(b) The Board shall be authorized, at its discretion, to require continuing education for license re-registration and to require documentation of that education.

(c) The licensee shall be required to sign the application form for license re-registration and have it notarized. Failure to report fully and correctly shall be grounds for disciplinary action by the Board.

(d) The Board shall be directed to establish an effective system for reviewing re-registration forms. It shall also be authorized to initiate investigations and/or disciplinary proceedings based on information submitted by licensees for license re-registration.

Section 12825. Rules and Regulations. (a) The Board shall be authorized to adopt and enforce rules and regulations to carry into effect the provisions of the Allied Health Practice Act and to fulfill its duties under this Act.

(b) The Board shall adopt rules and regulations in accordance with Administrative Adjudication Law, Rule Making Procedures.

Section 12826. Funding and Fees. (a) The Board shall also be supported by the revenues generated from its activities, including fees, charges and reimbursed costs. All such revenues, including fines, shall be deposited in the Revolving Fund of §12229 of Article 2 of Chapter 12 of Title 10 of the Guam Code Annotated. This Fund shall receive all interest earned on the
deposit of such revenues. Such funds should be appropriated continuously and should be used by the Board only for administration and enforcement of the Allied Health Practice Act.

(b) The Board shall develop and adopt its own budget reflecting revenues, including the interest thereon, and costs associated with each health care field regulated. Revenues and interest thereon, from each health care field regulated, should fully support Board regulation of that field. The budget should include allocations for establishment and maintenance of a reasonable reserve fund.

(c) The Board, pursuant to its proposed budget needs, shall set all Board fees and charges.

(d) A designated officer of the Board, at the direction of the Board, should oversee the collection and disbursement of funds.

(e) The Guam Auditor’s Office, or the equivalent State office, should audit the financial records of the Board annually and report to the Board and I Lihesluran Guahan.

Section 12827. Prescriptive Authority for Allied Health Professionals. A clinical psychologist and physician assistant may administer, prescribe and dispense any licensed drug as a delegated authority of the Collaborative Practice Agreement (‘CPA’). To qualify for prescriptive authority, the Allied Health Professional must have all of the following:
(1) a valid Federal Drug Enforcement Administration ('DEA') certification;

(2) a current Guam Control Substance Registration from Department of Public Health and Social Services;

(3) Collaborative Practice Agreement (CPA) approved by all of the following three (3) boards: the Board of Allied Health Examiners ('BAHE'), the Board of Pharmacy ('BOP'), and the Board of Medical Examiners ('BOME');

(4) the CPA shall always have a physician available, preferably the physician signing for the CPA but an alternate physician shall be designated during his/her absence. The Allied Health Professional must submit a scope of practice, list of drugs, the CPA for approval by the BAHE, BOP and BOME. At the discretion of the board(s), the Allied Health Professional and his collaborative physician may be requested to be present for evaluation of the applicant's prescriptive authority. The Allied Health Professional shall not include any drug on the list that he or she is not competent to prescribe or drugs that are not routinely administered within his/her scope of practice. The Board of Pharmacy or Board of Medical Examiners has the authority to amend the list of drugs. The prescriptive authority of the Allied Health Professional shall be revoked for an invalid Guam or Federal DEA registration, and may be revoked for any violation of this Act and its rules and regulations as determined by the Board.
of Allied Health Examiner. Prescriptive Authority shall be renewed at the time of licensure renewal.); and

(5) proof of completion of a nationally and professionally accepted pharmaceutical curriculum in the area of clinical mental health psychology by the clinical psychologist."

Section 2. Article 9 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:

"ARTICLE 9.
ACUPUNCTURE.

Section 12901. Definitions. For purposes of this Article, the following words and phrases have been defined to mean:

(a) 'Acupuncture' means the science and art of examination and diagnosis based on Oriental medical theory, treatment by stimulation of a certain point or points on or near the surface of the body by the insertion of needles or stimulation by other sources to prevent or modify the perception of pain or to normalize physiological functions, including pain control, for the treatment of certain diseases or dysfunctions of the body, including the techniques of electroacupuncture, cupping and moxibustion, or any combination of these.

(b) 'Acupuncturist' means a person who has graduated from an accredited school of acupuncture and is licensed to practice acupuncture in accordance with the provisions of these rules and regulations.
(c) 'Accredited School of Acupuncture' means a school of acupuncture accredited by the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine.

(d) 'Cupping' means to apply vacuum suction to certain locations on the skin before or after insertion of acupuncture needles.

(e) 'Earned Degree' means a master or doctorate degree in acupuncture, not including honorary degrees.

(f) 'Electroacupuncture' means application of electronic devices designed to stimulate acupuncture points in accordance with the acupuncture theory.

(g) 'Moxibustion' means to ignite or burn moxa herb to produce heat on the acupuncture point.

(h) 'Practice of Acupuncture' means to represent, directly or indirectly, publicly or privately, an ability or willingness to provide acupuncture treatment.

Section 12902. Qualifications for Licensure. (a) In addition to the requirements as set by the Board in this Article, applicants for a license to practice acupuncture must meet all of the following:

(1) a master's or doctorate degree, or its equivalent, from an accredited school of Acupuncture, as determined by the Credential Evaluation Services;
(2) the applicant must be licensed by a state of the United States; the license must be current and the applicant must be in good standing (The applicant shall not be the subject of any disciplinary action or investigation by the licensing board of any state or foreign country);

(3) the applicant must be of good moral character and not have been convicted of any offense in any jurisdiction, which would constitute a felony; and

(4) if the applicant is a foreign graduate, the applicant must have transcripts and other credentials submitted and evaluated by the International Education Research Foundation.

Section 12903. Exceptions to Licensure Requirements.

No person shall practice acupuncture on Guam, either gratuitously or for pay or shall offer to practice, or shall hold themselves out to the public, advertise, declare, represent or in anyway proclaim to practice acupuncture, or use any titles, words, letters, signs, devices, techniques, maneuvers or modalities that could represent to the public that such person is authorized to engage in the practice of acupuncture, either publicly or privately, without having a valid and current license on Guam issued by the Guam Board of Medical Examiners.

Section 12904. Authorized Activities. An acupuncturist license authorizes the holder to the following:

(a) to engage in the practice of acupuncture; and
(b) to perform the use of Oriental massage, breathing
techniques, exercise or nutrition, including the incorporation of
drugless substances or herbal products as dietary supplements to
promote health.

