



*I Mina' Trenta Na Liheslaturan Guåhan*  
**The Thirtieth Guam Legislature**

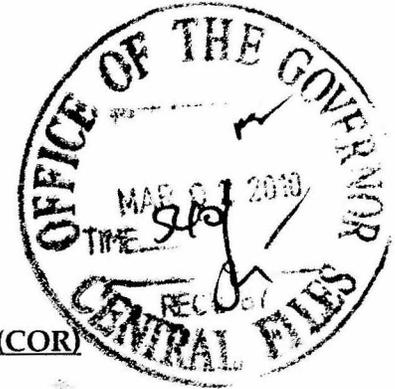
155 HESLER PLACE, HAGÁTÑA, GUAM 96910 • www.guamlegislature.com

VINCENT P. ARRIOLA, EXECUTIVE DIRECTOR • PHONE: (671)472-3545 • FAX: (671)472-3547

- Speaker**  
Judith T. Won Pat, Ed.D
- Vice-Speaker**  
Benjamin J.F. Cruz
- Senator**  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY
- Senator**  
Rory J. Respicio  
MAJORITY LEADER
- Senator**  
Judith P. Guthertz, DPA  
ASST. MAJORITY LEADER
- Senator**  
Thomas C. Ada  
MAJORITY WHIP
- Senator**  
Frank B. Aguon, Jr.
- Senator**  
Adolpho B. Palacios, Sr.
- Senator**  
Vicente C. Pangelinan
- Senator**  
Edward J.B. Calvo  
MINORITY LEADER
- Senator**  
Ray Tenorio  
ASST. MINORITY LEADER
- Senator**  
James V. Espaldon  
MINORITY WHIP
- Senator**  
Telo T. Taitague  
ASST. MINORITY WHIP
- Senator**  
Frank F. Blas

March 01, 2010

**The Honorable Felix P. Camacho**  
*I Maga'lahaen Guåhan*  
 Ricardo J. Bordallo Governor's Complex  
 Adelup, Guam 96910



RE: Substitute Resolution No. 214-30 (COR)

*Hafa Adai* Governor Camacho:

Transmitted herewith is **Substitute Resolution No. 214-30 (COR)** "Relative to requesting the United States Government to extend the application and coverage of Medicare entitlements to eligible Guam recipients who have earned these Medicare benefits and who choose to obtain quality health and medical care services in the Philippines", which was duly and regularly adopted by *I Mina' Trenta na Liheslaturan Guåhan* on February 26, 2010.

*Senserementa*

  
**Tina Rose Muña Barnes**  
 Legislative Secretary

*Enclosure*

**I MINA'TRENTA NA LIHESLATURAN GUÅHAN**  
**2009 (FIRST) Regular Session**

**Resolution No. 214-30(COR)**

As substituted by the author,  
and amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.  
F. B. Aguon, Jr.  
v. c. pangelinan  
E. J.B. Calvo  
F. F. Blas, Jr.  
T. R. Muña Barnes  
James V. Espaldon  
Telo Taitague  
Judith Paulette Guthertz, DPA  
T. C. Ada  
R. J. Respicio  
Ray Tenorio  
B. J.F. Cruz  
Judith T. Won Pat, Ed.D.

**Relative to requesting the United States Government to extend the application and coverage of Medicare entitlements to eligible Guam recipients who have earned these Medicare benefits and who choose to obtain quality health and medical care services in the Philippines.**

1           **BE IT RESOLVED BY I MINA'TRENTA NA LIHESLATURAN**  
2 **GUÅHAN:**

3           **WHEREAS**, over the years, many of Guam's residents have acquired  
4 quality health and medical services from healthcare clinics and medical  
5 hospital facilities in Guam or in various locations throughout the United  
6 States, to include Hawaii, Los Angeles, California, Seattle, Washington, etc.,  
7 through the application and use of their Medicare health entitlements; and

8           **WHEREAS**, in recent years, a growing number of Guam residents have  
9 sought quality medical care at facilities such as St. Luke's Hospital, Makati  
10 Medical Health Center, Asian Hospital, and others, located in the Philippines,  
11 which is geographically within close proximity to Guam (with a flight time of  
12 slightly over three (3) hours); and

13           **WHEREAS**, the much closer geographical location of the Philippines  
14 medical facilities, combined with the less restrictive cost of medical care and  
15 travel expenses, allows for a greater number of Guam patients to have family  
16 members and friends accompany them and offer direct supervision or  
17 assistance on the medical trip as they receive much-needed healthcare  
18 services; and

19           **WHEREAS**, many Guam residents who have earned their U.S. Medicare  
20 benefits and entitlements have expressed an interest in obtaining necessary  
21 medical treatment in the Philippines, which in most instances will result in

1 lower medical treatment costs (resulting in overall savings within the  
2 Medicare Program), lesser travel time, and a reduction in travel expenses; and

