

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
261-35 (COR)	Therese M. Terlaje Joe S. San Agustin	AN ACT TO AMEND §26603(e) OF CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO MANAGEMENT OF THE GUAM CANCER TRUST FUND.	12/31/19 11:15 a.m.						

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

Bill No. *261* -35 (COR)

Introduced by:

Therese M. Terlaje  
Joe S. San Agustin

*TMT*  
*JA*

**AN ACT TO *AMEND* §26603(e) OF CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO MANAGEMENT OF THE GUAM CANCER TRUST FUND.**

2019 DEC 31 AM 11:15

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

2 **Section 1.** §26603(e) of Chapter 26, Title 11, Guam Code Annotated, is  
3 hereby *amended* to read:

4 “(e) Creation of the Guam Cancer Trust Fund.

5 (1) There is hereby created the Guam Cancer Trust Fund, which *shall*  
6 be used to provide financial assistance to organizations that provide patient  
7 directed services for the prevention of cancers, its treatment, diagnosis, and  
8 other services that may be required to access treatment, including, but not  
9 limited to, off-island transportation and temporary housing.

10 (2) The Guam Cancer Trust Fund *shall* be subject to the following:

11 (A) Fifteen percent (15%) of the Healthy Futures Fund into the  
12 Guam Cancer Trust Fund, which *shall* be held in an account at a Guam  
13 financial institution separate and apart from all other accounts and  
14 funds of the government of Guam and *shall* not be subject to the transfer  
15 authority of *I Maga'låhen Guåhan*. The Guam Cancer Trust Fund shall

1 be managed by the University of Guam, subject to allocation by the  
2 Guam Cancer Trust Fund Council pursuant to §26603(e)(2)(B).

3 (B) The University of Guam, Cancer Trust Fund Council  
4 for each fiscal year, may allocate up to seventy-five percent  
5 (75%) of the amount transferred annually from the Healthy  
6 Futures Fund to the Guam Cancer Trust Fund's balance pursuant  
7 to §26603(d)(5)(B) as grants to non-profit and charitable  
8 organizations providing cancer screenings, treatment, support  
9 services, cancer education, and outreach programs; provided,  
10 however, no more than ten percent (10%) of the available grant  
11 funds shall be utilized for cancer education and outreach  
12 programs. None of the amounts allocated to grants may be used  
13 for administrative or personnel costs. The Guam Cancer Trust  
14 Fund Council shall award grants consistent with the screening  
15 priorities set in the Guam Comprehensive Control Plan to the  
16 greatest extent possible.

17 (C) The University of Guam for each fiscal year shall  
18 invest twenty-five percent (25%) of the amount transferred  
19 annually pursuant to §26603(d)(5)(B) from the Healthy Futures  
20 Fund to the Guam Cancer Trust Fund, subject to the University  
21 of Guam's investment policy as established by the Board of  
22 Regents.

23 (i) All proceeds and income from investments, of whatever  
24 nature, shall be credited to the Fund and may be  
25 allocated by the Cancer Trust Fund Council for  
26 additional grants to non-profit and charitable  
27 organizations in accordance with §26603 (e)(2)(B)

1 grant criteria; provided, that the University of Guam  
2 may collect up to One Hundred Thousand Dollars  
3 (\$100,000) annually from the proceeds and income of  
4 investments for administrative costs, to include  
5 management of the Fund, investing, accounting,  
6 auditing and reporting of the revenues and expenditures.

7 (ii) If the aggregate principal sum investment exceeds Two  
8 Million (\$2,000,000), the Guam Cancer Trust Fund  
9 Council may allocate said excess amount to the  
10 purchase of screening or treatment equipment or  
11 services for the Guam Memorial Hospital Authority or  
12 for the Department of Public Health and Social  
13 Services; to the Catastrophic Illness Fund pursuant to  
14 10 GCA §2918; or to additional direct cancer screening  
15 or treatment services as §26603(e)(2)(B) grants.

16 (3) The University of Guam *shall* promulgate rules and regulations  
17 pursuant to 5 GCA Chapter 9 regarding the administration, audit, and  
18 investigation of the Guam Cancer Trust Fund, ~~as well as the application,~~  
19 ~~distribution, review and investigation of such funds.~~

20 (A) Such rules and regulations *shall* be posted on the  
21 University's website.

22 (B) The initial rules and regulations governing the Guam Cancer  
23 Trust Fund *shall* be submitted to *I Liheslatura* within ninety (90) days  
24 from the effective date of this Act.

25 (C) The University of Guam shall convene the Guam Cancer  
26 Trust Fund Council for the review and approval of grants consistent  
27 with §26603(e)(2)(B). The Guam Cancer Trust Fund Council shall

1 define criteria for award of grants, approve the award of grants, and  
2 revise the Guam Cancer Trust Fund's Rules and Regulations relative to  
3 the application, review and distribution of grants. The members shall  
4 elect a chairperson of the Council to coordinate meetings; and the  
5 Council shall consist of the following seven (7) members:

- 6 (a) the Director of the Department of Public Health and  
7 Social Services or his/her designee;
- 8 (b) the President or the Vice President of the Guam Cancer  
9 Coalition as organized by the Comprehensive Cancer  
10 Control Program;
- 11 (c) a licensed practitioner from the Guam Medical  
12 Association or the Guam Medical Society who is  
13 knowledgeable in cancer care appointed by the Guam  
14 Board of Medical Examiners;
- 15 (d) a licensed nurse from the Guam Nurses Association who  
16 is knowledgeable in cancer care appointed by the Guam  
17 Board of Nurse Examiners;
- 18 (e) a cancer patient, a past cancer patient or a family member  
19 of a cancer patient appointed by the Department of Public  
20 Health and Social Services;
- 21 (f) a representative from the University of Guam's School of  
22 Health appointed by the President of the University of  
23 Guam;
- 24 (g) a representative from the University of Guam's Office of  
25 Research and Sponsored Programs appointed by the  
26 President of the University of Guam;

1           (4) The Guam Cancer Trust Fund may receive additional  
2 appropriations, contributions, endowments, or gifts in cash or otherwise from  
3 any source, including Guam, corporations or other businesses, individuals,  
4 and interested parties.

5           ~~(5) The aggregate principal sum deposited in the Guam Cancer Trust~~  
6 ~~Fund shall be invested by the University of Guam, subject to its investment~~  
7 ~~policy as established by the Board of Regents.~~

8           (6) No authorization for the withdrawal or transfer of cash or funds  
9 *shall* be made from the Guam Cancer Trust Fund account created pursuant to  
10 § 26603(e)(2)(A) for purposes other than those enumerated in §  
11 26603(e)(2)(B) and § 26603(e)(5), and not in accordance with the rules and  
12 regulations governing the Guam Cancer Trust Fund. Any person in violation  
13 of this Subsection *shall* be guilty of a misdemeanor.

14           (7) If the Guam Cancer Trust Fund is terminated, the monies remaining  
15 in the Trust Fund *shall* revert to the Healthy Futures Fund.”

16       **Section 4. Effective Date.** This act *shall* be effective upon enactment.