Section 12905. Use of Sterilized Disposable Needles. Any
acupuncturist licensed under the provisions of this Article shall use only
sterilized disposable needles. The acupuncture representative on the
Guam Board of Allied Health Examiners shall periodically inspect each
acupuncture clinic, with the assistance of the Department of Public
Health and Social Services, and report findings to the Board."

Section 3. Article 10 is hereby added to Chapter 12, Division 1, Part 1 of
Title 10 of the Guam Code Annotated to read as follows:

"ARTICLE 10.

AUDIOLOGY.

Section 121001. Definitions. For purposes of this Article, the
following words and phrases have been defined to mean:

(a) 'ASHA' means the American Speech, Language and
Hearing Association.

(b) 'Audiologist' means a person duly licensed by the
Board to practice in the field of audiology.

(c) 'Audiology' means the application of principles,
methods and procedures for measurement, testing, evaluation,
prediction, counseling, selling, instruction, habilitation or
rehabilitation related to hearing aids or ear molds, including the
fitting of such devices, or disorders of hearing for the purpose of
evaluation, identifying, preventing, rehabilitating, ameliorating or modifying such disorders and conditions in individuals.

(d) 'Habilitation' and 'rehabilitation,' as used in this Article, include, but are not limited to, hearing aid evaluation, prescription and fitting of hearing aid devices.

Section 121002. Qualifications for Licensure.

(a) Applicants for licensure must possess a 'Certificate of Clinical Competence in Audiology' issued by ASHA as evidence of professional training and experience.

(b) Applicants shall have an official statement from ASHA sent directly to the Board reporting applicant's present ASHA certification.

Section 121003. Exceptions to Licensure Requirements.

The provisions contained herein shall not be construed to prevent or restrict the following:

(a) any person licensed on Guam, under any other law, from engaging in the profession or occupation for which the person is licensed;

(b) the activities and services of persons pursuing a course of study leading to a degree in audiology at an accredited college or university, if such activities and services constitute a part of an approved supervised course of study and such person is designated an audiologist intern or trainee;
(c) the activities and services of persons presently working on their Clinical Fellowship Year ('CFY') and such persons are designated as 'CFY-Audiologist.'

Section 121004. Scope of Practice. The practice of audiology includes:

(a) identifying, including screening, assessing, interpreting, diagnosing, counseling, preventing, and rehabilitating peripheral and central auditory system dysfunctions;

(b) providing and interpreting behavior and (electro) physiological measurements of auditory and vestibular functions;

(c) tests for vestibular functions, including the electronystagmography ('ENG') test battery consisting of the gaze, optokinetic, positional, Hallpike and bithermal caloric test;

(d) selecting, fitting, dispensing, and selling of hearing aids, assistive listening and amplification devices, including alerting devices and other systems (e.g. implantable devices), taking earmold impressions, providing earmolds, and providing training in the use of hearing aids and amplification devices;

(e) providing aural rehabilitation and related counseling services to hearing impaired individuals and their families;

(f) removal of cerumen only for the purpose of providing auditory, vestibular functions measurements and for taking earmold impressions;
(g) screening of speech-language and other factors affecting communication function for the purposes of audioligic evaluation or initial identification of individuals with other communication disorders;

(h) facilitating the conservation of auditory system function; and

(i) developing and implementing environmental and occupational hearing conservation programs.”

Section 4. Article 11 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:

“ARTICLE 11.

CHIROPRACTIC.

Section 121101. Definitions. For purposes of this Article, the following words and phrases have been defined to mean:

(a) ‘Accredited School of Chiropractic’ means a school of chiropractic accredited by the Council of Chiropractic Education (‘CCE’).

(b) ‘Chiropractic’ means the science, art and philosophy of things natural, the science of locating and removing interference with the transmissions or expression of nerve forces in the human body by the correction of misalignments or subluxation of the articulations and adjacent structures, more especially those of the vertebral column and pelvis, for the purpose of restoring and maintaining health. It shall include the use of all natural agencies to assist in the healing art, such as food, water, heat, cold,
electricity and mechanical appliances. The use of X-ray procedures shall be limited to skeletal X-rays and shall exclude the therapeutic use of X-radiation, the use of contrast studies that introduce dyes, isotopes or similar contrast media through the skin, orally, via cathertization or retrograde into any body cavity. It shall exclude operative surgery, prescription, or use of drugs or medicine, and laboratory procedures involved in the penetration of human tissues.

(c) 'Doctor of Chiropractic' means a person who has completed training in chiropractic and received a Doctor of Chiropractic ('D.C.') degree from a school accredited by the CCE.

(d) 'Internship' means a training program in the United States approved by the CCE.

(e) 'Licensed chiropractor' means a person who is validly and currently licensed to practice chiropractic on Guam.

(f) 'Practice of Chiropractic' means to represent directly or indirectly, publicly or privately, an ability or willingness to provide for the treatment by means of manipulation of the spine and prevention of human illness in accordance with the principles of chiropractic. Any person who is not licensed to practice chiropractic under these rules and regulations shall not hold out to the public, advertise, declare, represent or in any way proclaim to practice chiropractic, or use any titles, words, letters, signs, devices, techniques, maneuvers or modalities that could represent that he or she is authorized to prescribe or engage in the area of
chiropractic or spinal manipulation, as defined under these rules and regulations.

(g) 'Spinal manipulation' means a procedure that utilizes a carefully graded thrust, either manually or mechanically, that is applied across the spinal apophyseal or sacroiliac joints at the end of passive range of motion into the paraphysiological range of motion, often causing the sudden liberation of synovial gases characterized by an audible popping or cracking sound for the purpose of restoring a joint to its normal alignment and mobility and improving and maintaining the function of the nervous system.

Section 121102. Qualifications for Licensure. Any person desiring a license to practice chiropractic on Guam shall make a written application to the Board on application forms provided by the Board. The applicant must provide proof of the following:

(a) graduation from a school or college of chiropractic, accredited by the CCE;

(b) completion at least one (1) year of an internship training program satisfactorily;

(c) pass all exams currently given by the National Board of Chiropractic Examiners;

(d) pass all other exams as required by the Board; and

(e) a current Basic Cardiac Life Support Certification ('BCLS'), whether the license is new or being renewed.

