

I Mina'Trentai Kuáttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
30-34 (COR) As corrected by the Prime Sponsor.	Dennis G. Rodriguez Joe S. San Agustin	AN ACT TO <i>REPEAL</i> AND <i>REENACT</i> § 1103 AND TO <i>ADD</i> NEW §§ 1103.1 AND 1103.2, ALL OF CHAPTER 1, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE MEDICAL REFERRAL ASSISTANCE OFFICE.	2/27/17 10:15 a.m. AS CORRECTED 3/15/17 1:19 p.m.						

I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 30-34 (COR)

As Corrected by the Prime Sponsor.

Introduced by:

Dennis G. Rodriguez, Jr. *DR*
Joe S. San Agustin *JS*

AN ACT TO REPEAL AND REENACT § 1103 AND TO ADD NEW §§ 1103.1 AND 1103.2, ALL OF CHAPTER 1, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE MEDICAL REFERRAL ASSISTANCE OFFICE.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 recognizes that the provision of assistance to Guam residents in seeking medically
4 necessary off-island health care is needed and valuable to successful health quality
5 outcomes.

6 *I Liheslaturan Guåhan* finds that the services provided by the Medical
7 Referral Assistance Office contract have evolved and many of the referral
8 hospitals, insurance companies, and local not-for-profits are currently providing
9 these services free of charge. Besides the obvious duplication of services, the
10 government of Guam contracted services are no longer wholly needed and are
11 needlessly costing the government.

12 *I Liheslaturan Guåhan*, however, finds that not all residents can partake in
13 the free services currently available given their individual circumstances or
14 eligibility, and thus the Medical Referral Assistance Office's assistance function is
15 still needed.

1 The intent of this Act is to provide a mechanism for the Medical Referral
2 Assistance Office to streamline operations, maintain high quality referral
3 assistance, and enhance cost savings. The FY 2016 3rd quarter report found that the
4 average cost per patient per quarter to the Philippines was Four Hundred Seven
5 Dollars and Fifteen Cents (\$407.15); Los Angeles averaged Six Hundred Ninety-
6 three Dollars and Fifty-two Cents (\$693.52); and Honolulu averaged Seven
7 Hundred Twelve Dollars and Sixty-eight Cents (\$712.68).

8 In an effort to improve and maximize the services of the medical assistance
9 provided to residents seeking care off-island, *I Liheslaturan Guåhan*, therefore,
10 changes the criteria for eligibility and benefit coverage of referral services to
11 reflect current constraints and opportunities.

12 **Section 2.** § 1103 of Chapter 1, Division 1, Title 10, Guam Code
13 Annotated, is hereby *repealed and reenacted* to read:

14 ~~“§ 1103. Medical Referral Assistance Offices. There are created~~
15 ~~Medical Referral Assistance Offices in Honolulu, Hawaii, in Los Angeles,~~
16 ~~California, and in Metro Manila, Philippines, which shall be within the~~
17 ~~responsibility of the Office of the Governor. The Offices shall assist in~~
18 ~~coordinating appropriate medical appointments, as well as coordinating~~
19 ~~temporary housing and transportation.~~

20 **§ 1103. Medical Referral Assistance Office.** There is created
21 the Medical Referral Assistance Office (MRAO) within the Office of *I*
22 *Maga'låhi* (the Governor). The MRAO shall assist residents of Guam in
23 coordinating appropriate medical appointments, as well as coordinating
24 temporary housing and transportation.”

25 **Section 3.** A new § 1103.1 is *added to* Chapter 1 of Division 1, Title 10,
26 Guam Code Annotated, to read:

27 **“§ 1103.1. Provision of Assistance.**

1 (a) The MRAO shall develop an eligibility algorithm that will
2 apply to those benefits a resident seeking off-island medical care qualifies
3 for. Residents with commercial health insurance benefits that cover
4 transportation and lodging fees are not eligible for direct assistance from the
5 MRAO. They may, however, qualify for education and coordination
6 assistance.

7 (b) The MRAO shall develop a Health Insurance Portability and
8 Accountability Act (HIPAA) compliant quality improvement program that
9 will consist, at a minimum, of tracking patient issues and resolutions, and a
10 patient satisfaction survey that shall be offered to each patient serviced. The
11 MRAO or contracted not-for-profit provider shall provide each patient with
12 a brochure explaining the program and contact information. The MRAO or
13 contracted not-for-profit provider shall also provide appropriate information
14 of the destination medical facility, transportation organization, lodging
15 facility, and the surrounding area.

16 (c) The MRAO shall develop and maintain reports that include the
17 number of referred patients served, the number of patient escorts or
18 accompanying family members served, and the average cost per patient
19 referral. The MRAO shall also maintain a monthly report containing the
20 following information:

- 21 (1) name of patient;
- 22 (2) gender and age of patient;
- 23 (3) date of referral;
- 24 (4) date assisted;
- 25 (5) name of accepting medical facility;
- 26 (6) insurance provider;
- 27 (7) number of escorts/family members;

1 (8) departure date; and

2 (9) service rendered.

3 (d) In providing assistance to Guam residents, the MRAO shall, to
4 the greatest extent practicable, coordinate with existing services provided by
5 insurance carriers, referring facilities, and local not-for-profit organizations.
6 These services are provided free of charge, and as such may only require
7 verification of availability and notice of services to the resident utilizing the
8 service.

9 (e) For those residents who are not eligible for existing services
10 provided by health insurance companies, referring facilities, or local not-for-
11 profits, the MRAO may:

12 (1) develop a request for proposal to provide assistance
13 services from a duly registered Guam-based not-for-profit
14 organization that can provide such services, including coordination of
15 appointments, transportation, and lodging. This proposal shall use a
16 voucher type system to provide direct services to residents seeking
17 off-island care. The contracted not-for-profit shall, to the greatest
18 extent possible, coordinate with existing services provided by
19 insurance carriers and referring facilities for the provision of
20 transportation and lodging services. A limit of fifteen percent (15%)
21 of the negotiated proposal is set for administrative overhead of such
22 proposal; and

23 (2) provide services through the development of memoranda
24 of understanding or individual contracts with required off-island
25 transportation and lodging organizations to provide transportation and
26 lodging services. The MRAO shall develop internal assistance
27 policies and procedures to guide the operation of the office. This

1 function shall reside within the Guam-based MRAO and is subject to
2 the fifteen percent (15%) administrative overhead of the approved
3 budgeted amount appropriated in the Governor’s budget submission
4 for the office.”

5 **Section 4.** A new § 1103.2 is added to Chapter 1 of Division 1, Title 10,
6 Guam Code Annotated, to read:

7 **“§ 1103.2. Term of Assistance.**

8 (a) The MRAO is authorized to contract with a duly registered
9 Guam-based not-for-profit for assistance services provided pursuant to §
10 1103.1(e) of this Chapter. The term of said contract shall be set for five (5)
11 years, with annual renewal, subject to availability of funds.

12 (b) If the MRAO chooses to provide assistance services “in-house,”
13 the funding for the provision of such services is subject to the budgeted
14 fifteen percent (15%) administrative overhead (salary, equipment, supplies,
15 etcetera), and is subject to the availability of funds on an annual basis.”

16 **Section 5. 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 that can be
19 given effect without the invalid provisions or application, and to this end the
20 provisions of this law are severable.

21 **Section 6. Effective Date.** This Act shall become effective upon
22 enactment; provided, however, that no government of Guam funding is authorized
23 that does not follow the provisions and methodologies provided pursuant to this
24 Act.