3       **WHEREAS**, the level of treatment being administered by some of the  
4 medical hospital facilities in the Philippines have been appropriately  
5 recognized by medical hospital affiliates in the United States for their  
6 provision of good, quality medical care that is equivalent to or better than the  
7 minimum medical care standards required in the United States; and

8       **WHEREAS**, Guam residents, as U.S. Medicare members who are  
9 eligible Medicare beneficiaries, should be provided the opportunity to obtain  
10 medical and health care services in medical hospitals and facilities of their  
11 choice, particularly to include medical facilities in the Philippines, as this  
12 would result in lower costs and allow for family members to provide  
13 necessary support and assistance during this time of personal need; and

14       **WHEREAS**, the United States of America and the Republic of the  
15 Philippines have been mutual economic and political partners, friends, and  
16 allies for more than one hundred (100) years, whereupon the extension of  
17 Medicare entitlements for qualified U.S. citizens receiving medical treatment  
18 in the Philippines would further reinforce this relationship and promote the  
19 sharing of resources within the healthcare industry; and

20       **WHEREAS**, recent actions and decisions have been made that further  
21 recognize the special relationship between the United States of America and  
22 the Philippines, which include: Filipino Veterans who served in the U.S. Army

1 during World War II recently obtained their U.S. citizenship and the benefit of  
2 retaining up to seventy-five percent (75%) of their Supplemental Security  
3 Income (SSI) when they return to the Philippines; Filipino Veterans have also  
4 recently been granted additional healthcare benefits by the U.S. Congress;  
5 since July, 2003, U.S. Medicare recipients from Guam and the Commonwealth  
6 of the Northern Mariana Islands who obtain medical care in the Philippines  
7 are provided limited reimbursement for specific medical care treatment  
8 services that are *not* available in Guam and the CNMI; and health insurance  
9 companies in the U. S., to include the Tri-care health plan for active duty and  
10 retired military personnel, have permitted health insurance coverage for  
11 medical services obtained in the Philippines; and

12       **WHEREAS**, information provided during the public discussion of the  
13 possible application of Medicare to qualified beneficiaries receiving healthcare  
14 services in the Philippines have cited that existing federal regulations allow  
15 the application of Medicare coverage for emergency circumstances that occur  
16 while traveling through the borders of Canada or Mexico, thus a similar  
17 application of Medicare in such situations and as highlighted in the provisions  
18 contained herein would *not* be a major departure from existing allowable  
19 practices; and

20       **WHEREAS**, under Chapter 3, Section 110.6 of the U.S. Medicare Claims  
21 Processing Manual, regarding services that are furnished in a Foreign  
22 Hospital Nearest to Beneficiary's U.S. Residence, indicates that "Coverage is

1 provided for inpatient hospital services furnished in a foreign hospital that is  
2 closer to, or substantially more accessible from, the beneficiary's U.S.  
3 residence than the nearest available participating U.S. Hospital that is  
4 adequately equipped to deal with the illness or injury, whether or not an  
5 emergency existed and without regard to where the illness or injury  
6 occurred," and that "the foreign hospital must meet accreditation  
7 requirements equivalent to JCAHO standards,"; and

8         **WHEREAS**, St. Luke's Hospital and Medical City Hospital are both  
9 internationally-accredited, equivalent to the standards of JCAHO, and  
10 necessitates the immediate action of reimbursing eligible Guam Medicare  
11 recipients who obtain medical treatment in the Philippines; and

12         **WHEREAS**, with the existence of a Guam Medical Referral Office in the  
13 Philippines, any additional necessary coordination of applicable program  
14 requirements on behalf of the U.S. Department of Health and Human Services  
15 in the effective implementation of the program can be directly monitored and  
16 facilitated through the Guam Medical Referral Office, thus *not* necessitating  
17 the expansion of the existing program administration or requiring additional  
18 expenses; furthermore, public discussions have highlighted that the Medicare  
19 program coverage of healthcare services should be applicable toward the  
20 coverage of individuals who have been qualified as recipients, and *should not*  
21 restrict the location in which the beneficiaries receive their medical care; and

1           **WHEREAS**, it is believed that the inclusion of Medicare healthcare  
2 services coverage to the Philippines for Guam residents who are beneficiaries  
3 of the Medicare Program would result in a visible reduction in healthcare  
4 program costs for the U.S. Department of Health and Human Services (thus  
5 resulting in cost-savings which may be applied toward enhanced program  
6 administration or extended to other Medicare recipients), and would benefit  
7 Guam residents in receiving medical services which may *not* be readily  
8 accessible or available in the island; and