Section 121103. Graduate of Foreign School of Chiropractic.
Upon recommendation of the Board, a person who is a graduate of a foreign school of chiropractic may be issued a license; provided, such graduate can furnish proof of each of the following:

(a) completion of a minimum of three (3) years pre-professional training at a college or university accredited by the appropriate accrediting body of that foreign country; fifty percent (50%) of this training must have been in the basic sciences;

(b) graduation from a school of chiropractic accredited or approved by the country in which it is located (Curriculum at the school of chiropractic must have a minimum period of eight (8) semesters, or the equivalent of not less than four thousand two hundred (4,200) credit hours; provided, that such accrediting agency has a reciprocal agreement with the CCE.); and

(c) pass the National Board of Chiropractic Examiners qualifying examination.

Section 121104. Exceptions to Licensure Requirements.
This Article shall not be construed to prohibit a person who is a regular student in an accredited school of chiropractic from performing duties or actions assigned by the student’s instructors, or working under the direct supervision of a licensed chiropractor.

Section 121105. Specialty Board Certification. The Board recognizes only those national specialty boards which are recognized by the American Chiropractic Association.

Section 121106. Use of Diagnostic X-Rays by Licensees.
(a) All licensees must comply with rules and regulations established by the Guam Board of Allied Health Examiners and the Department of Public Health and Social Services governing the use of X-rays in the healing arts.

(b) Licensees shall be allowed to prescribe X-ray procedures, and interpret and analyze the resultant radiographic images. Any patient who is administered an X-ray for chiropractic reasons, however, must first be examined by a chiropractor licensed on Guam to determine the need for the X-ray.

(c) Licensees are limited to the following uses of X-rays:

(1) no licensee shall use X-ray procedures that require the penetration of human tissues or cavities using needles, wires, catheters or syringes to introduce dyes, isotopes or any type of contrast media, orally or retrograde;

(2) no licensee shall use X-rays for therapeutic use; and

(3) no licensee shall advertise free or discounted X-ray services, or indiscriminately use X-ray practice for unethical purposes.

Section 121107. Determination of the Need For Care.

Determination of a patient's need for care shall be within the sole discretion of a licensed chiropractor, and is considered an inherent part of the scope of practice of the licensee's discipline."

Section 5. Article 12 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:
"ARTICLE 12.

CLINICAL PSYCHOLOGY.

Section 121201. Definitions. For purposes of this Article, the following words and phrases have been defined to mean:

(a) 'Clinical Psychologist' means a person who has received training in clinical psychology from an accredited school in the U.S. and has completed the internship requirements.

(1) 'Training' means a doctoral level training in clinical psychology at an accredited institution of higher learning in the U.S. The doctoral level training in clinical psychology shall require the applicant to provide evidence of having satisfactorily completed education in the following areas:

(A) biological basis of behavior, physiological psychology, comparative psychology, neuropsychology, sensation, perception and psychopharmacology;

(B) cognitive-affective basis of behavior, learning, thinking, motivation and emotion;

(C) social basis of behavior, social psychology, group process, organizational and systems theories;

(D) individual differences, personality theory, human development and abnormal psychology; and

(E) research design and methodology, statistics and psychometrics.
(2) 'Accredited' means that the college or the university has met the standards as established by the Middle States Association of Colleges and Secondary Schools, the New England Association of Colleges and Secondary Schools, the North Central Association of Schools and Colleges, the Western Association of Schools and Colleges, or by other accrediting agencies.

(3) 'Internship' means a training program that is supervised by a doctoral level, licensed clinical psychologist, or approved by the American Psychological Association and can be demonstrated to be of high quality.

(b) 'Clinical Psychology' means a subspecialty in psychology which is primarily concerned with assessing and alleviating emotional, mental and behavioral disorders in a hospital, institution or other clinical setting.

(c) 'Fee' means any charge, monetary or otherwise, whether paid directly, or on a prepaid capitation basis, by a third party, or a charge assessed by a facility for services rendered.

(d) 'Foreign School' means any college or division of a university in a country other than the United States that offers the degree of doctor in clinical psychology.

(e) 'License' means that the person named on the certificate has been found qualified to engage in the practice of clinical psychology, and has been awarded a license by the Board to practice clinical psychology.
(f) 'Practice of Clinical Psychology' means:

(1) a person who represents himself to be a clinical psychologist when he holds himself out to the public by any title or description of services incorporating the words 'clinical psychology,' 'clinical psychologist,' or offers to render or renders services as defined below to individuals, groups, organizations or the public;

(2) the rendering to individuals, groups, organizations or the public any psychological service involving the application of principles, methods and procedures of understanding, predicting and influencing behavior, such as the principles pertaining to learning, perception, motivation, thinking, emotions and interpersonal relationships; the methods and procedures of interviewing, counseling and psychotherapy; constructing, administering and interpreting tests of mental abilities, aptitudes, interests, attitudes, personality characteristics, emotion and motivation, and of assessing public opinion;

(3) the application of said principles and methods, including, but not limited to, diagnosis, prevention and amelioration of adjustment problems, and emotional and mental disorders of individuals and groups, hypnosis, educational and vocational counseling, personnel selection and management, the evaluation and planning for effective work and learning situations, advertising and market
research and the resolution of interpersonal and social
conflicts; or

(4) psychotherapy by the use of learning,
conditioning methods and emotional reactions, in a
professional relationship, to assist a person or persons to
modify feelings, attitudes and behavior which are
intellectually, socially or emotionally mal-adjustive or
ineffectual.

Section 121202 Qualifications for Licensure.

(a) The applicant must have a doctorate in clinical
psychology from an accredited college or university of the U.S.

(b) The applicant must have completed two (2) years of
internship, of which at least one (1) year must be after receiving
the doctorate.

(c) The applicant must have successfully completed the
Examination for Professional Practice in Psychology administered
by a state, territory or district of the United States.

Section 121203. Graduates of Foreign Schools. Foreign
clinical psychologists who meet all the requirements as established by
the rules and regulations of this Article, and are found to be qualified by
the Board, may be issued a license to practice clinical psychology on
Guam.

Section 121204. Exceptions to Licensure Requirements.

(a) No person may practice clinical psychology on Guam
who is not licensed as a clinical psychologist by the Board.
However, these rules and regulations shall not be construed to prohibit the following:

(1) an employee of a Federal government agency performing his official duties;

(2) a clinical psychologist regularly licensed in another state of the U.S. consulting with a licensed clinical psychologist on Guam; or

(3) a person who is a regular student in clinical psychology or a related field performing duties or functions assigned by his instructors, or who is working under the direct supervision of a licensed, clinical psychologist.

