

MINA'TRENTA NA LIHESLATURAN GUAHAN  
2010 (SECOND) Regular Session

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Bill No. 378-30(45)

Introduced by:

FRANK B. AGUON, JR.



AN ACT RELATIVE TO RECOGNIZING THE  
TREMENDOUS BENEFIT AND IMPORTANCE  
OF PREVENTIVE HEALTHCARE ACTIVITIES  
AND PROGRAMS IN PROMOTING  
HEALTHIER LIVES, THROUGH REQUIRING  
THAT THE ACQUISITION OF HEALTH OR  
MEDICAL INSURANCE THROUGH THE  
GOVERNMENT OF GUAM INCLUDE THE  
PROVISION OF PREVENTIVE HEALTHCARE,  
WELLNESS, AND FITNESS; AMENDING  
SUBSECTION (a) OF 54301 GROUP  
INSURANCE, ARTICLE 3, CHAPTER 4, TITLE 4,  
GUAM CODE ANNOTATED.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. The Liheslaturan  
3 Guahan finds that the promotion and application of preventive healthcare,  
4 wellness, and fitness activities is one of the best approaches to realizing a  
5 healthy community. Activities such as regular physical examinations,  
6 proper diet and healthy eating habits, regular exercise, and other similar  
7 healthcare activities or programs are very useful in preventing illness.  
8 Thus it would be advantageous that these activities be incorporated into  
9 the group health insurance policy that the government of Guam procures

1 on behalf of its employees and retirees. It is believed that by encouraging  
2 people in the community to participate in preventive healthcare, wellness,  
3 and fitness activities, the costs associated with the direct medical care of  
4 these individuals may be significantly less in the long run.

5 Therefore, it is the intent of I Liheslaturan Guahan to promote, to the  
6 greatest extent possible, the application and use of preventive healthcare,  
7 wellness, and fitness programs and activities. This can be done through  
8 insuring that preventive healthcare services and programs are included as  
9 coverage in any health or medical insurance program that is acquired by  
10 the government of Guam on behalf of its employees or retirees. The  
11 primary objective is to encourage as many of its employees and retirees to  
12 stay healthy and physically fit, through their participation in preventive  
13 healthcare, wellness, and fitness activities and programs, eventually  
14 reducing major costs associated with personal and family care.

15 **Section 2. Incorporation of Preventive Healthcare, Wellness, and**  
16 **Fitness in the Government of Guam Group Insurance Benefits.**  
17 Subsection "(a)" of s4301, Group Insurance, of Article 3, Chapter 4, Title 4,  
18 Guam Code Annotated, is hereby amended to read as follows:

19 "(a). The Governor is authorized to enter contracts and reject  
20 proposals, with the written concurrence of the Speaker of the Guam  
21 Legislature or the Presiding Judge of the Superior Court of Guam whose

1 consents may be withheld in their sole discretion, with one (1) or more  
2 insurance companies, authorized to do business on Guam, for group  
3 insurance, including, but not limited to hospitalization, medical care, life  
4 and accident, preventive healthcare, wellness, and fitness, for all  
5 employees or separate groups of employees of the government of Guam. If  
6 the Legislative or Judicial Branches of government elect to enter into  
7 separate contracts for their employees as authorized in s4301 (c), the  
8 Governor shall obtain the written concurrence of the Branch electing to  
9 remain with the Executive Branch before the group insurance contract is  
10 entered into or a proposal rejected. The government shall not be construed  
11 as an agent of any insurance company in negotiating or administering this  
12 group insurance program."

13 **Section 3. Effective Date.**

14 The provisions contained herein shall be applicable and take effect  
15 upon the next negotiated term for group health insurance coverage for the  
16 government of Guam employees and retirees.

17 **Section 4. Severability Clause.**

18 If any provision of this Act or its application to any person or  
19 circumstances is held invalid, the invalidity shall not affect other  
20 provisions or applications of this Act which can be given effect without the  
21 invalid provision or application, and to this end the provisions of this Act  
22 are severable.