

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
62-32 (COR), P.L. 32-030	D.G. Rodriguez, Jr., Aline A. Yamashita, Ph.D., Brant McCreadie	AN ACT TO ESTABLISH THE GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION (CCDRP) BY ADDING A NEW ARTICLE 10 TO CHAPTER 3, DIVISION I OF TITLE 10, GUAM CODE ANNOTATED.	3/4/2013 11:53AM	3/5/13	Committee on Health and Human Services, Health Insurance Reform, Economic Development and Senior Citizens	4/3/13, 10:00am		Fiscal Note Requested 03/08/13 Fiscal Notes received 4/30/13 1:21p.m.
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	<small>DATE SIGNED BY I MAGA'LAHEN GUAHAN</small>	PUBLIC LAW NO.	NOTES
	4/30/2013	AN ACT TO <i>ADD</i> A NEW ARTICLE 10 TO CHAPTER 3 OF DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION (CCDRP).	4/30/2013	2:00pm	5/10/2013	5/10/2013	32-030	As substituted by the Committee on Health and Human Services, Insurance Reform, Economic Development and Senior Citizens.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member


Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

April 30, 2013

Memorandum

To: Rennae Meno
Clerk of the Legislature

From: Senator Rory J. Respicio 
Majority Leader & Rules Chair

Subject: Fiscal Notes

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

Bill Nos.: 62-32 (COR), 63-32(COR), 83-32(COR), 85-32(COR), 87-32(COR), and 97-32(LS)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2013 APR 30 PM 1:21 

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORJOHN A. RIOS
DIRECTORRAY TENORIO
LIEUTENANT GOVERNOR

APR 29 2013

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 62-32(COR), 63-32(COR), 83-32(COR), 85-32(COR), 87-32(COR), and 97-32(LS).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

A handwritten signature in black ink, appearing to read "John A. Rios".

JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 62-32 (COR)**

AN ACT TO ESTABLISH THE GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION (CCDRP) BY ADDING A NEW ARTICLE 10 TO CHAPTER 3, DIVISION I OF TITLE 10, GUAM CODE ANNOTATED.

Department/Agency Appropriation Information	
Dept./Agency Affected: Public Health & Social Services	Dept./Agency Head: James W. Gillan, Director
Department's General Fund (GF) appropriation(s) to date:	50,488,109
Department's Other Fund (Specify) appropriation(s) to date: Healthy Futures Fund and Environmental Health Fund	6,562,289
Total Department/Agency Appropriation(s) to date:	\$57,050,398

Fund Source Information of Proposed Appropriation			
	General Fund:	(Office of Vital Statistics Revolving Fund) 1/	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$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 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	1/	\$0	\$0	\$0	\$0	\$0
(Office of Vital Statistics Revolving Fund)	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

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

Analyst: <i>Orilda Guerrero</i> Orilda Guerrero	Date: <i>4/19/2013</i>	Director: <i>John A. Rios</i> John A. Rios, Director	Date: <i>4/23/13</i>
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Footnotes:
1/ See attached comments.

Comments on Legislative Bill No. 62-32 (COR)

The bill is seeking to establish the “Guam Council on Child Death Review and Prevention (CCDRP)” by adding a new article 10 to Chapter 3, Division I of Title 10, Guam Code Annotated relative to examining, determining and understanding why the death rate of children on Guam under the age of eighteen (18) years is higher than the national mortality rate in the United States and for the purposes of using the information gathered to identify strategies for the prevention of future loss of lives. Information to be provided to the Council for review of child death in order to conduct a multidisciplinary and multiagency review include, but is not limited to: social, medical and legal, histories; death and birth certificates; law enforcement investigative data; coroner investigative data; probation information and records; health/mental health care institution and educational records.

The Council members will be comprised, at a minimum, of the Director of the Department of Public Health & Social Services or designated representatives, Medical Examiner, Department of Mental Health & Substance Abuse, Guam Police Department, Guam Early Learning Council, Attorney General of Guam or designee, Guam Memorial Hospital Authority, Local Pediatrician, Military Representative and Parent/Community Stakeholder.

The new Section 31008 authorizes the Council to expend funds from the appropriation of the Office of Vital Statistics and/or from the Office of Vital Statistics Revolving Fund. The Office of Vital Statistics Program is under the Division of Chief Public Health Office (CPHO). The CPHO FY2013 appropriation level is \$279,950 and currently reflects an available balance of \$148,218. According to the Balance Sheet provided by the Division of Accounts (DOA) of the Vital Statistics Revolving Fund (as of 3/31/2013), the current fund balance is \$100,690. As such, the noted fund sources should be adequate to cover the estimated expenses, anywhere from \$2,000 to \$5,000, for operational costs of the Council.

It should be noted that the citation for the Revolving Fund referenced under the new Section 31008 currently reads 10 GCS §3227.1 whereas it should be 10 GCA §3227.1.



FILE COPY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
THIRTY-SECOND GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

April 30, 2013

The Honorable Edward J.B. Calvo
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Nos. 16-32(COR), 53-32(COR), 56-32(COR), 57-32(COR), 58-32(COR), 62-32(COR), 65-32(COR), 67-32(COR), 72-32(LS), 73-32(LS), and 76-32(COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on April 30, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Rose Muña Barnes".

Tina Rose Muña Barnes
Senator and Legislative Secretary

Enclosures (11)

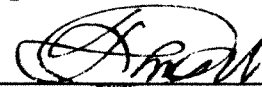
RECEIVED BY
DATE 4/30/13
TIME

A handwritten signature in black ink is written over the "RECEIVED BY" field. The date "4/30/13" is written in the "DATE" field. The word "TIME" is written in the "TIME" field.

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session**

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

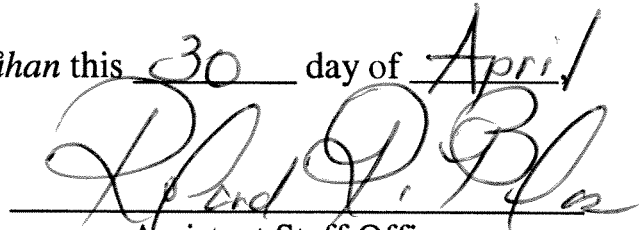
This is to certify that **Substitute Bill No. 62-32 (COR), "AN ACT TO ADD A NEW ARTICLE 10 TO CHAPTER 3 OF DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION (CCDRP)"**, was on the 30th day of April, 2013, duly and regularly passed.



**Judith T. Won Pat, Ed.D.
Speaker**

Attested: 
**Tina Rose Muña Barnes
Legislative Secretary**

This Act was received by *I Maga'lahen Guåhan* this 30 day of April 2013, at 2:00 o'clock P.M.


**Assistant Staff Officer
Maga'lahi's Office**

APPROVED:

**EDWARD J.B. CALVO
*I Maga'lahen Guåhan***

Date: _____

Public Law No. _____

I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 62-32 (COR)

As substituted by the Committee on
Health and Human Services, Insurance Reform,
Economic Development and Senior Citizens.

Introduced by:

Dennis G. Rodriguez, Jr.
Aline A. Yamashita, Ph.D.
Brant T. McCreadie
T. C. Ada
V. Anthony Ada
Frank B. Aguon, Jr.
B. J.F. Cruz
Chris M. Dueñas
Michael T. Limtiaco
Tommy Morrison
T. R. Muña Barnes
Vicente (ben) C. Pangelinan
R. J. Respicio
Michael F. Q. San Nicolas
Judith T. Won Pat, Ed.D.

**AN ACT TO ADD A NEW ARTICLE 10 TO CHAPTER 3
OF DIVISION 1, TITLE 10, GUAM CODE ANNOTATED,
RELATIVE TO ESTABLISHING THE GUAM COUNCIL
ON CHILD DEATH REVIEW AND PREVENTION
(CCDRP).**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there is an alarming infant mortality rate on Guam. In 2011, there were forty-
4 four (44) deaths of infants under one year of age; and in 2012, there were forty-six
5 (46) deaths of infants in the same age range. The 2011 infant death rate for Guam,

1 at 13.3, is more than twice as high as the national mortality rate of 5.9 for the
2 United States. *I Liheslaturan Guåhan* further finds that the death rate of children
3 under the age of eighteen (18) is also disturbingly high. *I Liheslaturan Guåhan*
4 finds that the Department of Public Health and Social Services may conduct
5 multidisciplinary and multiagency reviews of child deaths in order to reduce and
6 prevent the incidence of child deaths.

7 Therefore, to address this distressing state of affairs, it is the intent of *I*
8 *Liheslaturan Guåhan* to establish a Council on Child Death Review and Prevention
9 (CCDRP) to examine, determine, and understand why so many of our children die,
10 for the purpose of using this information to identify strategies for the prevention of
11 future loss of young lives.

Section 2. A new Article 10 is *added* to Chapter 3, Division 1, Title 10,
Guam Code Annotated, to read:

“ARTICLE 10

**GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION
(CCDRP)**

12 **§ 31001. Short Title.** This Act may be cited as the “*Child Death*
13 *Review and Prevention Act of 2013.*”

14 **§ 31002. Definitions.**

15 (a) As used in this Article:

16 (1) *Child* means a person *less than* eighteen years of
17 age.

18 (2) *Family* means:

19 (A) each legal parent;

20 (B) the natural/biological mother;

21 (C) the natural/biological father;

22 (D) each parent’s spouse or former spouses;

1 (E) each sibling or person related by
2 consanguinity or marriage;

3 (F) each person residing in the same dwelling
4 unit; and

5 (G) any other person who, or legal entity that, is
6 a child's legal or physical custodian or guardian, or who
7 is otherwise responsible for the child's care, other than
8 the authorized agency that assumes such a legal status or
9 relationship with the child, as defined under §4202,
10 Article 2, Chapter 4, Title 19, Guam Code Annotated.

11 (3) *Council on Child Death Review and Prevention*
12 (CCDRP) means the Council members who are
13 multidisciplinary and multiagency representatives appointed by
14 *I Maga'lahaen Guåhan* [Governor of Guam] and any other
15 entity/representative invited by the Director or the Director's
16 designated representatives as appropriate for each child death
17 review, to include, at a minimum:

18 (A) Department of Public Health and Social
19 Services:

20 (i) Director, or the Director's designated
21 representatives;

22 (ii) Bureau of Family Health and Nursing
23 Services – Maternal and Child Health;

24 (iii) Bureau of Social Services
25 Administration – Child Protective Services;

26 (iv) Emergency Medical Services; and

27 (v) Office of Vital Statistics;

- 1 (B) Medical Examiner, or designee;
2 (C) Department of Mental Health and Substance
3 Abuse;
4 (D) Guam Police Department;
5 (E) Guam Early Learning Council;
6 (F) Attorney General of Guam, or designee;
7 (G) Guam Memorial Hospital Authority;
8 (H) Local Pediatrician;
9 (I) Military Representative;
10 (J) Parent/Community Stakeholder; and
11 (K) *I Liheslaturan Guåhan* (the Guam
12 Legislature) Chairperson of the Committee on Health and
13 Human Services, or designee.

14 (4) *Child death review information* means information
15 regarding the child and child's family, including, but *not*
16 limited to:

- 17 (A) social, medical, and legal histories;
18 (B) death and birth certificates;
19 (C) law enforcement investigative data;
20 (D) medical examiner or coroner investigative
21 data;
22 (E) parole and probation information and
23 records;
24 (F) information and records of social service
25 agencies;
26 (G) educational records; and

1 (H) health/mental health care institution
2 information.

3 (5) *Department* means the Department of Public
4 Health and Social Services.

5 (6) *Director* means the Director of the Department of
6 Public Health and Social Services, *or* the Director's designated
7 representatives.

8 (7) *Provider of medical care* means any health/mental
9 health practitioner who provide, or a facility through which is
10 provided, any medical evaluation or treatment, including dental
11 and mental health evaluation or treatment.

12 (8) *Service provider(s)* means any
13 practitioner/provider who provides, or a facility through which
14 it is provided, any social and legal services.

15 **§ 31003. Access to Information.**

16 (a) Upon written request of the Director, all providers of
17 social, medical, and legal services, and local agencies, *shall* disclose
18 to the Department, and those individuals appointed by the Director to
19 participate in the review of child death, child death review
20 information regarding the circumstances of a child's death so that the
21 Department may conduct a multidisciplinary and multiagency review
22 of child deaths.

23 (b) To the extent that this Section conflicts with other state
24 confidentiality laws, this Section *shall* prevail.

25 **§ 31004. Exception.**

1 Information regarding an ongoing civil or criminal investigation *shall*
2 be disclosed at the discretion of the applicable local or federal law
3 enforcement agency.

4 **§ 31005. Use of Child Death Review Information and Records.**

5 (a) *Except* as otherwise provided in this Article, all child
6 death review information acquired by the Department during its
7 review of child deaths pursuant to this Article, is confidential and may
8 *only* be disclosed as necessary to carry out the purposes of this
9 Article.

10 (b) Child death review information and statistical
11 compilations of data that *do not* contain any information that would
12 permit the identification of any person *shall* be public records.

13 (c) The CCDRP *shall* submit a report of child death review
14 information and statistical compilations of data that *do not* contain any
15 information that would permit the identification of any person to *I*
16 *Liheslaturan Guåhan* (the Guam Legislature) on an annual basis.

17 (d) No individual participating in the Department's
18 multidisciplinary and multiagency review of a child's death may be
19 questioned in any civil or criminal proceeding regarding information
20 presented in or opinions formed as a result of a child death review
21 meeting. Nothing in this Subsection shall be construed to prevent a
22 person from testifying to information obtained independently of the
23 Department's multidisciplinary and multiagency review of a child's
24 death, or which is public information, or where disclosure is required
25 by law or court order.

26 (e) Child death review information held by the Department
27 as a result of child death reviews conducted under this Article are *not*

1 subject to subpoena, discovery, or introduction into evidence in any
2 civil or criminal proceeding, *except* that child death review
3 information otherwise available from other sources is *not* immune
4 from subpoena, discovery, or introduction into evidence through those
5 sources *solely* because they were provided as required by this Article.

6 **§ 31006. Immunity from Liability.**

7 All agencies and individuals participating in the review of child deaths
8 pursuant to this Article *shall not* be held civilly or criminally liable for
9 providing the information required under this Article.

10 **§ 31007. Funding Authorization.** Funding to implement and
11 conduct the provisions and activities authorized pursuant to this Article *shall*
12 be expended from the annual fiscal year appropriation to the Office of Vital
13 Statistics, and/or from the Office of Vital Statistics Revolving Fund (Title 10
14 GCA, Chapter 3, Article 2, §3227.1).”

15 **Section 3. Effective Date.** This Act *shall* be effective upon enactment.

16 **Section 4. Severability.** *If* any provision of this Law or its application to
17 any person or circumstance is found to be invalid or contrary to law, such
18 invalidity shall *not* affect other provisions or applications of this Law which can be
19 given effect without the invalid provisions or applications, and to this end the
20 provisions of this Law are severable.

LEGISLATIVE SESSION

I MINA'TRENTAI DOS NA LIHESLATURAN

2013 (FIRST) Regular Session

Voting Sheet

Speaker Antonio R. Unipingo Legislative Session Hall

Bill No: 62-32 (COR)

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS					✓
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN	✓				
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL

<u>14</u>	<u> </u>	<u> </u>	<u> </u>	<u> 1 </u>
Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent

CERTIFIED TRUE AND CORRECT:

I = Pass

Clerk of the Legislature



SENATOR DENNIS G. RODRIGUEZ, JR.

April 11, 2013

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'Trentai Dos Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report – Bill No. 62-32 (COR), as Substituted


Dear Speaker Won Pat:

- Transmitted herewith, for your consideration, is the **Committee Report on BILL 62-32(COR), as Substituted- An act to establish the Guam Council on Child Death Review and Prevention (CCDRP) by adding a new Article 10 to Chapter 3, Division I of Title 10, Guam Code Annotated;** Introduced by Sen. Dennis G. Rodriguez, Jr., and referred to the Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens. Bill No. 62-32 (COR) was publicly heard on April 3, 2013.

Committee votes are as follows:

6 **TO PASS**
— **NOT TO PASS**
— **ABSTAIN**
1 **TO REPORT OUT ONLY**
— **TO PLACE IN INACTIVE FILE**

Senseramente,


Senator Dennis G. Rodriguez, Jr.
Chairman

Attachments

2013 APR 15 PM 1:49



SENATOR DENNIS G. RODRIGUEZ, JR.

**COMMITTEE REPORT
ON**

**BILL NO. 62-32 (COR),
as Substituted**

Sponsored by Senator Dennis G. Rodriguez, Jr.

An act to establish the Guam Council on Child Death Review and Prevention (CCDRP) by adding a new Article 10 to Chapter 3, Division I of Title 10, Guam Code Annotated.




SENATOR DENNIS G. RODRIGUEZ, JR.

April 11, 2013

MEMORANDUM

To: ALL MEMBERS
Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens.

From: Senator Dennis G. Rodriguez, Jr. 
Committee Chairperson

Subject: Committee Report on Bill no. 62-32 (COR), as Substituted

Transmitted herewith, for your consideration, is the **Committee Report on BILL 62-32(COR) as Substituted- An act to establish the Guam Council on Child Death Review and Prevention (CCDRP) by adding a new Article 10 to Chapter 3, Division I of Title 10, Guam Code Annotated;** Introduced by Sen. Dennis G. Rodriguez, Jr.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 62-32 (COR)
- Copy of Bill No. 62-32 (COR), as Substituted
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 62-32 (COR)
- Notices of Public Hearing (1st and 2nd)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

Please take the appropriate action on the attached voting 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 DENNIS G. RODRIGUEZ, JR.

COMMITTEE VOTING SHEET

BILL 62-32(COR), as Substituted- An act to establish the Guam Council on Child Death Review and Prevention (CCDRP) by adding a new Article 10 to Chapter 3, Division I of Title 10, Guam Code Annotated. Introduced by Sen. Dennis G. Rodriguez, Jr.

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		<input checked="" type="checkbox"/>				
V. ANTHONY ADA Vice Chairman						
JUDITH T. WON PAT, Ed.D. Speaker (Ex-officio)						
BENJAMIN J. F. CRUZ Vice-Speaker		<input checked="" type="checkbox"/>				
TINA ROSE MUNA-BARNES Legislative Secretary						
FRANK B. AGUON, Jr.		<input checked="" type="checkbox"/>				
VICENTE C. PANGELINAN						
RORY J. RESPICIO		<input checked="" type="checkbox"/>				
ALINE A. YAMASHITA, Ph.D.						
THOMAS MORRISON		<input checked="" type="checkbox"/>				
MICHAEL LIMTIACO					<input checked="" type="checkbox"/>	
BRANT T. MCCREADIE		<input checked="" type="checkbox"/>				
CHRISTOPHER M. DUENAS						



SENATOR DENNIS G. RODRIGUEZ, JR.

COMMITTEE REPORT DIGEST

Bill No. 62-32 (COR)

I. OVERVIEW: The Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens conducted a public hearing on **April 3, 2013**. The hearing convened at 10:00AM in I Liheslatura’s Public Hearing Room. Among the items on the agenda was the consideration of **BILL 62-32(COR)- An act to establish the Guam Council on Child Death Review and Prevention (CCDRP) by adding a new Article 10 to Chapter 3, Division I of Title 10, Guam Code Annotated. Introduced by Sen. Dennis G. Rodriguez, Jr.**

II. Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on March 27, 2013 (5-day notice), and again on March 29, 2013 (48-hour notice).

Senators Present

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator V. Anthony Ada	Vice-Chairman
Senator Benjamin F. Cruz	Committee Member
Senator Thomas C. Ada	Committee Member
Senator Michael San Nicolas	Committee Member
Senator Thomas Morrison	Committee Member
Senator Christopher M. Duenas	Committee Member
Senator Brant McCreadie	Committee Member
Senator Michael Limtiaco	Committee Member

The public hearing on agenda item Bill No. 62-32 (COR) was called to order at 10:00AM.

II. SUMMARY OF TESTIMONY & DISCUSSION.

Chairman Rodriguez: Bill 62-32 is a legislation that was put together by the Guam Early Learning Council, which the First Lady, Christine Calvo, is the Co-Chairwoman of the Council. When they had approached us and had a round table discussion prior to introduction of the bill, we heard why it is important to have a committee in place. More importantly, we discussed why it is important to have in statute in order to find the reasons leading to the deaths of the children and how we can work together to lessen those incidents.

First Lady: [Please see written testimony]



SENATOR DENNIS G. RODRIGUEZ, JR.

Dr. Aurelio Espinola: I am sorry I did not prepare a lot of statistic due to last minute requests. In 2011, I examined 34 bodies, of children. In 2012, I examined 17 cases. Based on my observation, there is very few reported child abuse. Most of my cases are due to prematurity, perhaps because of lack of prenatal care. The most common cause of death among children is pneumonia and infection of the lungs. With my investigation, I don't blame the parents. Children are different with adults because even though children are sick, they still play and they do not think about this. You know, children die very fast and in the cases that I have done, I have seen that they suffered upper tract infection.

I am not blaming the parents; however, it is important that we educate them. Perhaps, doctors can talk to the parent after the delivery and explain that children are different from adults. Also, I have cases of accidents, such as children falling off the back of a pickup truck. I know that we have a law against that, and now we really have to implement that law. I can still see many pickup trucks with children at the back and the police aren't citing these occurrences.

I am very glad to report, though, that we do not have many child abuse cases here in Guam. I advice that we increase the prenatal care of the pregnant women, especially the young mothers. We need to educate parents to detect when children are sick and prevent them from playing when they are. We need to decrease prematurity as well as pneumonia, which is prevlanet in our community.

Senator Tony Ada: Of the 34 cases that you examine, how many cases were caused of lack of prenatal care.

Dr. Espinola: I do not have the data on that. However, prematurity is less than pneumonia, which is more common.

Senator Tony Ada: Is that for both 2011 and 2012?

Dr. Espinola: all years are similar. Number 1 is pneumonia and Number 2 is prematurity. Accidents and abuse are very rare cases.

Senator Duenas: thank you Mr. Chair. Mr. Espinola, is it typical to use toxicology testing? The rates and the charts that have been given to us are similar. And if you look at the info mortality rate, the base is basically stable.

Dr. Espinola: Actually, I only ask for toxicology in suspicious death. Because our laboratory is not very well equipped, and if there is no urine sample that can be given to us by GMHA, then we cannot do it. If it is really necessary to do toxicology, then I send it out.

Senator Chris Duenas: One of the saddest effects of saddest abuse is infant mortality, that is why I just wanted to bring that to attention because there is a relation in that matter. I know of this from testimonies of folks who have talked to me. A lot of issues you would see with lack of prenatal care



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are also because the mother is addicted to substance abuse. I just want to make sure that we calculate that as a factor and that it is significant in the woman's reproductive health. Doc, maybe we can consider testing the mothers as well to see if they are under any influence of substance abuse.

Chairman Rodriguez: I have a question on establishing the council. Is the intent to have a 15 member council? I know you listed here from A-J, but a sub listing on A. I just want to ensure who the exact members are of the council.

Terrie Fejerang: I am from Guam CEDDERS. One of the Guam Early Learning Council supports this initiative. With regard to your question, we had the Bill review by our technical assistance provider, Terrie Covington, these were the representatives that she recommended based on her experience in working with Child Death Review councils in all 50 states.

Chairman Rodriguez: Maybe, I will direct the question to Jim Gillan, since it will be in your purview under Public Health. It says that you have council members appointed by the Governor, but we also want to make sure that we make this tight for instance having to have a quorum.

Jim Gillan: Yes, when I was looking at this, we really want to support it. I think that 15 members plus these additional is a lot, which may be needed to alter. I think this can be settled in the first meeting. I am always concern about operations. I think a lot of the players of this have to be present. For one, we really talking about organizing the group in giving us access in information. We are not interested in finding the blame, but we are interested in the solutions ion trying to fix some of the system problems that we are able to see here.

As we look at it, staffing wise, a program coordinator supporting the activity will have a difficulty getting the player attend the meeting. I do not want to get into the law in terms of who is going, but we would like to see they attend this meeting because they care. I think we can make this work.

Senator Chris Duenas: you have a framework under the PEACE Council in terms of dealing with these issues. Because this is a data driven program, you can also create a partnership with other programs such as the PEACE Council who also have similar information.

Terrie Fejerang: this is a deliberate suggestion from our counsel because it is key to have a multidisciplinary group in order to facilitate the information gathered. There needs to be a lot of work put into developing the Memoranda of Understanding in regards to information sharing, confidentiality, and so forth. Again, it is key to have a multidisciplinary access to these agencies.

Chairman Rodriguez: First Lady, I know I mentioned early you had to leave early, but we appreciate that you are able to stay.

Senator McCreadie: I want to go back to Dr. Espinola. You mentioned you examined 34 cases in 2011?



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Dr. Espinola: Yes, as I have mentioned, I was not given enough time to examine all of the cases. My number might be wrong, but the majority is infection and prematurity.

Senator McCreadie: being in Guam for the last years, could these incidents have been addressed if we had the specialists here in the hospital? How important would it be to have a neonatologist at the hospital?

Dr. Espinola: the doctors can give advice to the mother while they are at the hospital. But that can be given only at the hospital, what about those children who do not go to the hospital. In my past experience, we have forensic nurses, where they visit the families in the homes. That helps because they talk to the family.

Senator McCreadie: what percentage to you think would a neonatologist would have in preventing these?

Dr. Espinola: very low because they can only talk to patients in the hospital because those who do not go to the hospital have no access to that information.

Senator McCreadie: I remember an incident where you wanted to have more information on the case and you had asked the law enforcement agency to look into it. Do you remember that?

Dr. Espinola: I ask the law enforcement only if there is a suspicious death. I do my own investigation with the natural deaths with no suspicion. The CPS will do investigation with the suspicious cases.

Senator McCreadie: As the Director said, it's not a witch hunt; however, at the end of the day we would like to get the information of the cause.

Dr. Espinola: I do not have a problem with the cause of death. The problem is how we can prevent those deaths. Whenever I have a child death, I try my best to talk to the parents because most of them feel guilty. So, I like to give them advice and at the same time I can find out the cause or reason why the child died. Most of the time, I find out that it is because of the ignorance of the habits of the children.

Senator San Nicolas: I just have one question on the bill itself as to whether or not we can explore an additional provision. I really like the original construct and be able to work together to bring these numbers down. For me, I have to review it and analyze it and build action steps. How about a reporting requirement to the Guam Legislature, so that when we are reviewing these cases, we need to understand not only the reasons of death but also find ways to reduce and prevent these incidents from happening.

Also, if the panel would be open to including in the legislation action steps and require the findings from the reviews so we can find policy solutions to the problem.



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Terrie Fejerang: one of the major objectives of a Child Death Review Council is to really get good data and to dig deep. Then, use this data so it can be part of the council to develop, publish and disseminate annual findings. That would be a good addition to the legislation, which will be a product on an annual basis.

Chairman Rodriguez: Jim, we have a provision here that addresses funding. We talked about how we anticipate costing too much to implement this. Are you fine with the way it is authorize here in terms of using the Office of Vital Statistics?

Jim Gillan: Yes. That's fine.

Chairman Rodriguez: Have you looked at the amount that would need to sustain this?

Jim Gillan: it really depends on how ambitious we will be and spending a lot of time looking back. That is probably not the best way to go about it right now. We might want to look at some of the key causes of infant mortality and have the opportunity to do some research on a more public health intervention among young moms and teen pregnancy that causes a lot of the prematurity. There are a lot of things that happen back in the process that needs to be identified.

We already have a staffer that is not going to cost any additional money. They will get as much assistance to the department. Initially, we would not be looking at a lot of money. Some of it, you just kind of come across the cost and you do it anecdotally. For example, an incident of drowning in Michigan that had people talking about it and found out that there are currents in the lake during a certain period. Something like that are simple solutions. There are so many people who may not think that they have importance in this, but they are. How many preventable kinds do we have such as children in the back of pickup trucks and the police have a lot to do with keeping people more inform of their responsibilities. This is a quality assurance program and we will work together and figure out ways in trying to fix it. I think this is the way to go and if you would like annual reports, I think that's fine.

Senator Tommy Morrison: I'm looking at the rate here, specifically 2011, I am just wondering that it's twice the mortality rate. Is this consistent with the 3 or 5 year trend?

Margarita Gay: this is our data from Guam and it is stated correctly of our rate.

Senator Tommy Morrison: Specific to 2011, is this consistent that we are double the national rate?

Margarita Gay: Yes.

Terrie Fejerang: In this chart, if you go back to 2009, the first chart in 2000-2011 it gives you information of the mortality rates here. That alone says 23 in infant deaths to a high in 2010 at 51. There is some variance but it is still higher than the national rate.



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Jim Gillan: our rate is almost three times the national rate and the national rate ranks 17 out of all developed countries, which is also not very good. We should not be at this rate.

Felicity Grandjean: [Please see written testimony]

Carol Cabillas: [Please see written testimony]

Terrie Fejerang: Elaine is facilitating a workshop right now for Project Karinu and she is also the co-chair of the Guam Early Learning Council. She submitted a testimony as a planning committee. I would like to read the testimony the committee prepared. [Please see written testimony]

June Perez: I am with the Guam Memorial Hospital and I represent the administrator. Thanks to the first lady's advocacy and leadership as well as to the UOG CEDDERS. Our members really had a strong grasp with our 0-8 population. The whole council is basically designed in improving the quality of life overall for our children but we found that in order to improve the quality of life. We need to save these lives. Our death rates are way beyond the national standards and this is unacceptable. To have a parent bury their child is just unnatural and a very heartbreaking experience. With this council, we're gathering a group of informed, responsible professionals that can help with the policies and information that are need to help these lives.

Knowledge is power. Information is power and you are empowering our island in putting together the action plan, solution and the direction our island is taking. The work that has been done in the last few months has been a really eye opener for some people and we definitely urge its passing in the legislature.

I also want to add that we have a neonatologist that just started and it will make a difference in the care at the hospital. His focus will be the babies in the hospital and our community's assistance is still much needed.

Arlene Gadia: one of the things that stands as far as the development of the council, on the part of CPS, we certainly want to see a more coordinated process in the agencies, that is not to say that we have not been working with them. I can see where we can have this multidisciplinary council, we can really establish certain policies and procedure in order for us to really learn the causes of death and so we can fund the solutions for it as well. We certainly support this council. There has also been cases where babies are born prematurely and lack prenatal care that were referred to us. There are a lot of factors contributing to these cases as well. For instance, parents would say that it was challenging to get the children's immunization; they have no transportation or insurance, and other factors that resulted to the parents not able to prevent these incidents.

This council allows us all to come together and we can prevent these things from happening.



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Aria Perez Theisen: as a member of the 29th Guam Youth Congress I feel the need to express a growing interest in the establishment of the Guam Council on Child Death Review. After hearing these concerns, it brings to mind that, that incident could be someone I know or close to me. That is something that really affects everyone in the community. I would like to see this to be implemented and affect my generation and the generation before me will be safer and be more educated on the value of life and prevent death among children.

The workshops that I have been attending brought cases about a girl who was in a car accident, and was later found that there was a problem with the construction of the road through investigations. This just tells me that these investigations go in depth and actually have results. I just want to say the Council has my support.

Chairman Rodriguez: Aria, thank you for your participation. You know, some of us here are products of the Guam youth Congress. Thank you for your participation, I know that you were also here during the round table and we really appreciate that.

Senator Tony Ada: is there any data that we have on the percentages of mothers who do not have access to prenatal care?

Margarita Gay: at GMH, out of 2,000 births, there were about 260+ pregnant mothers who aren't receiving prenatal care. Last year, we were averaging 41 to be having prenatal care and before that was 61. This year, I don't have the final count but they are getting prenatal care in our centers and clinics for those who do not accept insurance. My goal is to be above 50 percent. We are showing decrease and hopefully this year we can get back on board.

Senator Tony Ada: How can we educate young mothers and how to get prenatal care as early as possible, especially those who have no access to doctor.

June Perez: it is common knowledge and it is also a standard practice at GMH. This legislation will fund the mechanism to be in place to provide the mothers with information. Lack of prenatal care is only one of the many factors affecting this legislation. We really do urge your support.

There being no other testimony, or comments by Senators, Chairman Rodriguez declared the bill as having been heard, and concluded the public hearing on Bill No. 62-32 (COR).

Fiscal Note: Pending request/receipt from COR.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Health & Human Services, Health Insurance Reform, Economic Development and Senior Citizens, hereby **reports out Bill No. 62-32 (COR)**, with the recommendation to to report out only.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

BILL NO. 62-32 (COR)

As Substituted by the Committee on
Health and Human Services, Insurance Reform,
Economic Development and Senior Citizens

Introduced by:

D. G. Rodriguez, Jr.
Aline A. Yamashita, Ph.D
Brant McCreadie

**AN ACT TO ESTABLISH THE GUAM COUNCIL ON CHILD
DEATH REVIEW AND PREVENTION (CCDRP) BY ADDING
A NEW ARTICLE 10 TO CHAPTER 3, DIVISION I OF TITLE
10, GUAM CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that there is an alarming infant mortality rate on Guam. In 2011, there were 44 deaths of infants under one year of age and in 2012, there were 46 deaths of infants in the same age range. The 2011 infant death rate for Guam, at 13.3, is more than twice as high as the national mortality rate of 5.9 for the United States. *I Liheslaturan Guåhan* further finds that the death rate of children under the age of 18 is also disturbingly high. *I Liheslaturan Guåhan* finds that the Department of Public Health and Social Services may conduct multidisciplinary and multiagency reviews of child deaths in order to reduce and prevent the incidence of child deaths.

Therefore, to address this distressing state of affairs, it is the intent of *I Liheslaturan Guåhan* to establish a Council on Child Death Review and Prevention (CCDRP) to examine, determine, and understand why so many of our children die for the purpose of using this information to identify strategies for the prevention of future loss of young lives.

Section 2. A new Article 10 is added to Chapter 3, Division 1, Title 10, Guam Code Annotated, to read:

“Article 10

**GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION
(CCDRP)**

1 **§31001. Short Title.** This Act may be cited as the “*Child Death Review*
2 *and Prevention Act of 2013.*”

3 **§31002. Policy.**

4 **§31003. Definitions.** (a) Definitions, as used in this Article:

5 (1) “*Child*” means a person less than eighteen years of age.

6 (2) “*Family*” means:

7 (A) Each legal parent;

8 (B) The natural/biological mother;

9 (C) The natural/biological father;

10 (D) Each parent’s spouse or former spouses;

11 (E) Each sibling or person related by consanguinity or marriage;

12 (F) Each person residing in the same dwelling unit; and

13 (G) Any other person who, or legal entity that, is a child’s legal or
14 physical custodian or guardian, or who is otherwise responsible for
15 the child’s care, other than the authorized agency that assumes such a
16 legal status or relationship with the child, as defined under §4202,
17 Article 2, Chapter 4, Title 19, Guam Code Annotated.

18 (3) “*Council on Child Death Review and Prevention*” (CCDRP) means the
19 Council members who are multidisciplinary and multiagency representatives

1 appointed by *I Maga'lahaen Guåhan* [Governor of Guam] and any other
2 entity/representative invited by the Director or the Director's designated
3 representatives as appropriate for each child death review, to include, at a
4 minimum:

5 (A) Department of Public Health and Social Services:

6 (i) Director or the Director's designated representatives;

7 (ii) Bureau of Family Health and Nursing Services – Maternal
8 and Child Health;

9 (iii) Bureau of Social Services Administration – Child
10 Protective Services;

11 (iv) Emergency Medical Services; and

12 (v) Office of Vital Statistics;

13 (B) Medical Examiner, or designee;

14 (C) Department of Mental Health and Substance Abuse;

15 (D) Guam Police Department;

16 (E) Guam Early Learning Council;

17 (F) Attorney General of Guam, or designee;

18 (G) Guam Memorial Hospital Authority;

19 (H) Local Pediatrician;

20 (I) Military Representative; ~~and~~

21 (J) Parent/Community Stakeholder; and

22 (K) Guam Legislature, Chairperson of the Committee on Health and
23 Human Services, or designee.

24 (4) "*Child death review information*" means information regarding the
25 child and child's family, including, but not limited to:

26 (A) Social, medical, and legal histories;

27 (B) Death and birth certificates;

- 1 (C) Law enforcement investigative data;
- 2 (D) Medical examiner or coroner investigative data;
- 3 (E) Parole and probation information and records;
- 4 (F) Information and records of social service agencies;
- 5 (G) Educational records; and
- 6 (H) Health/mental health care institution information.

7 (5) “*Department*” means the Department of Public Health and Social
8 Services.

9 (6) “*Director*” means the Director of the Department of Public Health and
10 Social Services or the Director’s designated representatives. “Provider of
11 medical care” means any health/mental health practitioner who provide, or a
12 facility through which is provided, any medical evaluation or treatment,
13 including dental and mental health evaluation or treatment.

14 (7) “*Service provider(s)*” means any practitioner/provider who provides, or
15 a facility through which it is provided, any social and legal services.

16 **§31004. Access to information.**

17 (a) Upon written request of the Director, all providers of social, medical, and
18 legal services and local agencies shall disclose to the Department, and those
19 individuals appointed by the Director to participate in the review of child death,
20 child death review information regarding the circumstances of a child’s death so
21 that the Department may conduct a multidisciplinary and multiagency review of
22 child deaths.

23 (b) To the extent that this section conflicts with other state confidentiality
24 laws, this section shall prevail.

25 **§31005. Exception.**

1 Information regarding an ongoing civil or criminal investigation shall be
2 disclosed at the discretion of the applicable local or federal law enforcement
3 agency.

4 **§31006. Use of child death review information and records.**

5 (a) Except as otherwise provided in this part, all child death review
6 information acquired by the Department during its review of child deaths pursuant
7 to this part, is confidential and may only be disclosed as necessary to carry out the
8 purposes of this part.

9 (b) Child death review information and statistical compilations of data that
10 do not contain any information that would permit the identification of any person
11 shall be public records.

12 (c) The CCDRP shall submit a report of child death review information and
13 statistical compilations of data that do not contain any information that would
14 permit the identification of any person to the Guam Legislature on an annual basis.

15 (c) No individual participating in the Department's multidisciplinary and
16 multiagency review of a child's death may be questioned in any civil or criminal
17 proceeding regarding information presented in or opinions formed as a result of a
18 child death review meeting. Nothing in this subsection shall be construed to
19 prevent a person from testifying to information obtained independently of the
20 Department's multidisciplinary and multiagency review of a child's death, or
21 which is public information, or where disclosure is required by law or court order.

22 (d) Child death review information held by the Department as a result of
23 child death reviews conducted under this part are not subject to subpoena,
24 discovery, or introduction into evidence in any civil or criminal proceeding, except
25 that child death review information otherwise available from other sources is not
26 immune from subpoena, discovery, or introduction into evidence through those
27 sources solely because they were provided as required by this part.

1 **§31007. Immunity from liability.**

2 All agencies and individuals participating in the review of child deaths
3 pursuant to this part shall not be held civilly or criminally liable for providing the
4 information required under this part.

5 **§31008. Funding Authorization.** Funding to implement and conduct the
6 provisions and activities authorized pursuant to this Article shall be expended from
7 the annual fiscal year appropriation of the Office of Vital Statistics, and/or from
8 the Office of Vital Statistics Revolving Fund (10 GCS §3227.1).”

9 **Section 3. Effective Date.** This Act *shall* take immediate effect upon
10 enactment.

11 **Section 4. Severability.** *If* any provision of this Law or its application to
12 any person or circumstance is found to be invalid or contrary to law, such
13 invalidity shall *not* affect other provisions or applications of this Law which can be
14 given effect without the invalid provisions or applications, and to this end the
15 provisions of this Law are severable.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

BILL NO. 62-32 (COR)

As Substituted by the Committee on
Health and Human Services, Insurance Reform,
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Introduced by:

D. G. Rodriguez, Jr.
Aline A. Yamashita, Ph.D
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14 given effect without the invalid provisions or applications, and to this end the
15 provisions of this Law are severable.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN
2013 (SECOND) Regular Session

BILL NO. 62-32(COR)

Introduced by:

Dennis G. Rodriguez, Jr. 
Aline A. Yamashita, Ph.D. 
Brant McCreadie 

**AN ACT TO ESTABLISH THE GUAM COUNCIL ON CHILD
DEATH REVIEW AND PREVENTION (CCDRP) BY ADDING
A NEW ARTICLE 10 TO CHAPTER 3, DIVISION I OF TITLE
10, GUAM CODE ANNOTATED**

2013 MAR -4 AM 11:53


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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds
3 that there is an alarming infant mortality rate on Guam. In 2011, there were 44
4 deaths of infants under one year of age and in 2012, there were 46 deaths of infants
5 in the same age range. The 2011 infant death rate for Guam, at 13.3, is more than
6 twice as high as the national mortality rate of 5.9 for the United States. *I*
7 *Liheslaturan Guahan* further finds that the death rate of children under the age of
8 18 is also disturbingly high. Therefore, to address this distressing state of affairs, it
9 is the intent of *I Liheslaturan Guahan* to establish a Council on Child Death
10 Review and Prevention (CCDRP) to examine, determine, and understand why so

1 many of our children die for the purpose of using this information to identify
2 strategies for the prevention of future loss of young lives.

Section 2. A new Article 10 is added to Chapter 3, Division 1, Title 10, Guam Code Annotated, to read:

“Article 10

**GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION
(CCDRP)**

3 **§31001. Short Title.** This Act may be cited as the “*Child Death Review*
4 *and Prevention Act of 2013.*”

5 **§31002. Policy.**

6 **§31003. Definitions.** (a) Definitions, as used in this Article:

7 (1) “*Child*” means a person less than eighteen years of age.

8 (2) “*Family*” means:

9 (A) Each legal parent;

10 (B) The natural/biological mother;

11 (C) The natural/biological father;

12 (D) Each parent’s spouse or former spouses;

13 (E) Each sibling or person related by consanguinity or marriage;

14 (F) Each person residing in the same dwelling unit; and

15 (G) Any other person who, or legal entity that, is a child’s legal or
16 physical custodian or guardian, or who is otherwise responsible for
17 the child’s care, other than the authorized agency that assumes such a
18 legal status or relationship with the child, as defined under §4202,
19 Article 2, Chapter 4, Title 19, Guam Code Annotated.

1 (3) “*Council on Child Death Review and Prevention*” (CCDRP) means the
2 Council members who are multidisciplinary and multiagency representatives
3 appointed by *I Maga’lahen Guåhan* [Governor of Guam] and any other
4 entity/representative invited by the Director or the Director’s designated
5 representatives as appropriate for each child death review, to include, at a
6 minimum:

7 (A) Department of Public Health and Social Services:

8 (i) Director or the Director’s designated representatives;

9 (ii) Bureau of Family Health and Nursing Services – Maternal
10 and Child Health;

11 (iii) Bureau of Social Services Administration – Child
12 Protective Services;

13 (iv) Emergency Medical Services; and

14 (v) Office of Vital Statistics;

15 (B) Medical Examiner, or designee;

16 (C) Department of Mental Health and Substance Abuse;

17 (D) Guam Police Department;

18 (E) Guam Early Learning Council;

19 (F) Attorney General of Guam, or designee;

20 (G) Guam Memorial Hospital Authority;

21 (H) Local Pediatrician;

22 (I) Military Representative; and

23 (J) Parent/Community Stakeholder.

24 (4) “*Child death review information*” means information regarding the
25 child and child’s family, including, but not limited to:

26 (A) Social, medical, and legal histories;

27 (B) Death and birth certificates;

- 1 (C) Law enforcement investigative data;
- 2 (D) Medical examiner or coroner investigative data;
- 3 (E) Parole and probation information and records;
- 4 (F) Information and records of social service agencies;
- 5 (G) Educational records; and
- 6 (H) Health/mental health care institution information.

7 (5) “*Department*” means the Department of Public Health and Social
8 Services.

9 (6) “*Director*” means the Director of the Department of Public Health and
10 Social Services or the Director’s designated representatives. “Provider of
11 medical care” means any health/mental health practitioner who provide, or a
12 facility through which is provided, any medical evaluation or treatment,
13 including dental and mental health evaluation or treatment.

14 (7) “*Service provider(s)*” means any practitioner/provider who provides, or
15 a facility through which it is provided, any social and legal services.

16 **§31004. Access to information.**

17 (a) Upon written request of the Director, all providers of social, medical, and
18 legal services and local agencies shall disclose to the Department, and those
19 individuals appointed by the Director to participate in the review of child death,
20 child death review information regarding the circumstances of a child’s death so
21 that the Department may conduct a multidisciplinary and multiagency review of
22 child deaths.

23 (b) To the extent that this section conflicts with other state confidentiality
24 laws, this section shall prevail.

25 **§31005. Exception.**

1 Information regarding an ongoing civil or criminal investigation shall be
2 disclosed at the discretion of the applicable local or federal law enforcement
3 agency.

4 **§31006. Use of child death review information and records.**

5 (a) Except as otherwise provided in this part, all child death review
6 information acquired by the Department during its review of child deaths pursuant
7 to this part, is confidential and may only be disclosed as necessary to carry out the
8 purposes of this part.

9 (b) Child death review information and statistical compilations of data that
10 do not contain any information that would permit the identification of any person
11 shall be public records.

12 (c) No individual participating in the Department's multidisciplinary and
13 multiagency review of a child's death may be questioned in any civil or criminal
14 proceeding regarding information presented in or opinions formed as a result of a
15 child death review meeting. Nothing in this subsection shall be construed to
16 prevent a person from testifying to information obtained independently of the
17 Department's multidisciplinary and multiagency review of a child's death, or
18 which is public information, or where disclosure is required by law or court order.

19 (d) Child death review information held by the Department as a result of
20 child death reviews conducted under this part are not subject to subpoena,
21 discovery, or introduction into evidence in any civil or criminal proceeding, except
22 that child death review information otherwise available from other sources is not
23 immune from subpoena, discovery, or introduction into evidence through those
24 sources solely because they were provided as required by this part.

25 **§31007. Immunity from liability.**

1 All agencies and individuals participating in the review of child deaths
2 pursuant to this part shall not be held civilly or criminally liable for providing the
3 information required under this part.

4 **§31008. Funding Authorization.** Funding to implement and conduct the
5 provisions and activities authorized pursuant to this Article shall be expended from
6 the annual fiscal year appropriation of the Office of Vital Statistics, and/or from
7 the Office of Vital Statistics Revolving Fund (10 GCS §3227.1).”

8 **Section 3. Effective Date.** This Act *shall* take immediate effect upon
9 enactment.

10 **Section 4. Severability.** *If* any provision of this Law or its application to
11 any person or circumstance is found to be invalid or contrary to law, such
12 invalidity shall *not* affect other provisions or applications of this Law which can be
13 given effect without the invalid provisions or applications, and to this end the
14 provisions of this Law are severable.



SENATOR DENNIS G. RODRIGUEZ, Jr., Chairman
 COMMITTEE ON HEALTH & HUMAN SERVICES, HEALTH INSURANCE REFORM,
 ECONOMIC DEVELOPMENT AND SENIOR CITIZENS
 Mina 'trentai Dos Na Liheslaturan Guahan • 32nd Guam Legislature

PUBLIC HEARING DATE / TIME: Wednesday, April 3, 2013 10:00am

- **BILL 62-32(COR)**- An act to establish the Guam Council on Child Death Review and Prevention (CCDRP) by adding a new Article 10 to Chapter 3, Division I of Title 10, Guam Code Annotated. Introduced by Sen. Dennis G. Rodriguez, Jr., Sen. Aline Yamashita, Ph.D., & Sen. Brant McCreadie.

PRINT NAME	SIGNATURE	AGENCY or ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	OPOSE	CONTACT NUMBERS
JAMES GILMAN	<i>[Signature]</i>	DPKASS		✓	✓		735-7101
FIRST Lady	<i>[Signature]</i>	GEHC			✓		
FIRST Elaine Edouard	<i>[Signature]</i>	GEHC			✓		
A. Torres	<i>[Signature]</i>			✓	✓		
Diane Flores	<i>[Signature]</i>						
Carol Cabiles	<i>[Signature]</i>	MCH LEAD	✓	✓	✓		
Felicity Grandjean	<i>[Signature]</i>	MCH LEAD	✓	✓	✓		735-2516



SENATOR DENNIS G. RODRIGUEZ, Jr., Chairman
COMMITTEE ON HEALTH & HUMAN SERVICES, HEALTH INSURANCE REFORM,
ECONOMIC DEVELOPMENT AND SENIOR CITIZENS
Mina'trentai Dos Na Liheslaturan Guåhan • 32nd Guam Legislature

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PRINT NAME	SIGNATURE	AGENCY or ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	OPPOSE	CONTACT NUMBERS
✓ Aina Perez-Thensen	<i>Aina Perez-Thensen</i>	24 th Guam Youth Congress	✓		✓		482-9645

April 2, 2013

The Honorable Senator Dennis Rodrigues, Jr., Chairman
Committee on Health & Human Services, Health Insurance Reform, Economic Development,
& Senior Citizens
176 Serenu Avenue Suite 107
Tamuning, Guam 96931
senatordrodriguez@gmail.com

Re: Support for Bill No. 62-32 (COR) – An act to establish the Guam Council on Child Death Review and Prevention (CCDRP) by adding a new Article 10 to Chapter 3, Division 1 of Title 10, Guam Code Annotated

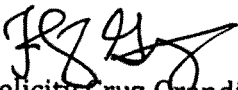
Mr. Chairman and Members of the Committee:

Thank you for this opportunity to testify in support of Bill No. 62-32. Growing up on Guam, it is apparent that the strong value of family and community is one of the greatest strengths we have. When children die, the island mourns. You see the funeral announcements in the newspaper. When tragic accidents occur around the community, it is publicized in the local media. Sometimes you see funeral plaques, crosses, wreaths, and/or flower arrangements in areas where their deaths occur. The anniversary rosaries take place to remember these loved ones for years to come. More recently, *Compassionate Friends* is a place for grieving family members to share their stories, their memories, and their feelings. These children are not forgotten...and never will be.

We can help to make their deaths have a purpose and a meaning. They can be opportunities to prevent other similar deaths from occurring. The proposed Guam Council on Child Death Review and Prevention (CCDRP) is an avenue for understanding why children's deaths occur in order to stimulate policies and laws to prevent future possible deaths from occurring. Currently, Guam's child death rate at 13% is double that of the national average. Even one death is too many for this island. With representatives from relevant agencies and organizations, CCDRP will determinedly reduce Guam's child death rate. Grieving parents and families, parents and families of all children, and the entire community will be grateful for all the lives saved by the CCDRP. Please take the steps necessary to sanction the CCDRP as expediently as possible.

Thank you for your consideration!

A concerned constituent and early childhood professional,



Felicity Cruz Grandjean

P. O. Box 11853

Yigo, Guam 96929

felicity.grandjean@guamcedders.org

blasHafa Adai! My name is Vera Blaz and I am a trainee under the University of Hawaii at Manoa Leadership Education in Neurodevelopmental and related Disabilities (LEND) Program. I am submitting this testimony in favor of Bill 62-32, *An Act to Establish the Guam Council on Child Death Review and Prevention (CCDRP)*.

As a former early childhood/elementary educator, the health and well-being of all children have been always been important to me. I have always felt that what happens in the first five years of life helps to determine outcomes. While there are many risk factors that our children today face, the one that is most concerning is infant and child mortality.

The statistics for infant and child mortality on Guam are alarming. In 2011, the infant mortality rate on Guam was 13.2 per 1000 live births, which is double the national average of 6.6 per 1000 live births. The mortality rate has steadily increased in the last few years. While the most ideal number would be 0 per 1000 live births, the reality is that infants and children will continue to pass away. That is why it is important for the community to examine the causes of infant and child mortality and find possible solutions to counteract it.

A Council on Child Death Review and Prevention would aid in improving services for families and communities, understanding the risks and protective factors in child deaths and injuries, and improve investigative systems. An established council would also help improve interagency coordination of services.

Thank you for the opportunity to submit testimony in favor of Bill 62-32. I look forward to a positive outcome of this hearing.

GOVERNMENT OF GUAM
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR



JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

APR 03 2013

Honorable Dennis G. Rodriguez
Chairman, Committee on Health and Human Services
Health Insurance Reform, Economic Development,
And Senior Citizens
32nd Guam Legislature (First) Regular Session

RE: BILL 62-32 AN ACT TO ESTABLISH THE GUAM CHILD DEATH REVIEW COUNCIL

Dear Mr. Chairman:

My name is James W Gillan. I am the Director of the Department of Public health and Social Services. I am here to testify in support of Bill 62-32. I want to thank you and Senator Yamashita for sponsoring this bill.

Guam has an extremely high rate of infant mortality when compared with the United States' overall statistics. I would expect that if we were to dig deeper into the rate among the various ethnic groups on Guam, we would be very disturbed by the even higher percentages among those groups. The deaths of children under the age of 18 are also of concern. Children over two years of age have a higher incidence of accidental death.

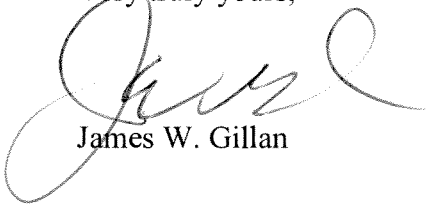
The tragedy of a child's death brings pain and sadness that is almost unbearable. But out of all the sadness and grief, we have an opportunity with the establishment of the Child Death Review Council (CDRC), to reduce the incidence of deaths in children by the review of the circumstances surrounding the death. The work of the CDRC offers an opportunity to reduce similar harms to other children. And if this systematic approach to the review of the circumstances can reduce those harms, then we must do it. There is a story of a lake in Michigan, where there was a drowning and a number of near drownings that occurred in this one area. The CDRC in that area studied these incidents, even brought in the Great Lakes Water Authority to conduct studies and determined that at certain times, there were unusual rip currents in the lake. The simple placement of warning signs on that lake shore reduced the incidence of drowning to zero. Were it not for the CDRC process, who knows how much longer the incidence of avoidable deaths would have gone on.

There will be some who will be concerned about liability concerning the deliberations and findings of this Council. I am pleased to note that it is clear that this Council's business is not to find fault or culpability, but rather to review circumstances surrounding death, and try to determine whether there will be ways to avoid further deaths. It is noteworthy that since the beginning of this review process dating back to the early 1990's, and after reviews of thousands of child deaths by about 1,300 review teams across the nation, there has never been a case in which a team member has been found liable based on deliberations of a CCDRP, according to the National Center on Child Death Review and Prevention. The CDRC is only interested in looking at processes, not in placing blame. If we were to find, for example that lack of basic transportation leads to less access to pre-natal care for a certain group of expectant mothers, and that the incidence of infant mortality is directly linked to that accessibility barrier, then a simple solution would be to organize consistence access to transportation, or to bring the services directly to the group. You could almost liken the activity of the CDRC to a QI/QA process.

The Department at this time believes that it can conduct the support activities for the Council without an increase in staffing. We have a Program Coordinator who can devote part time to this Council. We can operate the program provided that there are no restrictions on access to the Office of Vital Statistics Revolving Fund.

Thank you for providing me an opportunity to present my testimony.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James W. Gillan', written in a cursive style. The signature is positioned above the printed name.

James W. Gillan

PRE-NATAL

2011

	Total
Records:	2226
Adequate PNC:	1662
1st Trimester:	1362

HABITS		Total
Smoker:	S	229
Betel Nut:	B	0
Drugs:	D	0
Etoh:	E	0
Smoker/Etoh:	SE	1

STD		Total
Gonorrhea:	G	0
Chlamydia:	C	22
Trich:	T	0
HIV:	H	0
Syphilis:	S	1
Gonorrhea/Chlamydia	GC/CC	1
Syphilis/Herpes	S/H	1

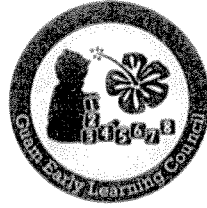
Villages	AHT	Total
Agana Heights	AHT	32
Agat	AGT	61
Anigua	ANI	8
Asan	ASN	16
Barrigada	BAR	114
Chalan Pago	CPO	54
Dededo	DED	553
Hagatna	HAG	0
Harmon	HAR	5
Inarajan	INA	34
Maina	MAI	16
Maite	MTE	34
Malojloj	MAL	2
Mangilao	MNG	203
Merizo	MER	30
Mongmong	MON	40
Ordot	ORD	22
Piti	PIT	22
Sinajana	SIN	38
Sta. Rita	STR	122
Talafofo	TAL	49

Ethnicity	ARGEN	Total
Argentinian	ARGEN	1
Black	BL	26
Canadian	CAN	1
Carolinian	CAROLINIAN	3
Chamorro	CH	1027
Chuukese	CK	219
Cuban	CUBAN	1
Filipino	FL	466
Hawaiian	HAW	5
Hispanic	HISP	6
Honduran	HOND	1
Indian	IND	1
Irish	IRISH	1
Italian	ITAL	1
Japanese	JP	28
Korean	KO	72
Kosrae	KS	4
Marshallese	MA	4
Mayan	MAYAN	1
Mexican	MEX	10
Native American	NAT.AM.	1

AGE	Total	15 yrs	16 yrs	17 yrs
15-17 Years Old:	138	23	55	60
Over 44 Years Old:	12			

WEIGHT	Total
< 2500 gms:	217
> 1500 gms:	31

Total # of births (2011): 3298



Testimony on Bill 62-32

**“An Act to Establish a Council on Child Death Review and Prevention (CCDRP) By
Adding a New Article 10 To Chapter 3,
Division I of Title 10, Guam Code Annotated”**

Submitted to the

**Honorable Senator Dennis Rodriguez, Jr., Chairperson
Committee on Health and Human Service, Senior Citizens,
Economic Development and Election Reform**

By the

**Child Death Review Planning Committee
Guam Early Learning Council
April 3, 2013**

Hafa Adai Chairman Senator Rodriguez and Honorable Senators of the 32nd Legislature:

Thank you for this opportunity for the Guam Early Learning Council to provide this testimony.