Section 121205. Prescriptive Authority. A clinical psychologist may administer, prescribe and dispense any licensed drug in accordance with §12827 of Chapter 12 of Title 10 of the Guam Code Annotated and any other rules and regulation established by the Board.”

Section 6. Article 13 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:

“ARTICLE 13.

INDIVIDUAL, MARRIAGE AND FAMILY THERAPY.

Section 121301. Definitions. For purposes of this Article, the following words and phrases have been defined to mean:

(a) ‘Accredited or approved school’ means a college or the university that has met the standards as established by the Middle States Association of Colleges and Secondary Schools, the New
England Association of Colleges and Secondary Schools, the North Central Association of Schools and Colleges, the Western Association of Schools and Colleges, or by another accrediting or recognized approval agency, including state or Federal approving agencies.

(b) 'Family' means all forms of households that consist of members with emotional bonds and mutual obligations that define themselves as families. 'Family' as used here includes, but is not limited to, nuclear families (i.e. once married couples with children), single parent families, non-married couples with children, reconstituted families (remarried couples), and couples without children.

(c) 'Family therapy' means the systematic intervention enabling family members to understand the behavior of individuals in relation to the ongoing operations of the family group. This approach enables family members to generate a wider range of options for coping with problems, and to learn problem solving skills.

(d) 'Individual therapy' means planned intervention to assist a client in coping more effectively with problems of living.

(e) 'Marriage' means a socially sanctioned relationship between two (2) adults. Marriage determines specific roles, involving reciprocal obligations and duties, as well as legal rights.
(f) 'Marriage therapy' means the therapeutic intervention with married couples, non-married couples or alternative couples to resolve immediate problems and conflicts in their relationship.

(g) 'Therapist' means a person licensed on Guam to practice therapy, as defined in these rules and regulations.

(h) 'Therapy' means planned intervention to help the client enlarge competencies and increase problem solving skills and coping abilities. Therapy can be used interchangeably with counseling and psychotherapy. Psychotherapy means a specialized, formal interaction between an Individual, Marriage and Family Therapist or other Mental Health Professionals, and a client (an individual, couple, family or group) in which a therapeutic relationship is established to help resolve symptoms of mental disorder, psychosocial stress, relationship problems, and enhance problem solving skills and coping abilities.

Section 121302. Qualifications for Licensure. (a) The Board shall issue a license for Individual, Marriage and Family Therapy to an applicant whom:

(1) has a doctorate or master's degree from a school accredited or approved by a state or territory in the U.S. with a program that is primarily social work, psychological or psycho-therapeutic in content; in the case of foreign schools, a school approved by the Board on a case-by-case basis; and

(2) has had two (2) years, with a minimum of one thousand five hundred (1,500) hours of documented client
service, of post-graduate experience under the supervision of a licensed or certified marriage and family therapist, psychologist, psychiatrist or social worker in the field of individual, marriage and family therapy within the U.S.

(b) If an individual cannot document two (2) years of post-graduate experience under the supervision of a licensed or certified marriage and family therapist, psychologist, psychiatrist or social worker in the field of individual, marriage and family therapy within the U.S., he may submit proof of having worked under an internship program approved by the Board, not to extend beyond two (2) years in order for him to gain that supervision on Guam.

Section 121303. Exceptions to licensure. (a) No person may practice individual, marriage or family therapy on Guam who is not licensed as an individual, marriage or family therapist by the Board, unless such practice is approved by other licenses issued by another licensing board. However, this Article shall not be construed to prohibit:

(1) an employee of the Federal government from performing official duties;

(2) an individual, marriage and family therapist regularly licensed in another state of the U.S. consulting with a licensed individual, marriage and family therapist on Guam;
(3) a person who is a regular student in individual, marriage or family therapy-related fields performing duties or actions as assigned by his instructors, or who is working under the supervision of a licensed, individual, marriage and family therapist.

(b) Nothing in these rules and regulations shall be construed to prevent qualified members of other professional groups, such as clinical psychology, school psychology, counseling psychology, social work or ordained clergy from doing work of a counseling nature consistent with their training and consistent with any code of ethics of their respective professions; provided, however, that they do not hold themselves out to the public by any of the following titles:

(1) 'individual therapist';

(2) 'counselor';

(3) 'marriage therapist';

(4) 'family therapist';

(5) 'psychotherapist'; or

(6) 'any combination thereof.'

Section 121304. Scope of Practice. The practice of individual, marriage and family therapy, within the meaning of these rules and regulations, is rendering planned intervention to assist individuals, married couples or families cope more effectively with problems of living, resolving immediate problems and conflicts in
relationships, and utilizing acceptable professional therapeutic and/or psychotherapeutic techniques.

Section 121305. Privileged Communication. Breach of a privileged communication, except as provided for in this Article is considered unprofessional conduct and grounds for revocation or suspension of a license."

Section 7. Article 14 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:

"ARTICLE 14.

OCCUPATIONAL THERAPY.

Section 121401. Definitions. For purposes of this Article, the following words and phrases have been defined to mean:

(a) 'Fieldwork' means a supervised clinical experience of a minimum of six (6) months for occupational therapists, and a minimum of three (3) months for Occupational Therapy Assistants, as arranged by the educational institution granting the degree.

(b) 'Occupational therapy' means the evaluation and treatment provided to people whose lives have been disrupted by physical injury, illness, developmental problems, the aging process, or psychosocial or cognitive difficulties.

Treatment entails the assessment, evaluation and treatment to assist each individual to achieve or return to an independent and productive life through techniques which prevent disability, assisting the individual in recovery from illness or accident and by
promoting the development of functions which may have been impaired or delayed. The treatment provided may include, but shall not be limited to, the adaptation of the environment and the selection, design and fabrication of assistive and orthotic devices, and other technology to facilitate development and promote the acquisition of functional skills through purposeful activity.

(c) 'Occupational therapist' means a person licensed to practice occupational therapy on Guam.

(d) 'Occupational therapy assistant' means a person licensed to assist in the practice of occupational therapy who works under the indirect supervision of an occupational therapist, or as otherwise determined by the supervising occupational therapist.

(e) 'Occupational therapy technician/aide' means a person who can assist in treatment oriented activities, under the direct supervision and presence of an occupational therapist or occupational therapy assistant, and whose activities require a general understanding of occupational therapy services acquired on-the-job.

(f) 'NBCOT' means the National Board for Certification in Occupational Therapy.

Section 121402. Qualifications for Licensure; Occupational Therapist. (a) Educational Requirements. Applicants shall present satisfactory evidence to the Board of having successfully completed academic and fieldwork experience requirements in an occupational therapy educational program.
recognized by the Board. The occupational therapy educational program shall be accredited by the Accreditation Council for Occupational Therapy Education of the American Occupational Therapy Association or the current governing board. The applicant must also:

(1) possess at least a bachelor's degree or certificate in occupational therapy from the U.S. or from a foreign program recognized by the NBCOT; and

(2) submit transcripts from an approved school of occupational therapy in the U.S., or from a foreign program recognized by the NBCOT, unless already submitted to a government of Guam health agency.

(b) Fieldwork Experience. Applicants shall submit to the Board evidence of having successfully completed a period of supervised fieldwork experience arranged by the recognized educational institution or by the nationally recognized professional association where the applicant has met the academic requirements. Occupational therapists must have a minimum of six (6) months or nine hundred forty (940) hours of supervised fieldwork experience.

Section 121403. Qualifications for Licensure.

(a) Occupational Therapy Assistant.

(1) The occupational therapy assistant educational program shall be approved by the Accreditation Council for
Occupational Therapy Education of the American Occupational Therapy Association. The applicant must:

(A) possess an associate's degree or certificate in occupational therapy assistant from the U.S. or from a foreign program recognized by the NBCOT;

(B) submit transcripts from an approved school for occupational therapy assistants in the U.S. or from a foreign program recognized by the NBCOT, unless already submitted to a government of Guam agency.

(2) Fieldwork Experience. Applicants shall submit to the Board evidence of having successfully completed a period of supervised fieldwork experience arranged by the recognized educational institution, or by the nationally recognized professional association where the applicant has met the academic requirements. Occupational therapy assistants must have a minimum of twelve (12) weeks, or one hundred and forty (140) hours of supervised fieldwork experience.

(b) Occupational Therapy Technicians. Occupational therapy technicians are not required to be licensed by the Board.

Section 121404. International Graduates; Requirements.

Occupational therapists and occupational therapy assistants trained outside of the United States must satisfy the examination requirements of this Article. The Board shall require these applicants to furnish proof
of good moral character and completion of education and supervised fieldwork requirements, substantially equal to those as contained in this Article prior to examination.

Section 121405. Licensure Examination. An applicant for licensure as an occupational therapist or as an occupational therapy assistant must pass the written NBCOT examination, as provided for in this Article. Applicants who have fulfilled the education requirements as outlined above, but are pending completion of the examination, may initiate the application process for licensure.

Section 121406. Qualifications for Examination. Only persons satisfying the requirements of this Article may apply for examination in such a manner as the Board shall prescribe. The Board recognizes the NBCOT as the examining authority for occupational therapists and occupational therapy assistants. A person who fails an examination may apply for reexamination, subject to the policies and procedures of NBCOT.

Section 121407. Waiver of Requirements.

(a) Licensure by Endorsement. The Board may waive the examination, education or experience requirements, and grant a license to any applicant who shall present proof of having practiced in another state, the District of Columbia, Puerto Rico or Territory of the United States which has standards for regulations that are substantially equivalent to the requirements specified in the Article. The Board shall use discretion in considering applicants from unregulated states.
(b) The Board may grant a license to any person who passed the certification examination administered by the NBCOT prior to the effective date of Act; whose principal residence is Guam; and who presents satisfactory evidence to the Board of having practiced in Guam for at least one (1) year prior to the enactment of these rules and regulations. Proof of actual practice shall be presented to the Board in such manner as it may prescribe. To obtain the benefit of this waiver, an applicant must file an application no later than ninety (90) days from the effective date of this Act.

Section 121408. Persons and Practices Not Affected. Nothing in this Article shall be construed as preventing or restricting the practice, services or activities of:

(a) any person licensed on Guam by any other law from engaging in the profession or occupation for which the person is licensed;

(b) any person employed as an occupational therapist or occupational therapist assistant by the Federal government or its agency, if such person provides occupational therapy solely under the direction or control of the organization in which the person is employed;

(c) any person pursuing a supervised course of study leading to a degree or certificate in occupational therapy at an accredited educational program, if the person is designated by a
title which clearly indicates the person's status as a student or trainee;

(d) any person fulfilling the supervised fieldwork experience requirements of Subsections (2)(b) and 3(2) of this Article, if the experience constitutes a part of the experience necessary to meet the requirements of the NBCOT;

(e) any person performing occupational therapy services on Guam, if these services are performed for no more than ninety (90) days in a calendar year in association with an occupational therapist licensed under these rules and regulations:

(1) the person is licensed or otherwise regulated under the law of another state which has substantially equivalent requirements for practice as specified under this Article; or

(2) the person has passed the certification examination administered by the NBCOT; or a Certified Occupational Therapy Assistant ('COTA'), established by the NBCOT; or

(f) any person functioning as an occupational therapy technician/aide.

Section 121409. Scope of Practice; Occupational Therapist.

(a) An occupational therapist may enter a case for the purposes of providing direct or indirect service, consulting, evaluating an individual as to the need for services, and other occupational therapy services for any individual who has an
injury, illness, cognitive impairment, psychosocial dysfunction, mental illness, developmental or learning disability, physical disability, or other disorder or condition. It includes assessment by skilled observation or evaluation through the administration and interpretation of standardized or nonstandardized tests and measurements. Occupational therapy services include, but are not limited to, the following:

(1) the assessment and provision of treatment in consultation with the individual, family or other appropriate persons;

(2) interventions directed toward developing, improving, sustaining or restoring daily living skills, including self-care skills and activities that involve interactions with others and the environment, work readiness or work performance, play skills or leisure capacities, or enhancing educational performance skills;

(3) developing, improving, sustaining or restoring sensorimotor, oral-motor, perceptual or neuromuscular functioning, emotional, motivational, cognitive or psychosocial components of performance; and

(4) education of the individual, family or other appropriate persons in carrying out appropriate interventions.

(b) Services may encompass assessment of need and the design, development, adaptation, application or training in the use
of assistive technology devices; the design, fabrication or application of rehabilitative technology, such as selected orthotic devices; training in the use of orthotic or prosthetic devices; the application of physical agent modalities as an adjunct to or in preparation for purposeful activity; the application of ergonomic principles; the adaptation of environments and processes to enhance functional performance; or the promotion of health and wellness.

(c) Such evaluation shall be the occupational therapist's assessment of a patient's problem, and the therapist shall make an occupational therapy assessment and evaluation and treat accordingly. The therapist shall consult with an authorized health care practitioner if a patient's problem is outside the scope of occupational therapy. If, at any time, a patient requires further services of an authorized health care provider, a referral shall be made.

Section 121410. Scope of Practice; Occupational Therapy Assistant. The occupational therapy assistant works under the supervision of the occupational therapist. The amount, degree and pattern of supervision a practitioner requires varies depending on the employment setting, method of service provision, the practitioner's competence and the demands of service. The occupational therapist is responsible for the evaluation of the client or patient. The treatment plan may be developed by the occupational therapist in collaboration with the
occupational therapy assistant. Once the evaluation and treatment plans are established, the occupational therapy assistant may implement and modify various therapeutic interventions, as permitted by the Board under the supervision of the occupational therapist."

Section 8. Article 15 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:

"ARTICLE 15.
PHYSICAL THERAPY.

Section 121501. Definitions. For purposes of this Article, the following words and phrases have been defined to mean:

(a) 'Licensed physical therapist' means a person who is currently and validly licensed to practice physical therapy on Guam.

(b) 'Physical therapy assistant' means an individual who assists in the treatment of patients under the direct and indirect supervision of a licensed physical therapist. Assistance rendered must be commensurate with the assistant's education and training.

(c) 'Physical therapy technician' means an individual who has received on-the-job training from a licensed physical therapist, and who assists in the treatment of patients under the direct supervision of a licensed physical therapist.

(d) 'Physical therapy' means the utilization of scientific principles for the evaluation and treatment of any disability, injury or disease by the use of physical, chemical or mechanical means,
including, but not limited to, heat, cold, air, light, sound, electricity, water, massage, therapeutic exercise and rehabilitative procedures, with or without assistive devices, for the purpose of preventing, correcting or alleviating dysfunction resulting from such disability, injury or disease; the performance of tests and measurements of neuromuscular function as an aid to the diagnosis or treatment of human condition; performance of treatments on the basis of test findings; supervision of selective forms of treatment by trained supportive personnel; and provisions of consultative services for health, education and community agencies; provided, however, that physical therapy shall not include the use of Roentgen Rays and radium for diagnostic and therapeutic purposes, the use of electricity for surgical purposes, including cauterization. Physical therapy and physical therapy services are not generic terms; they are the use of any intervention, including physical agent modalities/electrotherapy, that is provided by, or under the direction of, a licensed, physical therapist.

(e) 'Consultation' means the communication regarding a patient's evaluation and proposed treatment plan with an authorized health care practitioner.

(f) 'Authorized health care practitioner' includes licensed physicians, osteopathic physicians, chiropractors, podiatrists and dentists; provided, however, that nothing herein shall be
construed as altering the scope of practice of such practitioners as defined in their respective licensure regulations.

Section 121502. Qualifications for Licensure.

(a) Licensed Physical Therapist. Applicants for a license to practice physical therapy on Guam must complete and file an application with the Board. Applicants must have all of the following qualifications:

(1) a bachelor's degree in physical therapy or certificate in physical therapy from an accredited school of physical therapy in the United States;

(2) transcripts from an approved school of physical therapy, evidencing the successful completion of a four (4) year degree program, a two (2) year certificate or advanced program which must include supervised clinical experience; and

(3) the applicant must have passed an examination given by the Professional Examination Service in the U.S. or one (1) of its territories and have been granted a license.

(b) Physical Therapy Assistant. To be eligible for licensure as a physical therapy assistant, the applicant must possess all of the following qualifications:

(1) a minimum of an associate degree from an approved school for physical therapy assistant in the United States; and
activities do not go beyond the scope of practice defined by these rules;

(5) to prohibit the practice of physical therapy by licensed physical therapists of other states or countries while appearing as clinicians at bona fide educational seminars sponsored by physical therapy, medical or other healing art professional associations, so long as such activities do not go beyond the scope of practice defined by these rules and regulations.

Section 121504. Scope of Practice.

(a) Physical Therapists.

(1) A person licensed under this Article as a physical therapist may evaluate and treat human ailments by physical therapy. The evaluation shall be the physical therapist's assessment of a patient's problem and shall include a physical therapy diagnosis. If a patient's problem is outside the scope of physical therapy, the therapist shall consult with a person licensed to practice medicine. If a patient, at any time, requires further medical evaluation or diagnostic testing, that patient shall be referred to an authorized health care practitioner.

(2) Direct referral of a patient by an authorized health care practitioner may be by telephone, letter or in person; provided, however, if the instructions are oral, the physical therapist may administer treatment accordingly, but must make a record describing the nature of the
treatment, the date administered, the name of the person receiving the treatment and the name of the referring authorized health care practitioner.

(b) Physical Therapy Assistant.

(1) A physical therapy assistant is not an independent practitioner and works under the indirect supervision of the physical therapist.

(2) A physical therapy assistant will follow the treatment program set by the physical therapist, and may progress the exercise program in conjunction with the treatment goals.

(c) Physical Therapy Technician. The physical therapy technician will carry out tasks as delegated by the physical therapist; all patient care will be under the direct supervision of the physical therapist.

Section 121505. Supportive Personnel; Delineation of Responsibilities. A physical therapist is professionally and legally responsible for patient care given by supportive personnel under the physical therapist’s supervision. If a physical therapist fails to adequately supervise patient care given by supportive personnel, the Board may take disciplinary action against the licensee. Supervision of supportive personnel requires that the physical therapist perform the following activities:

(a) provide initial evaluation of the patient;
transcripts from an approved school for physical
therapy assistants, evidencing the successful completion of a
two (2) year degree program, which must include
supervised clinical experience.

Section 121503. Exceptions to Licensure.

