this for them. And *Si Yu'os Ma'ase* for Vice Speaker Barnes and Senator Shelton for agreeing to help me in this effort. I have nothing to gain from this because I'm not in the profession. And I want to say, because one of my colleagues very unfairly, and unconscionably brings up my daughter every time she testifies. My daughter is a professional that holds a doctorate's degree in nurse practicing. She has dedicated her life to serving the island notwithstanding the fact that she has six children and it was obviously very pregnant here. One of only three people that appeared here. I did not know she was coming this morning, but God bless you, people like Carla for doing what you do even though you stand the chance of being criticized for bias in coming here. There's no bias when we're dealing with professionals who do their jobs for the benefit of others and for no gain to themselves. But I just want end with saying, all those who have testified in favor, we understand the benefits of the NLC. We

understand the perceived risks, but none of those have ever been scientifically measured because the situation just is not obvious. And to anybody that worries about, you want to keep people here, I think the idea, much of the sentiment is you've got a pool of people who could easily and would be willing to do it if this was in place, like the military nurses or others that might want to come to Guam to practice for whatever reason. And nothing is ever measured in money necessarily. It's never exclusively about money. If it were, we would all be holding the highest positions and living only in one city in the whole world that pays the most money, and that's not the way the world operates. But to all those in the front lines who couldn't be here today, we tried to make your voices heard. And for all those who have been advocating since 2019 for someone to help them get this through because it's a benefit to Guam, including the investment in software and guidance that will help our nurses manage the licenses on Guam and the safety to our island and our patients. *Si Yu'os Ma'ase'*, Mr. Chair, for holding this oversight and I implore everybody, if those who have testified have not done enough to persuade the senators to hear your voices, then please exercise your right to make your voices heard and submit testimony. And the chairman will advise the length of time that testimony will be accepted by the Committee. *Si Yu'os Ma'ase'*.

**Chairman Joe S. San Agustin:** Thank you, Senator Torres. That was the last comments from the colleagues. The Committee will continue to receive testimony and please address your written testimony to the Committee on General Government Operations, Appropriation, and Housing and submit via email to [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com) or to my office located at Ran Care Building Second Floor, Suite 3, 761, S. Marine Corps Drive. Tamuning, Guam. *Si Yu'os Ma'ase'* for your attendance and participation in today's hearing and for those at home, thank you for watching. This public hearing on Bill 13-36 is now adjourned. It is now 11:55 and please have a nice day.

**The Public Hearing was adjourned at 11:55 A.M.**

### **III. Findings and Recommendations**

The Committee on General Government Operations, Appropriations, and Housing hereby reports out Bill No.13-36 (COR) – As Introduced by Mary Camacho Torres, Tina Rose Muña Barnes, Amanda L. Shelton – “AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.” with the recommendation TO DO PASS.

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

**Bill No. 13-36 (COR)**

Introduced by:

Mary Camacho Torres  
Tina Rose Muña Barnes  
Amanda L. Shelton

*Mary C. Torres*  
*Tina Rose Muña Barnes*  
*Amanda L. Shelton*

**AN ACT TO *ADD* A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO *ADD* A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.**

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

**Section 1.** A new Article 3A is hereby *added* to Part 1 of Chapter 12, Division I, Title 10 of the Guam Code Annotated, to read as follows:

**“ARTICLE 3A**

**ADOPTION OF NURSE LICENSURE COMPACT**

**§ 123A01. Findings and Declaration of Purpose.**

**§ 123A02. Definitions.**

1       § 123A03. General Provisions and Jurisdiction.

2       § 123A04. Applications for Licensure in a Party State.

3       § 123A05. Additional Authorities Invested in Party State Licensing  
4               Boards.

5       § 123A06. Coordinated Licensure Information System and Exchange of  
6               Information.

7       § 123A07. Establishment of the Interstate Commission of Nurse Licensure  
8               Compact Administrators.

9       § 123A08. Rulemaking.

10      § 123A09. Oversight Dispute Resolution and Enforcement.

11      § 123A10. Effective Date, Withdrawal and Amendment.

12      § 123A11. Construction and Severability.

13      **§ 123A01. Findings and Declaration of Purpose.**

14      (a) The party states find that:

15           (1) the health and safety of the public are affected by the degree of  
16           compliance with and the effectiveness of enforcement activities related to  
17           state nurse licensure laws;

18           (2) violations of nurse licensure and other laws regulating the  
19           practice of nursing may result in injury or harm to the public;

20           (3) the expanded mobility of nurses and the use of advanced  
21           communication technologies as part of our nation's health care delivery  
22           system require greater coordination and cooperation among states in the areas  
23           of nurse licensure and regulation;

24           (4) new practice modalities and technology make compliance with  
25           individual state nurse licensure laws difficult and complex;

26           (5) the current system of duplicative licensure for nurses practicing  
27           in multiple states is cumbersome and redundant for both nurses and states; and



1           (6) uniformity of nurse licensure requirements throughout the states  
2           promotes public safety and public health benefits.

3           (b) The general purposes of this Compact are to:

4               (1) facilitate the states' responsibility to protect the public's health  
5               and safety;

6               (2) ensure and encourage the cooperation of party states in the areas  
7               of nurse licensure and regulation;

8               (3) facilitate the exchange of information between party states in the  
9               areas of nurse regulation, investigation, and adverse actions;

10              (4) promote compliance with the laws governing the practice of  
11              nursing in each jurisdiction;

12              (5) invest all party states with the authority to hold a nurse  
13              accountable for meeting all state practice laws in the state in which the patient  
14              is located at the time care is rendered through the mutual recognition of party  
15              state licenses;

16              (6) decrease redundancies in the consideration and issuance of nurse  
17              licenses; and

18              (7) provide opportunities for interstate practice by nurses who meet  
19              uniform licensure requirements.

20           **§ 123A02. Definitions.**

21           As used in this Compact:

22           (a) *Adverse action* means any administrative, civil, equitable or criminal  
23           action permitted by a state's laws which is imposed by a licensing board or other  
24           authority against a nurse, including actions against an individual's license or  
25           multistate licensure privilege such as revocation, suspension, probation, monitoring  
26           of the licensee, limitation on the licensee's practice, or any other encumbrance on

1 licensure affecting a nurse's authorization to practice, including issuance of a cease  
2 and desist action.

3 (b) *Alternative program* means a non-disciplinary monitoring program  
4 approved by a licensing board.

5 (c) *Coordinated licensure information system* means an integrated process  
6 for collecting, storing and sharing information on nurse licensure and enforcement  
7 activities related to nurse licensure laws that is administered by a nonprofit  
8 organization composed of and controlled by licensing boards.

9 (d) *Current significant investigative information* means:

10 (1) investigative information that a licensing board, after a  
11 preliminary inquiry that includes notification and an opportunity for the nurse  
12 to respond, if required by state law, has reason to believe is not groundless  
13 and, if proved true, would indicate more than a minor infraction; or

14 (2) investigative information that indicates that the nurse represents  
15 an immediate threat to public health and safety regardless of whether the nurse  
16 has been notified and had an opportunity to respond.

17 (e) *Encumbrance* means a revocation or suspension of, or any limitation  
18 on, the full and unrestricted practice of nursing imposed by a licensing board.

19 (f) *Home state* means the party state which is the nurse's primary state of  
20 residence.

21 (g) *Licensing board* means a party state's regulatory body responsible for  
22 issuing nurse licenses.

23 (h) *Multistate license* means a license to practice as a registered nurse (RN)  
24 or a licensed practical/vocational nurse (LPN/VN) issued by a home state licensing  
25 board that authorizes the licensed nurse to practice in all party states under a  
26 multistate licensure privilege.

1        (i) *Multistate licensure privilege* means a legal authorization associated  
2 with a multistate license permitting the practice of nursing as either a registered nurse  
3 (RN) or a licensed practical/vocational nurse (LPN/VN) in a remote state.

4        (j) *Nurse* means an RN or LPN/VN, as those terms are defined by each  
5 party state's practice laws.

6        (k) *Party state* means any state that has adopted this Compact.

7        (l) *Remote state* means a party state, other than the home state.

8        (m) *Single-state license* means a nurse license issued by a party state that  
9 authorizes practice only within the issuing state and does not include a multistate  
10 licensure privilege to practice in any other party state.

11        (n) *State* means a state, territory or possession of the United States and the  
12 District of Columbia.

13        (o) *State practice laws* means a party state's laws, rules, and regulations  
14 that govern the practice of nursing, define the scope of nursing practice, and create  
15 the methods and grounds for imposing discipline. "State practice laws" do not  
16 include requirements necessary to obtain and retain a license, except for  
17 qualifications or requirements of the home state.

18        **§ 123A03. General Provisions and Jurisdiction.**

19        (a) A multistate license to practice registered or licensed  
20 practical/vocational nursing issued by a home state to a resident in that state will be  
21 recognized by each party state as authorizing a nurse to practice as a registered nurse  
22 (RN) or as a licensed practical/vocational nurse (LPN/VN), under a multistate  
23 licensure privilege, in each party state.

24        (b) A state must implement procedures for considering the criminal history  
25 records of applicants for initial multistate license or licensure by endorsement. Such  
26 procedures shall include the submission of fingerprints or other biometric-based  
27 information by applicants for the purpose of obtaining an applicant's criminal

history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

(c) Each party state shall require the following for an applicant to obtain or retain a multistate license in the home state:

(1) meets the home state's qualifications for licensure or renewal of licensure, as well as all other applicable state laws;

(2) (A) has graduated or is eligible to graduate from a licensing board-approved RN or LPN/VN prelicensure education program; or

(B) has graduated from a foreign RN or LPN/VN prelicensure education program that (i) has been approved by the authorized accrediting body in the applicable country and (ii) has been verified by an independent credentials review agency to be comparable to a licensing board-approved prelicensure education program;

(3) has, if a graduate of a foreign prelicensure education program not taught in English or if English is not the individual's native language, successfully passed an English proficiency examination that includes the components of reading, speaking, writing and listening;

(4) has successfully passed an NCLEX-RN® or NCLEX-PN® Examination or recognized predecessor, as applicable;

(5) is eligible for or holds an active, unencumbered license;

(6) has submitted, in connection with an application for initial licensure or licensure by endorsement, fingerprints or other biometric data for the purpose of obtaining criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records;

1           (7) has not been convicted or found guilty, or has entered into an  
2           agreed disposition, of a felony offense under applicable state or federal  
3           criminal law;

4           (8) has not been convicted or found guilty, or has entered into an  
5           agreed disposition, of a misdemeanor offense related to the practice of nursing  
6           as determined on a case-by-case basis;

7           (9) is not currently enrolled in an alternative program;

8           (10) is subject to self-disclosure requirements regarding current  
9           participation in an alternative program; and

10          (11) has a valid United States Social Security number.

11          (d) All party states shall be authorized, in accordance with existing state  
12          due process law, to take adverse action against a nurse's multistate licensure  
13          privilege such as revocation, suspension, probation or any other action that affects a  
14          nurse's authorization to practice under a multistate licensure privilege, including  
15          cease and desist actions. If a party state takes such action, it shall promptly notify  
16          the administrator of the coordinated licensure information system. The administrator  
17          of the coordinated licensure information system shall promptly notify the home state  
18          of any such actions by remote states.

19          (e) A nurse practicing in a party state must comply with the state practice  
20          laws of the state in which the client is located at the time service is provided. The  
21          practice of nursing is not limited to patient care, but shall include all nursing practice  
22          as defined by the state practice laws of the party state in which the client is located.  
23          The practice of nursing in a party state under a multistate licensure privilege will  
24          subject a nurse to the jurisdiction of the licensing board, the courts, and the laws of  
25          the party state in which the client is located at the time service is provided.

26          (f) Individuals not residing in a party state shall continue to be able to apply  
27          for a party state's single-state license as provided under the laws of each party state.

1 However, the single-state license granted to these individuals will not be recognized  
2 as granting the privilege to practice nursing in any other party state. Nothing in this  
3 Compact shall affect the requirements established by a party state for the issuance  
4 of a single-state license.

5 (g) Any nurse holding a home state multistate license, on the effective date  
6 of this Compact, may retain and renew the multistate license issued by the nurse's  
7 then-current home state, provided that:

8 (1) A nurse who changes primary state of residence after this  
9 Compact's effective date must meet all applicable § 123A03(c) requirements  
10 to obtain a multistate license from a new home state.

11 (2) A nurse who fails to satisfy the multistate licensure requirements  
12 in § 123A03(c) due to a disqualifying event occurring after this Compact's  
13 effective date shall be ineligible to retain or renew a multistate license, and  
14 the nurse's multistate license shall be revoked or deactivated in accordance  
15 with applicable rules adopted by the Interstate Commission of Nurse  
16 Licensure Compact Administrators (Commission).

17 **§ 123A04. Applications for Licensure in a Party State.**

18 (a) Upon application for a multistate license, the licensing board in the  
19 issuing party state shall ascertain, through the coordinated licensure information  
20 system, whether the applicant has ever held, or is the holder of, a license issued by  
21 any other state, whether there are any encumbrances on any license or multistate  
22 licensure privilege held by the applicant, whether any adverse action has been taken  
23 against any license or multistate licensure privilege held by the applicant and  
24 whether the applicant is currently participating in an alternative program.

25 (b) A nurse may hold a multistate license, issued by the home state, in only  
26 one (1) party state at a time.

1        (c) If a nurse changes a primary state of residence by moving between two  
2 (2) party states, the nurse must apply for licensure in the new home state, and the  
3 multistate license issued by the prior home state will be deactivated in accordance  
4 with applicable rules adopted by the Commission.

5            (1) The nurse may apply for licensure in advance of a change in  
6 primary state of residence.

7            (2) A multistate license shall not be issued by the new home state  
8 until the nurse provides satisfactory evidence of a change in a primary state  
9 of residence to the new home state and satisfies all applicable requirements to  
10 obtain a multistate license from the new home state.

11        (d) If a nurse changes primary state of residence by moving from a party  
12 state to a non-party state, the multistate license issued by the prior home state will  
13 convert to a single-state license, valid only in the former home state.

14        **§ 123A05. Additional Authorities Invested in Party State Licensing**  
15 **Boards.**

16        (a) In addition to the other powers conferred by state law, a licensing board  
17 shall have the authority to:

18            (1) take adverse action against a nurse's multistate licensure  
19 privilege to practice within that party state.

20            (A) Only the home state shall have the power to take adverse  
21 action against a nurse's license issued by the home state.

22            (B) For purposes of taking adverse action, the home state  
23 licensing board shall give the same priority and effect to reported  
24 conduct received from a remote state as it would if such conduct had  
25 occurred within the home state. In so doing, the home state shall apply  
26 its own state laws to determine appropriate action.

1           (2) Issue cease and desist orders or impose an encumbrance on a  
2           nurse's authority to practice within that party state.

3           (3) Complete any pending investigations of a nurse who changes  
4           primary state of residence during the course of such investigations. The  
5           licensing board shall also have the authority to take appropriate action(s) and  
6           shall promptly report the conclusions of such investigations to the  
7           administrator of the coordinated licensure information system. The  
8           administrator of the coordinated licensure information system shall promptly  
9           notify the new home state of any such actions.

10           (4) Issue subpoenas for both hearings and investigations that require  
11           the attendance and testimony of witnesses, as well as the production of  
12           evidence. Subpoenas issued by a licensing board in a party state for the  
13           attendance and testimony of witnesses or the production of evidence from  
14           another party state shall be enforced in the latter state by any court of  
15           competent jurisdiction, according to the practice and procedure of that court  
16           applicable to subpoenas issued in proceedings pending before it. The issuing  
17           authority shall pay any witness fees, travel expenses, mileage, and other fees  
18           required by the service statutes of the state in which the witnesses or evidence  
19           are located.

20           (5) Obtain and submit, for each nurse licensure applicant, fingerprint  
21           or other biometric-based information to the Federal Bureau of Investigation  
22           for criminal background checks, receive the results of the Federal Bureau of  
23           Investigation record search on criminal background checks, and use the results  
24           in making licensure decisions.

25           (6) If otherwise permitted by state law, recover from the affected  
26           nurse the costs of investigations and disposition of cases resulting from any  
27           adverse action taken against that nurse.



1           (7) Take adverse action based on the factual findings of the remote  
2           state; provided, that the licensing board follows its own procedures for taking  
3           such adverse action.

4           (b) If adverse action is taken by the home state against a nurse's multistate  
5           license, the nurse's multistate licensure privilege to practice in all other party states  
6           shall be deactivated until all encumbrances have been removed from the multistate  
7           license. All home state disciplinary orders that impose adverse action against a  
8           nurse's multistate license shall include a statement that the nurse's multistate  
9           licensure privilege is deactivated in all party states during the pendency of the order.

10          (c) Nothing in this Compact shall override a party state's decision that  
11          participation in an alternative program may be used in lieu of adverse action. The  
12          home state licensing board shall deactivate the multistate licensure privilege under  
13          the multistate license of any nurse for the duration of the nurse's participation in an  
14          alternative program.

15          **§ 123A06. Coordinated Licensure Information System and Exchange of**  
16          **Information.**

17          (a) All party states shall participate in a coordinated licensure information  
18          system of all licensed registered nurses (RNs) and licensed practical/vocational  
19          nurses (LPNs/VNs). This system will include information on the licensure and  
20          disciplinary history of each nurse, as submitted by party states, to assist in the  
21          coordination of nurse licensure and enforcement efforts.

22          (b) The Commission, in consultation with the administrator of the  
23          coordinated licensure information system, shall formulate necessary and proper  
24          procedures for the identification, collection and exchange of information under this  
25          Compact.

26          (c) All licensing boards shall promptly report to the coordinated licensure  
27          information system any adverse action, any current significant investigative

1 information, denials of applications (with the reasons for such denials), and nurse  
2 participation in alternative programs known to the licensing board regardless of  
3 whether such participation is deemed nonpublic or confidential under state law.

4 (d) Current significant investigative information and participation in  
5 nonpublic or confidential alternative programs shall be transmitted through the  
6 coordinated licensure information system only to party state licensing boards.

7 (e) Notwithstanding any other provision of law, all party state licensing  
8 boards contributing information to the coordinated licensure information system  
9 may designate information that may not be shared with non-party states or disclosed  
10 to other entities or individuals without the express permission of the contributing  
11 state.

12 (f) Any personally identifiable information obtained from the coordinated  
13 licensure information system by a party state licensing board shall not be shared with  
14 non-party states or disclosed to other entities or individuals except to the extent  
15 permitted by the laws of the party state contributing the information.

16 (g) Any information contributed to the coordinated licensure information  
17 system that is subsequently required to be expunged by the laws of the party state  
18 contributing that information shall also be expunged from the coordinated licensure  
19 information system.

20 (h) The Compact administrator of each party state shall furnish a uniform  
21 data set to the Compact administrator of each other party state, which shall include,  
22 at a minimum:

23 (1) identifying information;

24 (2) licensure data;

25 (3) information related to alternative program participation; and

26 (4) other information that may facilitate the administration of this

27 Compact, as determined by Commission rules.

1        (i) The Compact administrator of a party state shall provide all  
2 investigative documents and information requested by another party state.

3        **§ 123A07. Establishment of the Interstate Commission of Nurse**  
4 **Licensure Compact Administrators.**

5        (a) The party states hereby create and establish a joint public entity known  
6 as the Interstate Commission of Nurse Licensure Compact Administrators  
7 (Commission).

8                (1) The Commission is an instrumentality of the party states.

9                (2) Venue is proper, and judicial proceedings by or against the  
10 Commission shall be brought solely and exclusively, in a court of competent  
11 jurisdiction where the principal office of the Commission is located. The  
12 Commission may waive venue and jurisdictional defenses to the extent it  
13 adopts or consents to participate in alternative dispute resolution proceedings.

14                (3) Nothing in this Compact shall be construed to be a waiver of  
15 sovereign immunity.

16        (b) Membership, Voting and Meetings.

17                (1) Each party state shall have and be limited to one (1)  
18 administrator. The head of the state licensing board or designee shall be the  
19 administrator of this Compact for each party state. Any administrator may be  
20 removed or suspended from office as provided by the law of the state from  
21 which the Administrator is appointed. Any vacancy occurring in the  
22 Commission shall be filled in accordance with the laws of the party state in  
23 which the vacancy exists.

24                (2) Each administrator shall be entitled to one (1) vote with regard  
25 to the promulgation of rules and creation of bylaws and shall otherwise have  
26 an opportunity to participate in the business and affairs of the Commission.  
27 An administrator shall vote in person or by such other means as provided in

1 the bylaws. The bylaws may provide for an administrator's participation in  
2 meetings by telephone or other means of communication.

3 (3) The Commission shall meet at least once during each calendar  
4 year. Additional meetings shall be held as set forth in the bylaws or rules of  
5 the Commission.

6 (4) All meetings shall be open to the public, and public notice of  
7 meetings shall be given in the same manner as required under the rulemaking  
8 provisions in § 123A08 of this Article.

9 (5) The Commission may convene in a closed, nonpublic meeting if  
10 the Commission must discuss:

11 (A) noncompliance of a party state with its obligations under  
12 this Compact;

13 (B) the employment, compensation, discipline or other  
14 personnel matters, practices or procedures related to specific  
15 employees, or other matters related to the Commission's internal  
16 personnel practices and procedures;

17 (C) current, threatened or reasonably anticipated litigation;

18 (D) negotiation of contracts for the purchase or sale of goods,  
19 services or real estate;

20 (E) accusing any person of a crime or formally censuring any  
21 person;

22 (F) disclosure of trade secrets or commercial or financial  
23 information that is privileged or confidential;

24 (G) disclosure of information of a personal nature where  
25 disclosure would constitute a clearly unwarranted invasion of personal  
26 privacy;

1           (H) disclosure of investigatory records compiled for law  
2           enforcement purposes;

3           (I) disclosure of information related to any reports prepared  
4           by or on behalf of the Commission for the purpose of investigation of  
5           compliance with this Compact; or

6           (J) matters specifically exempted from disclosure by federal  
7           or state statute.

8           (6) If a meeting, or portion of a meeting, is closed pursuant to this  
9           provision, the Commission's legal counsel or designee shall certify that the  
10           meeting may be closed and shall reference each relevant exempting provision.  
11           The Commission shall keep minutes that fully and clearly describe all matters  
12           discussed in a meeting and shall provide a full and accurate summary of  
13           actions taken, and the reasons therefor, including a description of the views  
14           expressed. All documents considered in connection with an action shall be  
15           identified in such minutes. All minutes and documents of a closed meeting  
16           shall remain under seal, subject to release by a majority vote of the  
17           Commission or order of a court of competent jurisdiction.

18           (c) The Commission shall, by a majority vote of the administrators,  
19           prescribe bylaws or rules to govern its conduct as may be necessary or appropriate  
20           to carry out the purposes and exercise the powers of this Compact, including, but not  
21           limited to:

22                   (1) establishing the fiscal year of the Commission;

23                   (2) providing reasonable standards and procedures:

24                   (A) for the establishment and meetings of other committees;  
25                   and

26                   (B) governing any general or specific delegation of any  
27                   authority or function of the Commission;

1           (3) providing reasonable procedures for calling and conducting  
2 meetings of the Commission, ensuring reasonable advance notice of all  
3 meetings and providing an opportunity for attendance of such meetings by  
4 interested parties, with enumerated exceptions designed to protect the public's  
5 interest, the privacy of individuals, and proprietary information, including  
6 trade secrets. The Commission may meet in closed session only after a  
7 majority of the administrators vote to close a meeting in whole or in part. As  
8 soon as practicable, the Commission must make public a copy of the vote to  
9 close the meeting revealing the vote of each administrator, with no proxy  
10 votes allowed;

11           (4) establishing the titles, duties and authority, and reasonable  
12 procedures for the election of the officers of the Commission;

13           (5) providing reasonable standards and procedures for the  
14 establishment of the personnel policies and programs of the Commission.  
15 Notwithstanding any civil service or other similar laws of any party state, the  
16 bylaws shall exclusively govern the personnel policies and programs of the  
17 Commission; and

18           (6) providing a mechanism for winding up the operations of the  
19 Commission and the equitable disposition of any surplus funds that may exist  
20 after the termination of this Compact after the payment or reserving of all its  
21 debts and obligations.

22           (d) The Commission shall publish its bylaws and rules, and any  
23 amendments thereto, in a convenient form on the website of the Commission.

24           (e) The Commission shall maintain its financial records in accordance with  
25 the bylaws.

26           (f) The Commission shall meet and take such actions as are consistent with  
27 the provisions of this Compact and the bylaws.

1       (g) The Commission shall have the following powers:

2               (1) to promulgate uniform rules to facilitate and coordinate the  
3       implementation and administration of this Compact; and the rules shall have  
4       the force and effect of law and shall be binding in all party states;

5               (2) to bring and prosecute legal proceedings or actions in the name  
6       of the Commission; provided, that the standing of any licensing board to sue  
7       or be sued under applicable law shall not be affected;

8               (3) to purchase and maintain insurance and bonds;

9               (4) to borrow, accept or contract for services of personnel, including,  
10       but not limited to, employees of a party state or nonprofit organizations;

11               (5) to cooperate with other organizations that administer state  
12       compacts related to the regulation of nursing, including, but not limited to,  
13       sharing administrative or staff expenses, office space or other resources;

14               (6) to hire employees, elect or appoint officers, fix compensation,  
15       define duties, grant such individuals appropriate authority to carry out the  
16       purposes of this Compact, and to establish the Commission's personnel  
17       policies and programs relating to conflicts of interest, qualifications of  
18       personnel and other related personnel matters;

19               (7) to accept any and all appropriate donations, grants and gifts of  
20       money, equipment, supplies, materials and services, and to receive, utilize and  
21       dispose of the same; provided, that at all times the Commission shall avoid  
22       any appearance of impropriety or conflict of interest;

23               (8) to lease, purchase, accept appropriate gifts or donations of, or  
24       otherwise to own, hold, improve or use, any property, whether real, personal  
25       or mixed; provided, that at all times the Commission shall avoid any  
26       appearance of impropriety;

1           (9) to sell, convey, mortgage, pledge, lease, exchange, abandon or  
2 otherwise dispose of any property, whether real, personal or mixed;

3           (10) to establish a budget and make expenditures;

4           (11) to borrow money;

5           (12) to appoint committees, including advisory committees  
6 comprised of administrators, state nursing regulators, state legislators or their  
7 representatives, and consumer representatives, and other such interested  
8 persons;

9           (13) to provide and receive information from, and to cooperate with,  
10 law enforcement agencies;

11           (14) to adopt and use an official seal; and

12           (15) to perform such other functions as may be necessary or  
13 appropriate to achieve the purposes of this Compact consistent with the state  
14 regulation of nurse licensure and practice.

15 (h) Financing of the Commission.

16           (1) The Commission shall pay, or provide for the payment of, the  
17 reasonable expenses of its establishment, organization, and ongoing activities.

18           (2) The Commission may also levy on and collect an annual  
19 assessment from each party state to cover the cost of its operations, activities  
20 and staff in its annual budget as approved each year. The aggregate annual  
21 assessment amount, if any, shall be allocated based upon a formula to be  
22 determined by the Commission, which shall promulgate a rule that is binding  
23 upon all party states.

24           (3) The Commission shall not incur obligations of any kind prior to  
25 securing the funds adequate to meet the same; nor shall the Commission  
26 pledge the credit of any of the party states, except by, and with the authority  
27 of, such party state.



1           (4) The Commission shall keep accurate accounts of all receipts and  
2           disbursements. The receipts and disbursements of the Commission shall be  
3           subject to the audit and accounting procedures established under its bylaws.  
4           However, all receipts and disbursements of funds handled by the Commission  
5           shall be audited yearly by a certified or licensed public accountant, and the  
6           report of the audit shall be included in and become part of the annual report  
7           of the Commission.

8           (i) Qualified Immunity, Defense and Indemnification.

9           (1) The administrators, officers, executive director, employees and  
10          representatives of the Commission shall be immune from suit and liability,  
11          either personally or in their official capacity, for any claim for damage to or  
12          loss of property or personal injury or other civil liability caused by or arising  
13          out of any actual or alleged act, error or omission that occurred, or that the  
14          person against whom the claim is made had a reasonable basis for believing  
15          occurred, within the scope of Commission employment, duties or  
16          responsibilities; provided, that nothing in this Subsection shall be construed  
17          to protect any such person from suit or liability for any damage, loss, injury  
18          or liability caused by the intentional, willful or wanton misconduct of that  
19          person.

20          (2) The Commission shall defend any administrator, officer,  
21          executive director, employee or representative of the Commission in any civil  
22          action seeking to impose liability arising out of any actual or alleged act, error  
23          or omission that occurred within the scope of Commission employment,  
24          duties or responsibilities, or that the person against whom the claim is made  
25          had a reasonable basis for believing occurred within the scope of Commission  
26          employment, duties or responsibilities; provided, that nothing herein shall be  
27          construed to prohibit that person from retaining his or her own counsel; and

1 provided further, that the actual or alleged act, error or omission did not result  
2 from that person's intentional, willful or wanton misconduct.

3 (3) The Commission shall indemnify and hold harmless any  
4 administrator, officer, executive director, employee or representative of the  
5 Commission for the amount of any settlement or judgment obtained against  
6 that person arising out of any actual or alleged act, error or omission that  
7 occurred within the scope of Commission employment, duties or  
8 responsibilities, or that such person had a reasonable basis for believing  
9 occurred within the scope of Commission employment, duties or  
10 responsibilities; provided, that the actual or alleged act, error or omission did  
11 not result from the intentional, willful or wanton misconduct of that person.

12 **§ 123A08. Rulemaking.**

13 (a) The Commission shall exercise its rulemaking powers pursuant to the  
14 criteria set forth in this Article and the rules adopted thereunder. Rules and  
15 amendments shall become binding as of the date specified in each rule or amendment  
16 and shall have the same force and effect as provisions of this Compact.

17 (b) Rules or amendments to the rules shall be adopted at a regular or special  
18 meeting of the Commission.

19 (c) Prior to promulgation and adoption of a final rule or rules by the  
20 Commission, and at least sixty (60) days in advance of the meeting at which the rule  
21 will be considered and voted upon, the Commission shall file a notice of proposed  
22 rulemaking:

23 (1) on the website of the Commission; and

24 (2) on the website of each licensing board or the publication in which  
25 each state would otherwise publish proposed rules.

26 (d) The notice of proposed rulemaking shall include:

1           (1) the proposed time, date and location of the meeting in which the  
2           rule will be considered and voted upon;

3           (2) the text of the proposed rule or amendment, and the reason for  
4           the proposed rule;

5           (3) a request for comments on the proposed rule from any interested  
6           person; and

7           (4) the manner in which interested persons may submit notice to the  
8           Commission of their intention to attend the public hearing and any written  
9           comments.

10          (e) Prior to adoption of a proposed rule, the Commission shall allow  
11          persons to submit written data, facts, opinions and arguments, which shall be made  
12          available to the public.

13          (f) The Commission shall grant an opportunity for a public hearing before  
14          it adopts a rule or amendment.

15          (g) The Commission shall publish the place, time and date of the scheduled  
16          public hearing.

17               (1) Hearings shall be conducted in a manner that provides each  
18               person who wishes to comment a fair and reasonable opportunity to comment  
19               orally or in writing. All hearings will be recorded, and a copy will be made  
20               available upon request.

21               (2) Nothing in this Section shall be construed as requiring a separate  
22               hearing on each rule. Rules may be grouped for the convenience of the  
23               Commission at hearings required by this Section.

24          (h) If no one appears at the public hearing, the Commission may proceed  
25          with promulgation of the proposed rule.

1        (i) Following the scheduled hearing date, or by the close of business on the  
2 scheduled hearing date if the hearing was not held, the Commission shall consider  
3 all written and oral comments received.

4        (j) The Commission shall, by majority vote of all administrators, take final  
5 action on the proposed rule and shall determine the effective date of the rule, if any,  
6 based on the rulemaking record and the full text of the rule.

7        (k) Upon determination that an emergency exists, the Commission may  
8 consider and adopt an emergency rule without prior notice, opportunity for  
9 comment, or hearing; provided, that the usual rulemaking procedures provided in  
10 this Compact and in this Section shall be retroactively applied to the rule as soon as  
11 reasonably possible, in no event later than ninety (90) days after the effective date  
12 of the rule. For the purposes of this provision, an emergency rule is one that must be  
13 adopted immediately in order to:

14                (1) meet an imminent threat to public health, safety or welfare;

15                (2) prevent a loss of Commission or party state funds; or

16                (3) meet a deadline for the promulgation of an administrative rule  
17 that is required by federal law or rule.

18        (l) The Commission may direct revisions to a previously adopted rule or  
19 amendment for purposes of correcting typographical errors, errors in format, errors  
20 in consistency, or grammatical errors. Public notice of any revisions shall be posted  
21 on the website of the Commission. The revision shall be subject to challenge by any  
22 person for a period of thirty (30) days after posting. The revision may be challenged  
23 only on grounds that the revision results in a material change to a rule. A challenge  
24 shall be made in writing, and delivered to the Commission, prior to the end of the  
25 notice period. If no challenge is made, the revision will take effect without further  
26 action. If the revision is challenged, the revision may not take effect without the  
27 approval of the Commission.

1        **§ 123A09. Oversight, Dispute Resolution and Enforcement.**

2        **(a) Oversight.**

3            **(1) Each party state shall enforce this Compact and take all actions**  
4        **necessary and appropriate to effectuate this Compact's purposes and intent.**

5            **(2) The Commission shall be entitled to receive service of process in**  
6        **any proceeding that may affect the powers, responsibilities or actions of the**  
7        **Commission, and shall have standing to intervene in such a proceeding for all**  
8        **purposes. Failure to provide service of process in such proceeding to the**  
9        **Commission shall render a judgment or order void as to the Commission, this**  
10       **Compact or promulgated rules.**

11       **(b) Default, Technical Assistance and Termination.**

12           **(1) If the Commission determines that a party state has defaulted in**  
13       **the performance of its obligations or responsibilities under this Compact or**  
14       **the promulgated rules, the Commission shall:**

15                **(A) provide written notice to the defaulting state and other**  
16       **party states of the nature of the default, the proposed means of curing**  
17       **the default or any other action to be taken by the Commission; and**

18                **(B) provide remedial training and specific technical assistance**  
19       **regarding the default.**

20           **(2) If a state in default fails to cure the default, the defaulting state's**  
21       **membership in this Compact may be terminated upon an affirmative vote of a**  
22       **majority of the administrators, and all rights, privileges and benefits conferred**  
23       **by this Compact may be terminated on the effective date of termination. A**  
24       **cure of the default does not relieve the offending state of obligations or**  
25       **liabilities incurred during the period of default.**

26           **(3) Termination of membership in this Compact shall be imposed**  
27       **only after all other means of securing compliance have been exhausted. Notice**

1 of intent to suspend or terminate shall be given by the Commission to the  
2 governor of the defaulting state and to the executive officer of the defaulting  
3 state's licensing board and each of the party states.

4 (4) A state whose membership in this Compact has been terminated  
5 is responsible for all assessments, obligations and liabilities incurred through  
6 the effective date of termination, including obligations that extend beyond the  
7 effective date of termination.

8 (5) The Commission shall not bear any costs related to a state that is  
9 found to be in default or whose membership in this Compact has been  
10 terminated unless agreed upon in writing between the Commission and the  
11 defaulting state.

12 (6) The defaulting state may appeal the action of the Commission by  
13 petitioning the U.S. District Court for the District of Columbia or the federal  
14 district in which the Commission has its principal offices. The prevailing party  
15 shall be awarded all costs of such litigation, including reasonable attorneys'  
16 fees.

17 (c) Dispute Resolution.

18 (1) Upon request by a party state, the Commission shall attempt to  
19 resolve disputes related to the Compact that arise among party states and  
20 between party and non-party states.

21 (2) The Commission shall promulgate a rule providing for both  
22 mediation and binding dispute resolution for disputes, as appropriate.

23 (3) In the event the Commission cannot resolve disputes among  
24 party states arising under this Compact:

25 (A) The party states may submit the issues in dispute to an  
26 arbitration panel, which will be comprised of individuals appointed by  
27 the Compact administrator in each of the affected party states and an

1 individual mutually agreed upon by the Compact administrators of all  
2 the party states involved in the dispute.

3 (B) The decision of a majority of the arbitrators shall be final  
4 and binding.

5 (d) Enforcement.

6 (1) The Commission, in the reasonable exercise of its discretion,  
7 shall enforce the provisions and rules of this Compact.

8 (2) By majority vote, the Commission may initiate legal action in the  
9 U.S. District Court for the District of Columbia or the federal district in which  
10 the Commission has its principal offices against a party state that is in default  
11 to enforce compliance with the provisions of this Compact and its  
12 promulgated rules and bylaws. The relief sought may include both injunctive  
13 relief and damages. In the event judicial enforcement is necessary, the  
14 prevailing party shall be awarded all costs of such litigation, including  
15 reasonable attorneys' fees.

16 (3) The remedies herein shall not be the exclusive remedies of the  
17 Commission. The Commission may pursue any other remedies available  
18 under federal or state law.

19 **§ 123A10. Effective Date, Withdrawal and Amendment.**

20 (a) This Compact shall become effective and binding on the earlier of the  
21 date of legislative enactment of this Compact into law by no less than twenty-six  
22 (26) states or December 31, 2018. All party states to this Compact, that also were  
23 parties to the prior Nurse Licensure Compact, superseded by this Compact, ("Prior  
24 Compact"), shall be deemed to have withdrawn from said Prior Compact within six  
25 (6) months after the effective date of this Compact.

1       **(b) Each party state to this Compact shall continue to recognize a nurse's**  
2 **multistate licensure privilege to practice in that party state issued under the Prior**  
3 **Compact until such party state has withdrawn from the Prior Compact.**

4       **(c) Any party state may withdraw from this Compact by enacting a statute**  
5 **repealing the same. A party state's withdrawal shall not take effect until six (6)**  
6 **months after enactment of the repealing statute.**

7       **(d) A party state's withdrawal or termination shall not affect the continuing**  
8 **requirement of the withdrawing or terminated state's licensing board to report**  
9 **adverse actions and significant investigations occurring prior to the effective date of**  
10 **such withdrawal or termination.**

11       **(e) Nothing contained in this Compact shall be construed to invalidate or**  
12 **prevent any nurse licensure agreement or other cooperative arrangement between a**  
13 **party state and a non-party state that is made in accordance with the other provisions**  
14 **of this Compact.**

15       **(f) This Compact may be amended by the party states. No amendment to**  
16 **this Compact shall become effective and binding upon the party states unless and**  
17 **until it is enacted into the laws of all party states.**

18       **(g) Representatives of non-party states to this Compact shall be invited to**  
19 **participate in the activities of the Commission, on a nonvoting basis, prior to the**  
20 **adoption of this Compact by all states.**

21       **§ 123A11. Construction and Severability.**

22       **This Compact shall be liberally construed so as to effectuate the purposes**  
23 **thereof. The provisions of this Compact shall be severable, and if any phrase, clause,**  
24 **sentence or provision of this Compact is declared to be contrary to the constitution**  
25 **of any party state or of the United States, or if the applicability thereof to any**  
26 **government, agency, person or circumstance is held invalid, the validity of the**  
27 **remainder of this Compact and the applicability thereof to any government, agency,**



1 person or circumstance shall not be affected thereby. If this Compact shall be held  
2 to be contrary to the constitution of any party state, this Compact shall remain in full  
3 force and effect as to the remaining party states and in full force and effect as to the  
4 party state affected as to all severable matters.”

5       **Section 2.** A new § 12307(d) is hereby *added* to Article 3 of Part 1, Chapter  
6 12, Title 10, Guam Code Annotated, to read:

7           “(d) The Board shall facilitate the multistate licensure of nurses under  
8 the Nurse Licensure Compact (Article 3A, Part 1, Chapter 12, 10 GCA), as  
9 follows:

10                   (1) appoint a qualified delegate to serve on the Interstate  
11 Commission of Nurse Licensure Compact Administrators;

12                   (2) participate in the Coordinated Licensure Information  
13 System, as defined § 123A06 of Article 3A, Part 1, Chapter 12, 10  
14 GCA; and

15                   (3) require an applicant for multistate licensure under the  
16 Compact to have his or her fingerprints taken by the Guam Police  
17 Department for the purpose of obtaining a fingerprint-based criminal  
18 history record check, as authorized by 28 CFR § 20.33 and U.S. Public  
19 Law 92-544.

20                           (A) Fingerprints shall be submitted to the Guam Police  
21 Department (Department) for a local criminal history check and  
22 forwarded to the Federal Bureau of Investigation for a national  
23 criminal history check.

24                           (B) All applicants shall pay a fee, to be established by  
25 the Department, to offset the costs of operating and administering  
26 a fingerprint-based criminal background check system. The  
27 Department may increase the fee accordingly if the Federal

1 Bureau of Investigation increases its fingerprint background  
2 check service fee.

3 (C) The Department shall forward the results of the  
4 criminal history record check to the Guam Board of Nursing  
5 Examiners under said U.S. Public Law 92-544. The Board shall  
6 use the information resulting from the fingerprint-based criminal  
7 history record check to investigate and determine whether an  
8 applicant is qualified to hold a license pursuant to the Nurse  
9 Licensure Compact. The Board may verify the information an  
10 applicant is required to submit. The results of the criminal history  
11 record check are confidential. The Board shall not release the  
12 results to the public, the Interstate Commission of Nurse  
13 Licensure Compact Administrators, or other state licensing  
14 boards.

15 (4) The Board shall establish and collect fees from every  
16 applicant for multistate licensure pursuant to § 12308 of this Article.  
17 Funds from such fees may be used for the annual membership fee of  
18 the Nurse Licensure Compact.

19 (5) The Board shall notify the Interstate Commission of Nurse  
20 Licensure Compact Administrators of any adverse actions taken by the  
21 Board.

22 (6) The Board shall approve payment of assessments levied  
23 by the Interstate Commission of Nurse Licensure Compact  
24 Administrators to cover the cost of the operations and activities of the  
25 Commission and its staff.”

26 **Section 3. Appropriation.** Notwithstanding any other provision of law,  
27 rule, or regulation, the sum of Six Thousand Dollars (\$6,000) is appropriated from

1 the fees generated through the Guam Board of Nurse Examiners that are deposited  
2 to the Health Professional Licensing Office Revolving Fund (Account No.  
3 324156344) to the Department of Public Health and Social Services to fund the  
4 annual membership fee to the Nurse Licensure Compact in Fiscal Year 2022.

5 **Section 4. Effective Date.** This Act *shall* be effective upon enactment.

6 **Section 5. Severability.** If any provision of this Act or its application to any  
7 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*  
8 *not* affect other provisions or applications of this Act that can be given effect without  
9 the invalid provision or application, and to this end the provisions of this Act are  
10 severable.



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

GUAM CONGRESS BUILDING  
163 CHALAN SANTO PAPA  
HAGÁTÑA, GUAM 96910  
TEL 671-472-2461  
COR@GUAMLEGISLATURE.ORG

January 15, 2021

# MEMO

**To:** Rennae Meno  
Clerk of the Legislature

**From:** Vice Speaker Tina Rose Muña Barnes  
Chairperson, Committee on Rules

**Re:** Fiscal Notes

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*Buenas yan Håfa adai.*

Attached, please find the fiscal notes for the following bills:

**Bill No. 4-36 (COR)**  
**Bill No. 13-36 (COR)**  
**Bill No. 17-36 (COR)**  
**Bill No. 23-36 (COR)**  
**Bill No. 25-36 (COR)**  
**Bill No. 26-36 (COR)**

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 13-36 (COR)**

**Bill No.13-36 (COR) AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Health and Social Services	Dept./Agency Head: Arthur San Agustin, Director
Department's General Fund (GF) appropriation(s) to date:	26,478,618
Department's Other Fund (Specify) appropriation(s) to date: Environmental Health Fund - \$1,322,570, Healthy Futures Fund - \$12,147,547, Health Professional Licensing Office Revolving Fund - \$286,085, Office of Vital Statistics Revolving Fund - \$241,442, Sanitary Inspection Revolving Fund - \$85,425, Medically Indigent Program Payment Revolving Fund - \$14,438,056	28,521,125
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$54,999,743</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	Special Fund:	Total:
FY 2020 Unreserved Fund Balance	\$0	\$0	\$0
FY 2021 Adopted Revenues	\$0	0	0
FY 2021 Appro. (P.L. 35-99)	\$0	0	0
Sub-total:	\$0	0	0
Less appropriation in Bill	\$0	0	0
<b>Total:</b>	<b>\$0</b>	<b>0</b>	<b>0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2021 (if applicable)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$6,000	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- |   |           |                            |                            |
|---|-----------|----------------------------|----------------------------|
| 1. Does the bill contain "revenue generating" provisions?<br>If Yes, see attachment   | // N/A    | / X / Yes                  | // No                      |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?<br>If no, what is the additional amount required? \$ _____  | /X/ N/A   | // Yes                     | // No                      |
| 3. Does the Bill establish a new program/agency?<br>If yes, will the program duplicate existing programs/agencies?<br>Is there a federal mandate to establish the program/agency? | /X/ N/A   | // Yes<br>// Yes<br>// Yes | // No<br>// No<br>/ X / No |
| 4. Will the enactment of this Bill require new physical facilities?   |           | // Yes                     | / X / No                   |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:<br>/X/ Requested agency comments not received by due date:                                  | / / Other | /X/ Yes                    | // No                      |

Analyst: <u>Mike S. Espirito</u>	Date: <u>01/19/2021</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <u>JAN 21 2021</u>
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Notes:  
 1/ Please see attachment

## **Bureau of Budget & Management Research**

### **Comments on Bill No. 13-36 (COR)**

1/: Bill No.13-36 (COR) is an Act to add a new Article 3a to Part 1 of Chapter 12, Division 1, Title 10, Guam Code Annotated, relative to adopting the Nurse Licensure Compact; and to add a new § 12307(d) of Article 3, Part 1, Chapter 12, Division 1, Title 10 Guam Code Annotated, relative to establishing additional duties of the Guam Board of Nurse Examiners to facilitate the Licensure of Nurses under the Compact; and to further appropriate the sum of six thousand dollars from the Health Professional Licensing Office Revolving Fund to the Department of Public Health and Social Services to fund the annual membership fee to the Nurse Licensure Compact in fiscal year 2022.