The Child Death Review Planning Committee was formed in July 2012 at the recommendation and under auspices of the Guam Early Learning Council. The driving force of the Committee is this: Given the high numbers of deaths of young children on Guam, how can we decrease the number of children dying? The tasks that were assigned to the CDRP Committee included:

1. Conducting initial research on child deaths on Guam
2. Researching national efforts related to the child death review process
3. Determining whether there was a need to establish such a formalized review process on Guam, and if so,
4. Facilitating the process to have such a Council established.

Initial research conducted by the Committee revealed alarming statistics on Guam's infant mortality rates. The attached tables include information on these statistics. These are the

examination, and analysis of information surrounding the death of a child, which will, in turn, lead to improved prevention strategies.

Respectfully,

Guam Early Learning Council
Child Death Review Planning Committee

Elaine Eclavea, UOG CEDDERS, Co-Chair, Guam Early Learning Council
Evelyn Claros, Parent
Nicole Cruz, Staff, Office of Senator Dennis Rodriguez
Terrie Fejarang, UOG CEDDERS
Arlene Gadia, Social Services Supervisor, CPS, DPHSS
Margarita Gay, RN, MCH Administrator, DPHSS
Terry Naputi, UOG CEDDERS
June Perez, Program Coordinator, Guam Memorial Hospital Authority
Janice Sablan Ada, Chief of Staff, Office of the First Lady
Lydia Tenorio, Administrator, BOSSA, DPHSS (Retired)



April 3, 2013

Honorable Senator Dennis Rodriguez Jr.
Chairperson, Committee on Health and Human
Services, Health Insurance Reform, Economic Development
and Senior Citizens
32nd Guam Legislature

**Re: Bill 62-32 An Act to Establish a Council on Child Death Review and
Prevention (CCDRP) By Adding a New Article 10 To Chapter 3, Division I of
Title 10, Guam Code Annotated**

Hafa Adai Chairman Senator Rodriguez and Honorable Senators of the 32nd
Guam Legislature:

Thank you for the opportunity for the Guam Early Learning Council to provide this
testimony.

The mission of the Guam Early Learning Council (GELC) is to support each child
(birth to 8) in reaching his/her full potential through a health care and education
system that is accessible, comprehensive, integrated, and responsive to diverse
cultures and is developed in collaboration with families and communities.
Established first through Executive Order in 2008 and then legislatively
mandated in 2011, the GELC meets quarterly to facilitate systems development
to meet this mission and attain the vision where "all of Guam's young children will
have healthy minds, bodies, and spirits as the foundation for lifelong success."

The Council has met regularly to, among other things, update the Guam Early
Childhood State Plan, a strategic plan that will drive the development of systems
that specifically address steps to achieve the Council's mission. Key elements of
this State Plan include the following Focus Areas: Health; Mental Health and
Social Emotional Development; Early Childhood Care and Education; and Parent
Education and Family Supports. Bill 62-32 addresses Goal 1, Indicator 1 of the
current draft plan: "to decrease the infant mortality rate from the current 13.2
deaths per 100,000 births, to the national average of 6 deaths per 100,000."
Although not the purview of the GELC, the suicide rates of our teens and young
adults are also alarming and cause for concern.

6. Improve delivery of services to children, families, providers and community members.
7. Identify specific barriers and system issues involved in the deaths of children.
8. Identify significant risk factors and trends in child deaths.
9. Identify and advocate for needed changes in legislation, policy and practices and expanded efforts in child health and safety to prevent child deaths.
10. Increase public awareness and advocacy for the issues that affect the health and safety of children.

The death of a child is a community responsibility. A child's death is a traumatic event that should urge communities to identify other children at risk for illness or injury. It requires multidisciplinary participation from the community, should be comprehensive and broad, and should lead to an understanding of risk factors. A review should focus on prevention and should lead to effective recommendations and actions to prevent deaths and to keep children healthy, safe and protected.

Thank you for facilitating the legislative mandate to establish this critical Council to address this community need. With your continued support, we will be the first territory to establish such a Council. But more importantly, we will be honoring the memory of the children who have passed, by acknowledging the circumstances of their deaths and working diligently to prevent those circumstances from happening to other children on our island.

Respectfully,

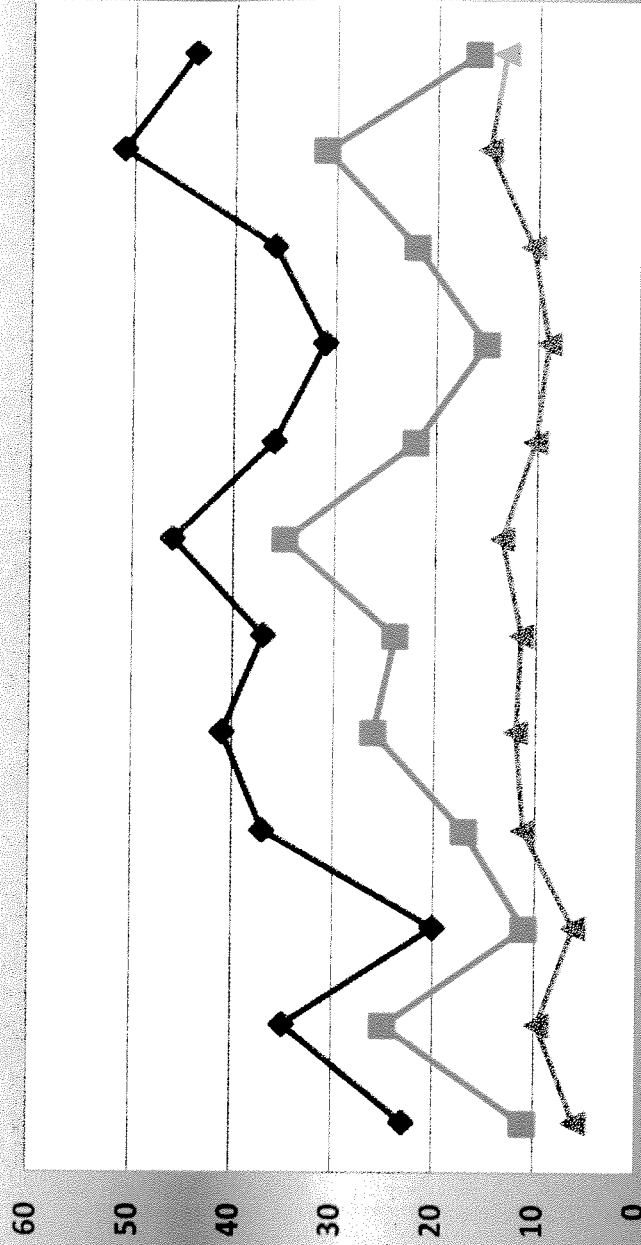
Christine Calvo
Co-Chairperson
Guam Early Learning Council

Elaine Eclavea
Co Chairperson
Guam Early Learning Council



Infant Mortality Rate

Infant Mortality Rates Guam : 2000 - 2011



	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Infant deaths	23	35	20	37	41	37	46	36	31	36	51	44
Neonatal deaths	11	25	11	17	26	24	35	22	15	22	31	16
Infant Mortality Rate	6.07	9.77	6.21	11.22	11.96	11.55	13.47	10.31	8.94	10.52	14.92	13.34



2011 Child Death data (0-25yrs)

2011 Child Deaths - 84				
0 - 1 years of age (43)	2 yrs - 14 yrs (10)	15 yrs - 19 yrs (15)	20 yrs - 25 (16)	
Pneumonia (18)	41 % Pneumonia (2)	20 % (Hanging) (6)	40% Suffocation (Hanging) (6)	31.2% Suffocation (Hanging) (5)
Prematurity (14)	32 % MVA-Passenger (1) Drowning (1)	10 % MVA-Passenger (2)	13.3% MVA-Passenger (2)	19% Stabbed incident (3)
Cardiopulmonary Arrest (3)	7% Congenital Anomalies, Cardiopulmonary Arrest (1)	10% Congenital Anomalies, Cardiopulmonary Arrest (1)	6.6% Jumped from a building, Gunshot to the head, Falling rocks, Pregnant-Abruptia placenta (1)	
NEC, Trisomy 18 (2)	10 %			MVA-passenger (2) 13% Drowning (1) 6.2%
SIDS, Malnutrition, Congenital Anomalies (1)	2%			Electrocution (1) 6.2%



2012 Child Death data (0-25yrs)

2012 Child Deaths - 79					
0 - 1 years of age (41)	2 yrs - 14 yrs (7)	15 yrs - 19 yrs (11)	20 yrs - 25 (18)		
Prematurity (15)	37 % MVA- Passenger (1)	14 % (Hanging) (3)	27% Suffocation (Hanging) (7)	39% Suffocatio n (Hanging)	
Pneumonia (12)	29 % Drowning (1)	14 % MVA- Passenger (1)	9% Drowning	5.5% (1)	
Cardiopulmonary Arrest (7)	17 % Hydrocephalus	14 % Stab wound, Leukemia, Intracranial Hemorrhage (1)	9% MVA- passenger, Gunshot, Septic, Broken neck, Leukemia		
SIDS (2) (suffocation)	5%				
Hypoxia, Meconium Aspiration (1)	2%				

April 3, 2013

Dear Senator Dennis Rodriguez,

Thank you first and foremost for taking this important step in the process of helping to establish the Guam Council on Child Death Review and Prevention, Bill 62-32 (COR). I have learned that the number of child deaths on Guam surpass the national average. This is extremely sad as well as shocking to know. The death of a child is the most gut wrenching thing anyone can ever experienced. I have lost a god-daughter to SIDS many years ago and I know quite a handful of family members and friends who have lost a child.

Many of those with this kind of loss would endlessly question and seek answers to what caused the death of their loved ones. They would also wonder what they could have done to prevent such tragedies from happening. Therefore, having such a council would help to prevent needless deaths and provide some if not all answers to the whys in these situations. Also, I strongly believe that it would tremendously help to provide comfort and closure somehow to the grieving families.

Please work your hardest to ensure that such a bill becomes law to establish this council for the sake of families and their loved ones. You, yourself are a family man and I'm sure you can see the importance of why this council should become a reality. I commend and applaud you taking a stand for such a life-saving measure. God bless you in this endeavor.

Sincerely,


Diana Santos, Concerned Citizen

April 4, 2013

To: Honorable Senator Dennis Rodriguez, Jr.

Chairperson, Committee on Health and Human
Services, Health Insurance Reform, Economic
Development and Senior Citizens
32nd Guam Legislature

**Re: Bill 62-32 An Act to Establish a Council on Child Death Review and
Prevention (CCDRP) By Adding a New Article 10 To Chapter 3, Division I of Title
10, Guam Code Annotated**

Hafa Adai,

My name is Joyce Sosa. I have been a labor and delivery nurse for 13 years. With all the knowledge and skills that I have as a nurse, I could not save my own 6 month old daughter, Haven, from passing away due to SIDS (Sudden Infant Death Syndrome) in 2010 while we were living in California.

"Why" is often the question that comes to mind when a child dies. My daughter Haven did not fall under any of the ideal criteria of a SIDS child. The answer to my "why" question has been in every SIDS parents mind since the 60's. The cause of SIDS continues to remain unknown for us.

A case study on my daughter would perhaps, indicate that more funding is needed in support of SIDS research considering the statistics of infant death related to SIDS.

On April 3, 2013, the death of a 1 and a 2 year old has affected our island. A death of any child affects everyone personally despite their affiliation with the family who had lost the child. The pain that a mother, a father, a brother, and a sister feels when their own child, their own brother, their own sister has passed no matter what the cause of death is unbearable.

A case study for the lost of the 2 year old may perhaps indicate the need for daycare centers to follow up with parents if their child does not attend their regularly schedule days. Many ideas and theories can arise in this case study and hopefully lead to a primary care level of prevention and education.

Please support Bill 62-32(COR) on the establishment of a Child Death Review and Prevention. It is not intended to put blame on any person or agency but to help prevent future occurrences of

a similar death and perhaps to spark a little insight on the "why" question to the death of a child. It is easier to close a case and hope things will be okay than to TRY. Let us all TRY TOGETHER to prevent another lost of a child.

Sincerely,

Joyce Sosa

Haven Faith Sosa Lizama's Mom

(August 15, 2010-March 14, 2011)



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 62-32 (COR) – “AN ACT TO ESTABLISH THE GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION (CCDRP) BY ADDING A NEW ARTICLE 10 TO CHAPTER 3, DIVISION I OF TITLE 10, GUAM CODE ANNOTATED.”** –on February 14, 2013. COR hereby certifies that BBMR confirmed receipt of this request on February 14, 2013 at 05:07 PM.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 62-32 (COR) to be included in the committee report on said bill, is hereby waived.**

Certified by:

Senator Rory J. Respicio
Chairperson, Committee on Rules

April 15, 2013
Date



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

March 08, 2013

VIA FACSIMILE
(671) 472-2825

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Note – Bill Nos. 61-32 (COR) and 62-32 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bill. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bill.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

2013 MAR -8 AM 10:59

Request for Fiscal Note – Bill Nos. 61-32 (COR) and 62-32 (COR)

Bill No. 61-32 (COR) - T.C. Ada - AN ACT TO ADD A NEW §67101.7 OF CHAPTER 67, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING THE GUAM TROPICAL ENERGY CODE (GTEC)

Bill No. 62-32 (COR) - D.G. Rodriguez, Jr., Aline A. Yamashita, Ph.D., Brant McCreddie - AN ACT TO ESTABLISH THE GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION (CCDRP) BY ADDING A NEW ARTICLE 10 TO CHAPTER 3, DIVISION I OF TITLE 10, GUAM CODE ANNOTATED.



COMMITTEE ON RULES

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Senator
Michael F.Q. San Nicolas
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Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

March 5, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Majority Leader & Rules Chair

Subject: Referral of Bill No. 62-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 62-32(COR).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I Mina 'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
62-32 (COR)	D.G. Rodriguez, Jr., , Aline A. Yamashita, Ph.D., Brant McCreadie	AN ACT TO ESTABLISH THE GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION (CCDRP) BY ADDING A NEW ARTICLE 10 TO CHAPTER 3, DIVISION I OF TITLE 10, GUAM CODE ANNOTATED.	3/4/13 11:53 AM	3/5/13	Committee on Health and Human Services, Health Insurance Reform, Economic Development and Senior Citizens			



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

1st Notice of Public Hearing

3 messages

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Wed, Mar 27, 2013 at 4:51 PM

To: clynt@spbguam.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, editor@mvariety.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, john@kuam.com, jtyquiengco@spbguam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, zita@mvguam.com, Amritha Alladi <aalladi@guampdn.com>, Arvin Temkar <aktemkar@guampdn.com>, Cameron Miculka <cimiculka@guampdn.com>, "George, Duane M" <dmgeorge@guam.gannett.com>, gerry partido <gerrypartido.mvguam3@gmail.com>, James <officemanager@hitradio100.com>, Jason Salas <jason@kuam.com>, Jerick Sablan <jpsablan@guampdn.com>, Jesse Lujan <jesselujan27@yahoo.com>, "Jon A. Anderson" <editor@mvguam.com>, Joy <joy@mvguam.com>, Jr <news@lifeneews.com>, Katrina <life@guampdn.com>, Ken Quintanilla <kenq@kuam.com>, Kevin Kerrigan <kevin@spbguam.com>, Kevin Kerrigan <news@k57.com>, Marvic Cagurangan <marvic@mvguam.com>, Mindy Aguon <mindy@kuam.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, "rgibson@k57.com" <rgibson@k57.com>, Travis Coffman <thebigshow@k57.com>, William Gibson <breakfastshowk57@gmail.com>
Bcc: jmesngon.senatorrodriguez@gmail.com

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING

Wednesday, April 03, 2013 9:00AM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Health Insurance Reform, Economic Development, & Senior Citizens will be conducting a Public Hearing on **Wednesday, April 03, 2013 at 9:00AM.** at *Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

9:00AM

The Committee on Health will host a follow-up presentation by the Guam Memorial Hospital Authority (GMHA) on the financial state of affairs of the hospital as well as corrective actions that are being undertaken.

10:00 AM

- Bill No. 42-32 (COR) - An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated. *(Introduced by D.G. Rodriguez, Jr.)*
- Bill No. 62-32 (COR) - An act to establish the Guam Council on Child Death Review and Prevention (CCDRP) by adding a new Article 10 to Chapter 3, Division 1 of Title 10, Guam Code Annotated. *(Introduced by D.G. Rodriguez, Jr.)*
- Bill No. 73-32 (LS) - An act to rename the Department of Mental Health and Substance Abuse (DMHSA), to the "Guam Behavioral Health Center" (GBHC), by amending Chapter 86 of Title 10, Guam Annotated, and to allow for changes to other relevant laws as necessary *solely* for consistency with the agency's name change. *(Introduced by D.G. Rodriguez, Jr.)*

2:00 PM

Roundtable discussion on the following Bills-

- Bill No. 48-32 (LS) –An act to define educational and professional requirements for a licensed professional counselor. *(Introduced by R.J. Respicio)*
- Bill No. 49-32 (LS) - An act to define educational and professional requirements for a licensed mental health counselor. *(Introduced by R.J. Respicio)*
- Bill No. 50-32 (LS) - An act to define educational and professional requirements for a marriage and family therapist. *(Introduced by R.J. Respicio)*

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact our office at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation. For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU).

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatordrodriguez@gmail.com

Website: www.todugam.com

"Start the children off on the way they should go, and even when they are old they will not turn from it"
Proverbs 22:6 (NIV)

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

The Confidential Information is disclosed conditioned upon your agreement that you will treat it confidentially and in accordance with applicable law, ensure that such data isn't used or disclosed except for the limited purpose for which it's being provided and will notify and cooperate with us regarding any requested or unauthorized disclosure or use of any Confidential Information.

By accepting and reviewing the Confidential information, you agree to indemnify us against any losses or expenses, including attorney's fees that we may incur as a result of any unauthorized use or disclosure of this data due to your acts or omissions. If a party other than the intended recipient receives this e-mail, he or she is requested to instantly notify us of the erroneous delivery and return to us all data so delivered.

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>
To: "phnotice@guamlegislature.org" <phnotice@guamlegislature.org>

Wed, Mar 27, 2013 at 4:59 PM

-

Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Dos Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES, HEALTH INSURANCE REFORM, ECONOMIC DEVELOPMENT,
AND SENIOR CITIZENS

Dear Senators,

Buenas yan Hafa Adai!

Please see attached 1st notice of public hearing. Should you have any questions please feel free to contact this office at anytime.

Best Regards,

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatorrodriguez@gmail.com

Website: www.toduguam.com

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 **Senator's 1st Notice Public Hearing Apr. 3, 2013.pdf**
79K

Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>
To: amanda@toduguam.com

Tue, Apr 2, 2013 at 12:11 PM

Joseph A. Q. Mesngon
Office of Senator Dennis G. Rodriguez, Jr.
I Mina'trentai Dos Na Liheslaturan Guahan
32nd Guam Legislature
176 Serenu Avenue Suite 107
Tamuning, Guam 96913
Tel: 671.649.8638/0511
Fax: 671-649-0520
Please visit us at:
www.toduguam.com

[Quoted text hidden]

 **Senator's 1st Notice Public Hearing Apr. 3, 2013.pdf**
79K



SENATOR DENNIS G. RODRIGUEZ, JR.

March 27, 2013

TO: ALL SENATORS

FROM: SENATOR DENNIS G. RODRIGUEZ, JR. 
CHAIRPERSON

SUBJECT: NOTICE OF PUBLIC HEARING

PUBLIC HEARING

Wednesday, April 3, 2013 9:00AM

9:00AM

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10:00 AM

- Bill No. 42-32 (COR) - An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated. (*Introduced by D. G. Rodriguez, Jr.*)
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Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

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SENATOR DENNIS G. RODRIGUEZ, JR.

or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

2nd Notice of Public Hearing

2 messages

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Fri, Mar 29, 2013 at 10:20 AM

To: clynt@spbguam.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, editor@mvariety.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, john@kuam.com, jtyquiengco@spbguam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, zita@mvguam.com, Amritha Alladi <aalladi@guampdn.com>, Arvin Temkar <aktemkar@guampdn.com>, Cameron Miculka <cimiculka@guampdn.com>, "George, Duane M" <dmgeorge@guam.gannett.com>, gerry partido <gerrypartido.mvguam3@gmail.com>, James <officemanager@hitradio100.com>, Jason Salas <jason@kuam.com>, Jerick Sablan <jpsablan@guampdn.com>, Jesse Lujan <jesselujan27@yahoo.com>, "Jon A. Anderson" <editor@mvguam.com>, Joy <joy@mvguam.com>, Jr <news@lifeneews.com>, Katrina <life@guampdn.com>, Ken Quintanilla <kenq@kuam.com>, Kevin Kerrigan <kevin@spbguam.com>, Kevin Kerrigan <news@k57.com>, Marvic Cagurangan <marvic@mvguam.com>, Mindy Aguon <mindy@kuam.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, "rgibson@k57.com" <rgibson@k57.com>, Travis Coffman <thebigshow@k57.com>, William Gibson <breakfastshowk57@gmail.com>
Bcc: jmesngon.senatorrodriguez@gmail.com

PLEASE NOTE THERE HAS BEEN A TIME CHANGE FOR THE AFTERNOON ROUNDTABLE. THE TIME HAS BEEN MOVED TO **3:30PM**
THANKS

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING

Wednesday, April 03, 2013 9:00AM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Health Insurance Reform, Economic Development, & Senior Citizens will be conducting a Public Hearing on **Wednesday, April 03, 2013 at 9:00AM.**, at / *Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

9:00AM

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10:00AM

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3:30PM

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Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

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Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatorrodriguez@gmail.com

Website: www.toduguam.com

"Start the children off on the way they should go, and even when they are old they will not turn from it"
Proverbs 22:6 (NIV)

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

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By accepting and reviewing the Confidential information, you agree to indemnify us against any losses or expenses, including attorney's fees that we may incur as a result of any unauthorized use or disclosure of this data due to your acts or omissions. If a party other than the intended recipient receives this e-mail, he or she is requested to instantly notify us of the erroneous delivery and return to us all data so delivered.

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>
To: "phnotice@guamlegislature.org" <phnotice@guamlegislature.org>

Fri, Mar 29, 2013 at 10:30 AM

Dear Senators,

Buenas yan Hafa Adai,

Please note that there has been a time change for the afternoon roundtable. The time has been moved to **3:30PM**. Should you have any questions or concerns please feel free to contact this office. Thank you and have a Blessed Easter.

Sincerely,

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatorrodriguez@gmail.com

Website: www.toduguam.com

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Senator's 2nd Notice Public Hearing Apr. 3, 2013.pdf

79K



SENATOR DENNIS G. RODRIGUEZ, JR.

March 29, 2013

TO: ALL SENATORS

FROM: SENATOR DENNIS G. RODRIGUEZ, JR. 
CHAIRPERSON

SUBJECT: SECOND NOTICE OF PUBLIC HEARING

PUBLIC HEARING

Wednesday, April 3, 2013 9:00AM

9:00AM

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10:00AM

- Bill No. 42-32 (COR) - An act to authorize the Department of Public Health & Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated. *(Introduced by D.G. Rodriguez, Jr.)*
- Bill No. 62-32 (COR) - An act to establish the Guam Council on Child Death Review and Prevention (CCDRP) by adding a new Article 10 to Chapter 3, Division 1 of Title 10, Guam Code Annotated. *(Introduced by D.G. Rodriguez, Jr.)*
- Bill No. 73-32 (LS) - An act to rename the Department of Mental Health and Substance Abuse (DMHSA), to the "Guam Behavioral Health Center" (GBHC), by amending Chapter 86 of Title 10, Guam Annotated, and to allow for changes to other relevant laws as necessary *solely* for consistency with the agency's name change. *(Introduced by D.G. Rodriguez, Jr.)*

3:30PM

Roundtable discussion on the following Bills-

- Bill No. 48-32 (LS) - An act to define educational and professional requirements for a licensed professional counselor. *(Introduced by R.J. Respicio)*
- Bill No. 49-32 (LS) - An act to define educational and professional requirements for a licensed mental health counselor. *(Introduced by R.J. Respicio)*
- Bill No. 50-32 (LS) - An act to define educational and professional requirements for a marriage and family therapist. *(Introduced by R.J. Respicio)*

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via-hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatorrodriguez@gmail.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication,



SENATOR DENNIS G. RODRIGUEZ, JR.

or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)



SENATOR DENNIS G. RODRIGUEZ, JR.

AGENDA

Wednesday, April 3, 2013

9:00am

Public Hearing Room, *I Liheslatura*

9:00am **Guam Memorial Hospital Presentation**

- Status update presentation by the Guam Memorial Hospital Authority on the financial state of affairs of the hospital as well as corrective actions currently being undertaken.

10:00am **Public Hearing**

- **BILL 42-32(COR)**- An act to authorize the Department of Public Health and Social Services Director to charge third party payers, first, for services provided to individuals who qualify under any welfare program (Medicaid, Medically Indigent Program, etc.) by adding a new Article 12 to Chapter 2, Title 10, Guam Code Annotated. Introduced by Sen. Dennis G. Rodriguez, Jr.
- **BILL 62-32(COR)**- An act to establish the Guam Council on Child Death Review and Prevention (CCDRP) by adding a new Article 10 to Chapter 3, Division I of Title 10, Guam Code Annotated. Introduced by Sen. Dennis G. Rodriguez, Jr., Sen. Aline Yamashita, Ph.D., & Sen. Brant McCreddie.
- **BILL 73-32(LS)**- An act to rename the Department of Mental Health and Substance Abuse (DMHSA), to the "*Guam Behavioral Health Center*" (GBHC), by amending Chapter 86 of Title 10, Guam Code Annotated, and to allow for changes to other relevant laws as necessary *solely* for consistency with the agency's name change. Introduced by Sen. Dennis G. Rodriguez, Jr., Sen. BJ Cruz & Sen. Aline Yamashita, Ph.D.

3:30pm **Roundtable Discussion**

- **Bill 48-32(COR)**- An act to define educational and professional requirements for a licensed professional counselor. Introduced by Sen. Rory Respicio.
- **Bill 49-32(COR)**- An act to define educational and professional requirements for a licensed mental health counselor. Introduced by Sen. Rory Respicio.
- **Bill 50-32(COR)**- An act to define educational and professional requirements for a marriage and family therapist. Introduced by Sen. Rory Respicio.

Si Yu'os Ma'åse' for your participation in today's hearings and discussions!



COMMITTEE ON RULES

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Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

March 5, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Majority Leader & Rules Chair

Subject: **Referral of Bill No. 62-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. **62-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

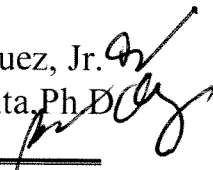
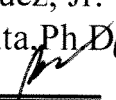
Si Yu'os Ma'åse!

Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (SECOND) Regular Session

BILL NO. 62-32(COR)

Introduced by:

Dennis G. Rodriguez, Jr. 
Aline A. Yamashita, Ph.D. 
Brant McCreadie

**AN ACT TO ESTABLISH THE GUAM COUNCIL ON CHILD
DEATH REVIEW AND PREVENTION (CCDRP) BY ADDING
A NEW ARTICLE 10 TO CHAPTER 3, DIVISION I OF TITLE
10, GUAM CODE ANNOTATED**

2013 MAR -4 AM 11:53


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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds
3 that there is an alarming infant mortality rate on Guam. In 2011, there were 44
4 deaths of infants under one year of age and in 2012, there were 46 deaths of infants
5 in the same age range. The 2011 infant death rate for Guam, at 13.3, is more than
6 twice as high as the national mortality rate of 5.9 for the United States. *I*
7 *Liheslaturan Guahan* further finds that the death rate of children under the age of
8 18 is also disturbingly high. Therefore, to address this distressing state of affairs, it
9 is the intent of *I Liheslaturan Guahan* to establish a Council on Child Death
10 Review and Prevention (CCDRP) to examine, determine, and understand why so

1 many of our children die for the purpose of using this information to identify
2 strategies for the prevention of future loss of young lives.

Section 2. A new Article 10 is added to Chapter 3, Division 1, Title 10, Guam Code Annotated, to read:

“Article 10

**GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION
(CCDRP)**

3 **§31001. Short Title.** This Act may be cited as the “*Child Death Review*
4 *and Prevention Act of 2013.*”

5 **§31002. Policy.**

6 **§31003. Definitions.** (a) Definitions, as used in this Article:

7 (1) “*Child*” means a person less than eighteen years of age.

8 (2) “*Family*” means:

9 (A) Each legal parent;

10 (B) The natural/biological mother;

11 (C) The natural/biological father;

12 (D) Each parent’s spouse or former spouses;

13 (E) Each sibling or person related by consanguinity or marriage;

14 (F) Each person residing in the same dwelling unit; and

15 (G) Any other person who, or legal entity that, is a child’s legal or
16 physical custodian or guardian, or who is otherwise responsible for
17 the child’s care, other than the authorized agency that assumes such a
18 legal status or relationship with the child, as defined under §4202,
19 Article 2, Chapter 4, Title 19, Guam Code Annotated.

1 (3) “*Council on Child Death Review and Prevention*” (CCDRP) means the
2 Council members who are multidisciplinary and multiagency representatives
3 appointed by *I Maga’lahen Guåhan* [Governor of Guam] and any other
4 entity/representative invited by the Director or the Director’s designated
5 representatives as appropriate for each child death review, to include, at a
6 minimum:

7 (A) Department of Public Health and Social Services:

8 (i) Director or the Director’s designated representatives;

9 (ii) Bureau of Family Health and Nursing Services – Maternal
10 and Child Health;

11 (iii) Bureau of Social Services Administration – Child
12 Protective Services;

13 (iv) Emergency Medical Services; and

14 (v) Office of Vital Statistics;

15 (B) Medical Examiner, or designee;

16 (C) Department of Mental Health and Substance Abuse;

17 (D) Guam Police Department;

18 (E) Guam Early Learning Council;

19 (F) Attorney General of Guam, or designee;

20 (G) Guam Memorial Hospital Authority;

21 (H) Local Pediatrician;

22 (I) Military Representative; and

23 (J) Parent/Community Stakeholder.

24 (4) “*Child death review information*” means information regarding the
25 child and child’s family, including, but not limited to:

26 (A) Social, medical, and legal histories;

27 (B) Death and birth certificates;

- 1 (C) Law enforcement investigative data;
- 2 (D) Medical examiner or coroner investigative data;
- 3 (E) Parole and probation information and records;
- 4 (F) Information and records of social service agencies;
- 5 (G) Educational records; and
- 6 (H) Health/mental health care institution information.

7 (5) “*Department*” means the Department of Public Health and Social
8 Services.

9 (6) “*Director*” means the Director of the Department of Public Health and
10 Social Services or the Director’s designated representatives. “Provider of
11 medical care” means any health/mental health practitioner who provide, or a
12 facility through which is provided, any medical evaluation or treatment,
13 including dental and mental health evaluation or treatment.

14 (7) “*Service provider(s)*” means any practitioner/provider who provides, or
15 a facility through which it is provided, any social and legal services.

16 **§31004. Access to information.**

17 (a) Upon written request of the Director, all providers of social, medical, and
18 legal services and local agencies shall disclose to the Department, and those
19 individuals appointed by the Director to participate in the review of child death,
20 child death review information regarding the circumstances of a child’s death so
21 that the Department may conduct a multidisciplinary and multiagency review of
22 child deaths.

23 (b) To the extent that this section conflicts with other state confidentiality
24 laws, this section shall prevail.

25 **§31005. Exception.**

1 Information regarding an ongoing civil or criminal investigation shall be
2 disclosed at the discretion of the applicable local or federal law enforcement
3 agency.

4 **§31006. Use of child death review information and records.**

5 (a) Except as otherwise provided in this part, all child death review
6 information acquired by the Department during its review of child deaths pursuant
7 to this part, is confidential and may only be disclosed as necessary to carry out the
8 purposes of this part.

9 (b) Child death review information and statistical compilations of data that
10 do not contain any information that would permit the identification of any person
11 shall be public records.

12 (c) No individual participating in the Department's multidisciplinary and
13 multiagency review of a child's death may be questioned in any civil or criminal
14 proceeding regarding information presented in or opinions formed as a result of a
15 child death review meeting. Nothing in this subsection shall be construed to
16 prevent a person from testifying to information obtained independently of the
17 Department's multidisciplinary and multiagency review of a child's death, or
18 which is public information, or where disclosure is required by law or court order.

19 (d) Child death review information held by the Department as a result of
20 child death reviews conducted under this part are not subject to subpoena,
21 discovery, or introduction into evidence in any civil or criminal proceeding, except
22 that child death review information otherwise available from other sources is not
23 immune from subpoena, discovery, or introduction into evidence through those
24 sources solely because they were provided as required by this part.

25 **§31007. Immunity from liability.**

1 All agencies and individuals participating in the review of child deaths
2 pursuant to this part shall not be held civilly or criminally liable for providing the
3 information required under this part.

4 **§31008. Funding Authorization.** Funding to implement and conduct the
5 provisions and activities authorized pursuant to this Article shall be expended from
6 the annual fiscal year appropriation of the Office of Vital Statistics, and/or from
7 the Office of Vital Statistics Revolving Fund (10 GCS §3227.1).”

8 **Section 3. Effective Date.** This Act *shall* take immediate effect upon
9 enactment.

10 **Section 4. Severability.** *If* any provision of this Law or its application to
11 any person or circumstance is found to be invalid or contrary to law, such
12 invalidity shall *not* affect other provisions or applications of this Law which can be
13 given effect without the invalid provisions or applications, and to this end the
14 provisions of this Law are severable.