(a) No person may practice physical therapy on Guam
who is not licensed as a physical therapist by the Board. These
rules and regulations shall not be construed:

(1) to prohibit persons employed as physical therapists by
a Federal agency from practicing their discipline;

(2) to restrict the activities or services of a student or
physical therapy intern pursuing a course of study leading to a
degree or certificate in physical therapy, provided that these
activities and services constitute a part of his supervised course of
study;

(3) to restrict the practice of a physical therapist who is
obtaining the required professional experience, and whose
required professional experience application has been approved
by the Board. Such professional experience is to be defined by the
Board as deemed necessary;

(4) to prohibit auxiliary services provided by physical
therapy technicians in carrying out duties necessary for the
support of physical therapy, including those duties which involve
minor physical therapy services when performed under the direct
supervision of licensed, physical therapists, so long as such
(b) develop a treatment plan and program, including treatment goals;
(c) assess the competence of supportive personnel to perform assigned tasks;
(d) select and delegate appropriate portions of the treatment plan and program;
(e) direct and supervise supportive personnel in delegated functions;
(f) re-evaluate the patient and adjust the treatment plan as acceptable physical therapy practice requires, consistent with the delegated health care task;
(g) document sufficient in-service training and periodic evaluation of performance to assure safe performance of the tasks assigned to supportive personnel; and
(h) provide discharge planning.

Section 121506. Foreign Graduates; Requirements.

(a) The following is required of applicants for physical therapists who are foreign graduates:

(1) be of good moral character;
(2) be a United States citizen or legal alien;
(3) submit to the Board the following documents, which must be in English or accompanied by an English translation:

(A) official application and affidavits;
(B) evidence of a diploma from an educational program for physical therapy approved by the Board;

(C) a letter from the applicant’s most recent employer verifying the applicant’s position and dates of employment;

(4) demonstrate that the applicant’s credentials are equivalent to those required of a U.S. educated physical therapist applicant (The foreign education must contain evidence of course work in humanities and social sciences, as well as courses in biology and other physical sciences, equivalent to a United States degree in physical therapy. The applicant must submit notarized copies of all academic records to either the International Education Research Foundation or the International Consultants of Delaware, for evaluation; addresses for each shall be listed with the Board office. A copy of the evaluation must be sent directly to the Board.);

(5) if the Board determines that the educational background is not equivalent to a U.S. accredited physical therapy program, or the applicant’s program is found deficient in physical therapy credits, the applicant must successfully complete a physical therapy program which conforms with the standards of the official accrediting agency determined by the U.S. Office of Education, or at the
discretion of the Board, complete specified courses in physical therapy;

(6) complete a minimum of twenty (20) continuous weeks of internship under direction and immediate supervision of a physical therapist, in an institution which is approved by the Board, and furnish documentary evidence of compliance to the Board; and

(7) may appear before the Board for an oral interview.

(b) If the Board finds the internship to have been successfully completed and the educational equivalency requirements met, the applicant must take a licensure examination given by a state or territory within the United States.

(c) Physical therapist assistants must comply with all requirements of this Article, have passed an examination given by the Professional Examination Service in the United States or one (1) of its territories, and have been granted a current license."

Section 9. Article 16 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:

"ARTICLE 16.

PHYSICIAN ASSISTANT.

Section 121601. Definitions. For purposes of this Article, the following words and phrases have been defined to mean:

(a) 'Licensed physician' means a physician licensed by the Board of Medical Examiners to practice medicine on Guam.
(b) 'Physician assistant' means a Board-licensed person, qualified by academic and practical training, who provides patient services under the indirect supervision of a licensed physician. A physician assistant is not an independent practitioner.

(c) 'Supervising physician' means a licensed physician who is registered by the Board to supervise a physician assistant.

(d) 'Supervision' means providing guidance of the services performed by the physician assistant. A supervising physician may be physically on the premises where the physician assistant is practicing, or be available on Island by telecommunication.

Section 121602. Qualifications for Licensure.

(a) Licensed physician assistants must be graduates of programs approved by the Physician Assistant Examining Committee ('PAEC') from an institution accredited by the Committee on Allied Health Education and Accreditation ('CAHEA').

(b) Licensed physician assistants must have passed a proficiency examination developed by the National Commission on Certification of Physician Assistants, or its successor.

Section 121603. Scope of Practice. (a) A physician assistant may provide any medical services when such services are within his skills, form a usual component of the physician's scope of practice under the supervision of a supervising physician.

(b) Physician assistants with privileges or employed by a hospital or skilled nursing facility may, if permissible under the
by-laws and rules and regulations of such facility, write medical
orders, including medications, tests and treatments, for in-patients
under the care of the supervising physician. In every case, such
medical orders must be countersigned by the supervising
physician or confirmed by telephone within twenty-four (24)
hours.

Section 121604. Registration of Physician Assistant's
Supervision. Prior to practicing on Guam, the licensed physician
assistant shall present for approval of the Board of Allied Health
Examiners and Board of Medical Examiners a completed application for
supervision by a Guam-licensed physician. The practice of the
physician assistant must fall within the practice of the supervising
physician with whom the physician assistant is registered. In the event
of any changes of supervising physician, the names of the supervising
physicians must be provided to the above boards. The Board must be
notified at least ten (10) days prior to the effective date of change.
Practicing without a supervising physician shall be grounds for
disciplinary action, including revocation of license.

Section 121605. Renewal of License. Each licensed physician
assistant must present evidence of current certification through the
National Commission on Certification of Physician Assistants, or its
successor, every two (2) years for renewal of license.

Section 121606. Identification. (a) While working, the
physician assistant shall wear or display appropriate
identification, clearly indicating that he or she is a physician assistant.

(b) The physician assistant's license must be displayed in the office, and any satellite operation in which the physician assistant may function.

(c) A physician assistant may not advertise him or herself in any manner that would mislead the patients of the supervising physician or the public.

Section 121607. Supervision Required. (a) Tasks performed by the physician assistant must be under the supervision of a registered supervising physician.

(b) All medical records must be reviewed and co-signed by the approved supervising physician within seven (7) days.

(c) Upon being duly licensed by the Board, the licensee shall have his or her name, address and other pertinent information enrolled by the Board on a roster of licensed physician assistants.

(d) Not more than two (2) currently licensed physician assistants may be supervised by a licensed physician at any one time.

(e) If no registered supervising physician is available to supervise the physician assistant, the physician assistant must not perform patient care activities.

(f) Nothing in these rules shall be construed to prohibit the employment of physician assistants by a medical care facility
where such physician assistant's function under the supervision of
a Guam-licensed physician.

Section 121608. Exceptions to Licensure Requirement. No
person may practice as a physician assistant on Guam who is not
licensed by the Board. This Article, however, shall not be construed to
prohibit a student in a physician assistant program performing duties or
functions assigned by his instructors, or who is working under the direct
supervision of a licensed physician.