The Nurse Licensure Compact (NLC) allows a nurse to have one multistate license with the ability to practice in the home state and other compact states. To date, 33 U.S. States have implemented NLC legislation and 1 U.S. State is awaiting NLC implementation.

Section 1 of this bill notes the establishment of the Interstate Commission of Nurses Licensure Compact Administrators. §123A07(h)(2) adds, "The Commission may also levy on and collect an annual assessment from each party state to cover the cost of its operations, activities and staff in its annual budget as approved each year."

Section 2 of this bill notes the Guam Board of Nurse Examiners shall facilitate the multistate licensure of nurses under the Nurse Licensure Compact. According to the section. All applicants shall pay a fee, to be established by the Department, to offset the costs of operating and administering a fingerprint-based criminal background check system. In addition, the Board shall establish and collect fees from every applicant for multistate licensure pursuant to § 12308 of this Article. Funds from such fees may be used for the annual membership fee of the Nurse Licensure Compact for future fiscal years.

Section 3 of the bill states, "Notwithstanding any other provision of law, rule, or regulation, the sum of Six Thousand Dollars (\$6,000) is appropriated from the fees generated through the Guam Board of Nurse Examiners that are deposited to the Health Professional Licensing Office Revolving Fund (Account No. 324156344) to the Department of Public Health and Social Services to fund the annual membership fee to the Nurse Licensure Compact in Fiscal Year 2022.

It should be noted that the total appropriation given to DPHSS for the FY2021 Health Professional Licensing Office Revolving Fund was \$286,085. The appropriation level for the FY2022 HPLO Revolving Fund is yet to be determined until such time the FY2022 Executive Budget Request has been submitted and the Legislature approves of the HPLO funding level for FY 2022.

The proposed legislation may also pose a fiscal impact on the operations of DPHSS if such legislation were to be enacted. However, absent additional information from the department (DPHSS), the Bureau is unable to determine an approximate fiscal impact at the time.

OFFICE OF FINANCE AND BUDGET  
Committee on General Government Operations,  
Appropriations and Housing  
Tel: (671) 989-5445 / Fax: (671) 969-6737  
Email: [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)



*I Mina'trentai Sias Na Leheslaturan Guahan*  
THE 36<sup>TH</sup> GUAM LEGISLATURE  
Ran Care Bldg. Suite 5, 2<sup>nd</sup> Floor,  
721 . Marine Corps. Dr., Tamuning Guam 96913

January 7, 2021

MEMORANDUM

To: Senator Joe S. San Agustin  
*Chairman, Committee on General Government Operations, Appropriations and Housing*

From: Stephen J. Guerrero  
*Director, Office of Finance and Budget*

Re: Funding Availability Note: Bill No. 13-36 (COR)

Hafa Adai Senator San Agustin!

Pursuant to the Standing Rules of the 36th Guam Legislature, the Committee on Appropriations and/or the Office of Finance and Budget (OFB) shall determine in writing if the funding source cited in Appropriation or Authorization for Appropriations bills are sufficient.

The Office has received Bill No 13-36(COR), **AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.**

Bill No.13-36(COR) purposes to facilitate the Guam Board of Nurse Examiners responsibility to protect the health and safety of the public, to ensure nurses would comply with program regulations and enforce activities related to the state nurse licensure laws and seeks to adopt a Nurse Licensure Compact. In addition, the bill also adds a new Section 12307(d) which authorizes the Board several functions to facilitate the multistate licensure under the Nurse Licensure Compact.

This bill if enacted includes an appropriation of \$6,000 from the revenues generated through the Guam Board of Nurse Examiners and to deposited it in the Health Professional Licensing Fund to DPH&SS in Fiscal Year 2022.

The bill does not indicate that any excess funds from previous years will be carried forward to Fiscal Year 2022. Based on the GovGuam Audit Fiscal Year 2019 it reflects a balance of \$399,635 (Cash and cash equivalents \$181,441 and Due from other funds (\$218,194). However, the CRER from BBMR as of November 2020 reflects an estimated deficit of (\$67,263). The shortfall may be contributed to the island's current economic financial conditioned as result of the on-going Pandemic.

Respectfully,

  
Stephen J. Guerrero

Office of Finance and Budget  
Fiscal Note

Sponsor(s): Mary Camacho Torres, Tina Muna Barnes, Amanda L. Shelton

Bill No. 13-36 (COR)

AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.

Department/Agency/Entity	
Department/Agency/Entity: Department of Public Health and Social Services	
Fiscal Year(s)/Program Period	
General Fund Appropriation(s) (as of :	\$0
Other Fund Source(s) Appropriation(s) (Specify): Health Professional; Licensing Office Revolving Fund	\$286,085
Total Department /Agency Appropriation	\$286,085

## Projected Fiscal Impact of Bill

	1st Year	2nd Year	3rd year	4th year	5th year	Total
General Fund						\$0
Special Fund						\$0
Other Fund Sources						\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- |   |           |                |         |
|---|-----------|----------------|---------|
| 1. Is the bill a one time funding request?                                      | / X / Yes | / / No         | / / N/A |
| 2. Does the bill indicate a viable funding source for the appropriation?        | / X / Yes | / / No         | / / N/A |
| 3. Are there adequate funds in the bill's funding source for the appropriation? | / / Yes   | / X / No       | / / N/A |
| 4. Is the bill to fund a new program or existing program?                       | / / New   | / X / Existing | / / N/A |
| 5. Are federal funds available to fund the bill?                                | / / Yes   | / X / No       | / / N/A |

Analyst: Joseph L. Cabana  
Signature: [Signature]  
Date: 1/7/2021

Director: Stephen J. Guerrero  
Signature: [Signature]  
Date: 1/12/2021

## Comments:

Bill No.13-36(COR) purposes to facilitate the Guam Board of Nurse Examiners responsibility to protect the health and safety of the public, to ensure nurses would comply with program regulations and enforce activities related to the state nurse licensure laws and seeks to adopt a Nurse Licensure Compact. In addition, the bill also adds a new Section 12307(d) which authorizes the Board several functions to facilitate the multistate licensure under the Nurse Licensure Compact.

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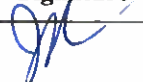


*Office of*  
**SENATOR Joe S. San Agustin**

*I Mina' trentai Sais na Liheslaturan Guåhan Thirty-Sixth Guam Legislature*

**COMMITTEE VOTE SHEET**

**BILL NO. 13-36 (COR)** — As Introduced by Senators: *Mary Camacho Torres and Tina Rose Muña Barnes and Amanda L. Shelton* - **AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022.**

Committee Members	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
<b>Senator Joe S. San Agustin</b> <i>Chairman</i>				✓		
<b>Senator Amanda L. Shelton</b> <i>Vice Chairperson (Gen Govt Operations, Appr &amp; Housing)</i>	E-vote 02/10/2021	✓				
<b>Senator Clynton E. Ridgell</b> <i>Vice Chairman (Appropriations) Member</i>						
<b>Speaker Therese M. Terlaje</b> <i>Member</i>						
<b>Vice-Speaker Tina Rose Muña Barnes</b> <i>Member</i>	E-vote 02/10/2021	✓				
<b>Senator Vicente "Tony" A. Ada</b> <i>Member</i>	E-vote 02/10/2021	✓				
<b>Senator Frank F. Blas Jr.</b> <i>Member</i>						
<b>Senator Jose "Pedro" Terlaje</b> <i>Member</i>	E-vote 02/10/2021	✓				
<b>Senator Mary Camacho Torres</b> <i>Member</i>	E-vote 02/10/2021	✓				

*Committee Chairman: General Government Operations, Appropriations, and Housing*

**Ran - Care Commercial Building, CBU #230, 761 South Marine Corps Dr., Tamuning, Guam 96913**

**Tel: (671) 989-5445 \* Fax: (671) 969-6737 \* email: senatorjoessanagustin@gmail.com**

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**Request For E-vote: Bill 13-36 (COR) As Introduced**

