

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
341-36 (LS)	Therese M. Terlaje Sabina Flores Perez Telo T. Taitague	AN ACT TO AMEND CHAPTER 7 OF DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, AND ADD A NEW (N) TO § 9302 (b) (1) OF CHAPTER 9, OF DIVISION 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO EXPANDING OPTIONS FOR ASSISTED LIVING FACILITIES.	9/28/22 10:40 a.m.	10/3/22	Committee on General Government Operations, Appropriations, and Housing			Request: 10/5/22 10/18/22	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

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October 17, 2022

MEMO

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

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

Re: **Fiscal Note on Bill No. 341-36 (LS)**

Håfa adai,

Attached, please find the fiscal note for the following bill:

Bill No. 341-36 (LS)

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. 341-36(LS)

AN ACT TO AMEND CHAPTER 7 OF DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, AND ADD A NEW (N) TO §9302 (b) (1) OF CHAPTER 9, OF DIVISION 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO EXPANDING OPTIONS FOR ASSISTED LIVING FACILITIES.

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:	51,932,346
Department's Other Fund (Specify) appropriation(s) to date: Environmental Health Fund - \$1,302,065, Healthy Futures Fund - \$7,679,453, Health Professional Licensing Office Revolving Fund - \$300,975, Office of Vital Statistics Revolving Fund - \$230,705, Sanitary Inspection Revolving Fund - \$158,878, Medically Indigent Program Payment Revolving Fund - \$1,931,710	11,603,786
Total Department/Agency Appropriation(s) to date:	\$63,536,132

Fund Source Information of Proposed Appropriation			
	General Fund:	Special Fund:	Total:
FY 2022 Unreserved Fund Balance	\$0	\$0	\$0
FY 2023 Adopted Revenues	\$0	0	0
FY 2023 Appro. (P.L. 36-107)	\$0	0	0
Sub-total:	\$0	0	0
Less appropriation in Bill	\$0	0	0
Total:	\$0	0	0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2023 (If applicable)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund	1/	1/	1/	1/	1/	1/
Special Fund	1/	1/	1/	1/	1/	1/
Total	1/	1/	1/	1/	1/	1/

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

Analyst: <u>Malt Quinata</u>	Date: <u>10/10/22</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: OCT 17 2022
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Notes:
 /1- see attached.

Bureau of Budget & Management Research
Comments on Bill No. 341-36 (LS)

1/: Bill 341-36 (LS) is an Act to amend Chapter 7 of Division 1, Title 10, Guam Code Annotated, and add a new (N) to §9302 (b) (1) of Chapter 9, of Division 1, Title 26, Guam Administrative Rules and Regulations, relative to expanding options for assisted living facilities.

The Bill essentially does the following:

- Section 2 appears to be administrative in nature as it replaces the term “Nursing Home” throughout Chapter 7 of Division 1, Title 10, Guam Code Annotated with “Assisted Living Facility (Facilities)”.
- Section 3 requires the Department of Public Health and Social Services (DPHSS) to submit to the Legislature within 180 days of enactment of the Bill, recommendations of maximizing funding, as well as all appropriate funding support sources such as Medicare, Medicaid, Medically Indigent Program, etc., for Assisted Living Facilities.
- Section 4 adds a new (N) Assisted Living Facilities to §9302, (b), (1) of Chapter 9, Division 1 of Title 26, Guam Administrative Rules and Regulations.

Per the DPHSS, the Legislation attempts to cover Assisted Living Facilities (ALFs) by amending 26 GARR Section 9302(b)(1). The DPHSS Division of Public Welfare, which oversees the Medically Indigent Program (MIP) through the Bureau of Healthcare Finance Administration, cannot determine the impact of this Bill because it is not known at the moment how many new organizations would qualify as ALFs and participate as providers in the MIP, what these organizations would charge for their services, and how many people would avail of their services. DPHSS has also stated that they will provide the necessary recommendations to the Legislature as required by Section 3 of the Bill.

As such, the Bureau is unable to determine a fiscal impact at this time.