9           **WHEREAS**, on September 28, 2009, the Speaker and Members of *I*  
10 *Mina'Trenta Na Liheslaturan Guåhan* (the 30<sup>th</sup> Guam Legislature) met with the  
11 Honorable Anthony R. Babauta, Assistant Secretary of the Interior for Insular  
12 Affairs, to discuss several key issues affecting Guam, one of which was  
13 regarding Medicare benefits. Assistant Secretary Babauta was given a copy of  
14 Resolution No. 68 (EC), which was passed unanimously in the Twenty-Ninth  
15 Guam Legislature, and which its contents are re-presented in this Resolution  
16 to reiterate the request made in Resolution No. 68 (EC), to extend the  
17 application and coverage of Medicare entitlements to eligible Guam recipients  
18 who have earned these Medicare benefits and who choose to obtain quality  
19 health and medical care services in the Philippines; now, therefore, be it

20           **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan* does hereby, on  
21 behalf of the people of Guam, respectfully request the United States  
22 Government, through the U.S. Department of Health and Human Services

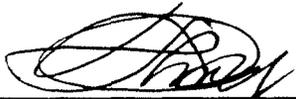
1 and the U.S. Congress, to extend the application and coverage of Medicare  
2 entitlements to its eligible recipients who have earned these Medicare benefits  
3 and who choose to obtain quality health and medical care services in the  
4 Philippines consistent with Medicare rules, regulations, quality assurances,  
5 cost effectiveness, and other Medicare program requirements; and be it  
6 further

7 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan* does hereby, on  
8 behalf of the people of Guam, request the support of the Honorable Madeleine  
9 Z. Bordallo, Guam Delegate to the U. S. House of Representatives, to  
10 introduce legislation to grant the extension of Medicare healthcare benefits  
11 coverage to qualified recipients who receive medical treatment and health  
12 care services in the Philippines; and to coordinate the timely and effective  
13 implementation of this unique and much-needed healthcare service upon its  
14 approval by the appropriate U. S. Governmental authorities for the benefit of  
15 eligible Guam residents; and be it further

16 **RESOLVED**, that the Speaker certify, and the Legislative Secretary  
17 attest to, the adoption hereof, and that copies of the same be thereafter  
18 transmitted to the Honorable Barack H. Obama, President of the United States  
19 of America; to the Honorable Harry Reid, Majority Leader, United States  
20 Senate; to the Honorable Nancy Pelosi, Speaker, U.S. House of  
21 Representatives; to the Honorable Madeleine Z. Bordallo, Guam Delegate,  
22 U.S. House of Representatives; to the Honorable Gregorio C. Sablan, CNMI

1 Delegate, U.S. House of Representatives; to the Honorable Kathleen Sebelius,  
2 Secretary of the United States Department of Health and Human Services; to  
3 Mr. Jonathan Blum, Director of the Center for Medicare Management, U.S.  
4 Department of Health and Human Services; to the Honorable Mike Honda,  
5 Chairman of Asian Pacific American Caucus, U.S. House of Representatives;  
6 to the Honorable Congresswoman Donna Christensen, U.S. House of  
7 Representatives; to the Honorable Charles Rangel, Chairman of the Ways and  
8 Means Committee, U.S. House of Representatives; to the Honorable Michael  
9 Michaud, Chairman of the Subcommittee on Health, U.S. House of  
10 Representatives; to the Honorable Senator Daniel Inouye, U.S. Senate; to the  
11 Honorable Senator Tom Harkin, Chairman of Health, Education, Labor and  
12 Pensions Committee, U.S. Senate; to the Honorable Senator Max Baucus,  
13 Chairman of the Finance Committee, U.S. Senate; to the Honorable Richard J.  
14 Gordon, Senate of the Philippines; to the Honorable Olivia V. Palala,  
15 Philippine Consulate General of Guam; to Dr. Rey Melchor F. Santos,  
16 President, Philippine Medical Association; to Dr. Tiburcio S. Macias,  
17 President, Philippine Hospital Association; the Guam Medical Association; to  
18 Mr. Peter J. Roberto, Director of the Guam Department of Public Health and  
19 Social Services; to Mr. Tom Barcinas, President of the Guam Chapter,  
20 American Association of Retired Persons; to Mr. Ray J. Aflague, Program  
21 Director, Guam Association of Retired Persons; and to the Honorable Felix P.  
22 Camacho, *I Maga'lahaen Guåhan*.

DULY AND REGULARLY ADOPTED BY I MINA'TRENTA NA LIHESLATURAN GUÅHAN ON THE 26<sup>TH</sup> DAY OF FEBRUARY 2010.



---

JUDITH T. WON PAT, Ed.D.  
Speaker



---

TINA ROSE MUÑA BARNES  
Legislative Secretary

6

**I MINA' TRENTA NA LIHESLATURAN GUÅHAN**  
2010 (SECOND) Regular Session

Date: 2/26/10

**VOTING SHEET**

Bill No. \_\_\_\_\_

SResolution No. 214-30(COR)

Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

14 \_\_\_\_\_

CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence