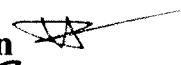




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I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 435-31 (LOV)

Introduced by:

V.C. Pangelinan 
J.P. Guthertz 
B.J.F. Cruz 

AN ACT TO AMEND SECTION 4302(c), ARTICLE 3, CHAPTER 4, TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO NEGOTIATING AND PROCURING HEALTH INSURANCE SERVICES FOR THE GOVERNMENT OF GUAM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1.** Section 4302(c), Article 3, Chapter 4, Title 4 of the Guam Code
2 Annotated is hereby *amended* to read as follows:
3 “(c) The Government of Guam Health Insurance Negotiating Team shall
4 consist of the Director of Administration, who *shall* be Chairperson; the
5 Administrator of the Department of Integrated Services for Individuals with
6 Disabilities (DISID), or his or her designee; the Director of the Bureau of Budget
7 and Management Research, or his or her designee; an employee representative
8 from the Judicial Branch to be appointed by the Chief Justice of the Supreme Court
9 of Guam; an employee representative of the Legislative Branch to be appointed by
10 the Speaker of *I Liheslaturan Guåhan*; the Superintendent of the Department of
11 Education, or his or her designee; the Director of the Government of Guam
12 Retirement Fund, or his or her designee; a retiree who is a member of the
13 Government of Guam Retirement Fund to be appointed by the Board of Trustees of
14 the Government of Guam Retirement Fund; one (1) member of the general public,
15 appointed by *I Maga'låhen Guåhan* who is not an employee of the government of

1 Guam or an appointee by the Governor to any government agency, board or
2 commission; the Chairperson of the Committee on Health or the successor
3 committee of *I Liheslaturan Guåhan*, or his or her designee, who shall sit as an ex-
4 officio non-voting member; and the Chairperson of the Committee on
5 Appropriations, or the successor committee of *I Liheslaturan Guåhan*, or his or her
6 designee, who shall sit as an ex-officio non-voting member. The Negotiating Team
7 *shall* examine the financial information of the prepaid health insurance companies,
8 health care providers or other legal entities for the purpose of developing the most
9 economical and beneficial health plan for the Government of Guam employees and
10 retirees. The Negotiating Team may obtain technical support from other financial
11 and health-related agencies. The Negotiating Team *shall* develop its rules of
12 procedure in accordance with the Administrative Adjudication Law. The
13 Negotiating Team with the approval of *I Maga'låhi* is authorized to contract an
14 actuary competent to develop proposed health insurance rates or other recognized
15 expert to train and/or advise the Negotiating Team. Notwithstanding any other
16 provision of law, each Fiscal Year, the Negotiating Team shall enter into
17 negotiations with all Health Insurance Providers submitting a qualified proposal
18 for health insurance coverage for qualified active employees and qualified retirees
19 of the government of Guam.”

20 **Section 2. Severability.** If any provisions of this Act or the application
21 thereof to any person or circumstance is held invalid, such invalidity *shall* not
22 affect any other provision or application of this Act which can be given effect
23 without the invalid provision or application, and to this end the provisions of this
24 Act are severable.

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