10 messages

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**Michaela Celorio** <msacelorio.senatorsa@gmail.com>

Wed, Feb 10, 2021 at 1:50 PM

To: Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Clynt Ridgell <clyntridgell@guamlegislature.org>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, senatormunabarnes@guamlegislature.org, senatorvanthonyada@gmail.com, office@senatorfrankblas.com, Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>  
Cc: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Rose Mesa <rose.senatorsa@gmail.com>, Catherine Leon Guerrero <cathy.senatorsa@gmail.com>

Hafa Adai, Committee Members

Please see attached below the Committee Report on **Bill No. 13-36 (COR) "AN ACT TO ADD A NEW ARTICLE 3A TO PART 1 OF CHAPTER 12, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE NURSE LICENSURE COMPACT; AND TO ADD A NEW § 12307(d) OF ARTICLE 3, PART 1, CHAPTER 12, DIVISION 1, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING ADDITIONAL DUTIES OF THE GUAM BOARD OF NURSE EXAMINERS TO FACILITATE THE LICENSURE OF NURSES UNDER THE COMPACT; AND TO FURTHER APPROPRIATE THE SUM OF SIX THOUSAND DOLLARS FROM THE HEALTH PROFESSIONAL LICENSING OFFICE REVOLVING FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO FUND THE ANNUAL MEMBERSHIP FEE TO THE NURSE LICENSURE COMPACT IN FISCAL YEAR 2022."** As introduced by Mary Camacho Torres, Tina Rose Muna Barnes, Amanda L. Shelton.

Please indicate your preferred action, based on the following options.

- ☐ To Do Pass;
- ☐ To Not Pass;
- ☐ To Report Out Only;
- ☐ To Abstain; or
- ☐ To Place in Inactive File.

Please submit your response **ASAP**. Your response will be logged into the Committee Vote Sheet for **Bill No. 13-36 (COR)**, which will be filed with the Committee on Rules. As introduced by Mary Camacho Torres, Tina Rose Muna Barnes, Amanda L. Shelton.

Thank you.

Best,

**Michaela Celorio**

Research Policy Analyst

Office of Senator Joe S. San Agustin

I Mina'Trentai Sais Na Lehislaturan Guahan

36th Guam Legislature

Chairman, Committee on General Government Operations, Appropriations &amp; Housing

Office of Finance and Budget

Email: [msacelorio.senatorsa@gmail.com](mailto:msacelorio.senatorsa@gmail.com)

Tel: (671) 989-5445

**Committee Report Bill 13-36 (COR) As Introduce.pdf**  
3113K

Cc: Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Clynt Ridgell <clyntridgell@guamlegislature.org>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, senatormunabarnes@guamlegislature.org, office@senatorfrankblas.com, Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.sensorsa@gmail.com>, Rose Mesa <rose.sensorsa@gmail.com>, Catherine Leon Guerrero <cathy.sensorsa@gmail.com>

To do pass

On Feb 10, 2021, at 1:51 PM, Michaela Celorio <msacelorio.sensorsa@gmail.com> wrote:

[Quoted text hidden]

<Committee Report Bill 13-36 (COR) As Introduce.pdf>

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**Senator Mary C. Torres** <senatormary@guamlegislature.org>  
To: Michaela Celorio <msacelorio.sensorsa@gmail.com>

Wed, Feb 10, 2021 at 1:54 PM

To do pass.

--

## Office of Senator Mary Camacho Torres

Suite 807, DNA Building  
238 Archbishop Flores St.  
Hagatna, Guam 96910

T: 475-6279 E: [senatormary@guamlegislature.org](mailto:senatormary@guamlegislature.org)

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**Senator Pedro Terlaje** <senatorpedo@senatorjpterlaje.com>  
To: Michaela Celorio <msacelorio.sensorsa@gmail.com>

Wed, Feb 10, 2021 at 1:55 PM

To Do Pass

On Wed, Feb 10, 2021 at 1:51 PM Michaela Celorio <msacelorio.sensorsa@gmail.com> wrote:

[Quoted text hidden]

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## The Office of Senator Jose "Pedro" Terlaje

Committee on Public Safety, Emergency Response,  
Military and Veterans Affairs, Mayors' Council, and Public Transit

36th Guam Legislature  
*I Mina'trentai Sais na Liheslaturan Guåhan*

777 Route 4, MVP Center - Units 101/ 102, Sinajana, GU 96910  
Tel: (671) 989-5301/ 3218  
Email: [senatorpedo@senatorjpterlaje.com](mailto:senatorpedo@senatorjpterlaje.com)

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**Office of Senator Amanda L. Shelton** <officeofsenatorshelton@guamlegislature.org>  
To: Michaela Celorio <msacelorio.senatorsa@gmail.com>

Wed, Feb 10, 2021 at 1:56 PM

To do pass.

SYM!

On Wed, Feb 10, 2021 at 1:51 PM Michaela Celorio <msacelorio.senatorsa@gmail.com> wrote:

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*Si Yu'os Ma'åse'.*



**Office of the People • Senator Amanda L. Shelton**  
Legislative Secretary & Chairwoman, Committee on  
Air Transportation, Parks, Tourism, Higher Education,  
and the Advancement of Women, Youth, and Senior  
Citizens

**36th Guam Legislature**  
163 Chalan Santo Papa, Hagåtña, Guam 96910

T +1 (671) 969-2574 • (671) 989-2572

E [officeofsenatorshelton@guamlegislature.org](mailto:officeofsenatorshelton@guamlegislature.org)

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**Vice Speaker Tina Rose Muña Barnes** <senatormunabarnes@guamlegislature.org>

Wed, Feb 10, 2021 at 1:56 PM

To: Michaela Celorio <msacelorio.senatorsa@gmail.com>

Cc: Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Clynt Ridgell <clyntridgell@guamlegislature.org>, Senator Therese Terlaje <senatorterlajegum@gmail.com>, "Senator V. Anthony Ada" <senatorvanthonyada@gmail.com>, "Frank F. Blas Jr." <office@senatorfrankblas.com>, Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Rose Mesa <rose.senatorsa@gmail.com>, Catherine Leon Guerrero <cathy.senatorsa@gmail.com>

TO DO PASS!!!

On Wed, Feb 10, 2021 at 1:51 PM Michaela Celorio <msacelorio.senatorsa@gmail.com> wrote:

[Quoted text hidden]

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**Michaela Celorio** <msacelorio.senatorsa@gmail.com>

Wed, Feb 10, 2021 at 2:03 PM

To: Senator Tony Ada <senatorvanthonyada@gmail.com>

Hafa Adai Sen. Ada

Your vote has been received and will be filed with the Committee on Rules.

Thank you.

Best,  
Michaela Celorio

[Quoted text hidden]

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[Quoted text hidden]

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**Michaela Celorio** <msacelorio.senatorsa@gmail.com>

Wed, Feb 10, 2021 at 2:04 PM

To: "Senator Mary C. Torres" <senatormary@guamlegislature.org>

Hafa Adai, Sen. Torres

Your vote has been received and will be filed with the Committee on Rules.

Thank you.

Best,  
Michaela Celorio

[Quoted text hidden]

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[Quoted text hidden]

---

**Michaela Celorio** <msacelorio.senatorsa@gmail.com>  
To: Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

Wed, Feb 10, 2021 at 2:04 PM

Hafa Adai, Sen. Terlaje

Your vote has been received and will be filed with the Committee on Rules.

Thank you.

Best,  
Michaela Celorio

[Quoted text hidden]

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[Quoted text hidden]

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**Michaela Celorio** <msacelorio.senatorsa@gmail.com>  
To: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>

Wed, Feb 10, 2021 at 2:04 PM

Hafa Adai, Vice Speaker Barnes

Your vote has been received and will be filed with the Committee on Rules.

Thank you.

Best,  
Michaela Celorio

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