Section 121609. Prescriptive Authority. A physician
assistant may administer, prescribe and dispense any licensed drug in
accordance with §12827 of Chapter 12 of Title 10 of the Guam Code
Annotated, and in accordance to any other rules and regulation
established by the Board.”

Section 10. Article 17 is hereby added to Chapter 12, Division 1,
Part 1 of Title 10 of the Guam Code Annotated to read as follows:

“ARTICLE 17.

PODIATRIC MEDICINE.

Section 121701. Definition. For purposes of this Article, the
following words and phrases have been defined to mean:

(a) 'Podiatric Medicine' means the diagnosis, medical,
surgical, mechanical, manipulative and electrical treatment of the
human foot and ankle, including the tendons that insert into the
foot, and the non-surgical treatment of the muscles and tendons of
the leg governing the functions of the foot.
Section 121702. Qualifications for Licensure. (a) Any person who desires to practice podiatric medicine on Guam must apply to the Board for licensure and provide each of the following:

(1) three (3) letters from doctors of podiatric medicine verifying that the applicant is competent;

(2) verification sent directly from the college of podiatric medicine to the Board of having satisfactorily graduated from an approved college of podiatric medicine; and

(3) verification sent directly to the Board from a residency program of having satisfactorily completed a hospital-approved podiatric residency program.

(b) If an applicant has practiced podiatric medicine in any U.S. jurisdiction, the applicant shall furnish each of the following:

(1) a notarized copy of the applicant’s license to practice podiatric medicine in that jurisdiction; and

(2) an affidavit from the board of podiatric medical examiners of any such jurisdiction verifying the number of years that the applicant has been engaged in the legal and reputable practice of podiatric medicine in that jurisdiction.

Section 121703. Approved Schools. Colleges of podiatric medicine accredited by the Council on Podiatric Education of the American Podiatry Association shall be approved by the Board for providing resident professional instruction in podiatric medicine.

Section 121704. Approved Hospitals for Podiatric Residencies.
The hospitals approved by the Board for residencies shall be those that
meet the minimum requirements set by the Council on Podiatric
Medical Education of the American Podiatric Medical Association.

Section 121705. Licensure Renewal; Continuing Education
Requirements. (a) Each licensee who is a doctor of podiatric
medicine is required to complete fifty (50) hours of approved
continuing education during each two (2) year renewal period.
Each doctor of podiatric medicine renewing a license may be
required to submit proof satisfactory to the Board of compliance
with the provisions of this requirement.

(b) Each doctor of podiatric medicine, in order to renew a
license, shall report progress towards compliance with continuing
education requirements by signing and returning the declaration
contained in the license renewal application.

(c) Any licensed doctor of podiatric medicine who cannot
complete a minimum of fifty (50) hours of approved continuing
education during a two (2) year period shall be ineligible for
renewal of his or her license, unless such licensee applies for and
obtains a waiver from the Board, as shall be determined by the
Board.

(d) As part of the continuing education required of each
licensee, each licensee, at the time of license renewal, shall certify
that he or she possesses a current and valid certificate in basic
cardiopulmonary resuscitation ('CPR').
(e) The Board requires that each licensee retain records of all continuing education programs attended which indicate the title of the course or program, the sponsoring organization, or individual and the accrediting organization, if any, for a minimum of four (4) years.

Section 121706. Approved Continuing Education Programs. The following are approved by the Board as continuing education programs:

(a) programs which are approved by the American Podiatric Medical Association and its affiliated organizations;

(b) programs that qualify for Category I Credit of the American Medical Association and the American Osteopathic Association and their affiliated organizations;

(c) programs offered by approved colleges or schools of podiatric medicine, medicine and osteopathic medicine;

(d) podiatric residency program or clinical fellowship in a hospital approved for podiatric residencies (Completion of a residency program or clinical fellowship shall be credit for fifty (50) hours of approved continuing education.); and

(e) programs offered by other individuals, organizations and institutions approved by the Board on a case-by-case basis.

Section 121707. Scope of Practice. (a) A license to practice podiatric medicine on Guam authorizes the holder to practice podiatric medicine as defined in these Rules.
(b) No doctor of podiatric medicine shall do any amputation of the foot in total. Surgical debridement with plastic repairs or reconstruction of diseased, traumatized or devitalized, nonviable or necrotic tissue shall be the standard of treatment for these diseased processes.

(c) Doctors of podiatric medicine practicing within the framework of this policy statement are subject to all laws governing gross negligence, incompetence and repeated negligent acts."

Section 11. Article 18 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:

"ARTICLE 18.

SPEECH-LANGUAGE PATHOLOGY.

Section 121801. Definitions. For purposes of this Article, the following words and phrases have been defined to mean:

(a) 'ASHA' means the American Speech, Language, Hearing Association.

(b) 'Speech-language assistant' means any individual who meets minimum qualifications which the Board may establish for speech-language assistants, whose qualifications shall be less than those established by these Rules for licensure as a speech-language pathologist, and who works under the indirect supervision of a licensed speech-language pathologist.
(c) 'Speech-language pathologist' means any individual who is duly licensed by the Board to practice in the field of speech-language pathology.

(d) 'Speech-language pathology' means the application of principles, methods and procedures for the measurement, testing, evaluation, prediction, counseling, instruction, habilitation or rehabilitation related to the development and disorders of speech, voice, fluency or language, for the purpose of evaluating, identifying, treating, preventing, ameliorating, or modifying such disorders and conditions in individuals or groups of individuals.

Section 121802. Qualifications for Licensure. (a) Speech Language Pathologist. To be eligible for licensure by the Board as a speech-language pathologist, an applicant must possess a current Certificate of Clinical Competence in Speech-Language Pathology issued by ASHA as evidence of professional training and experience. Applicants shall arrange for an official statement from ASHA to be sent directly to the GBAHE reporting present ASHA certification.

(b) Speech Language Assistant. The speech-language assistant shall possess at least a Bachelor's degree in speech and language or communication disorders. The Board may establish further qualifications for speech-language assistants.

Section 121803. Exceptions to Licensure Requirements. These rules and regulations shall not be construed as preventing or restricting:
(a) any person licensed on Guam, under any other law, from engaging in the profession or occupation for which he or she is licensed;

(b) the activities and services of persons pursuing a course of study leading to a degree in Speech-Language Pathology at a college or university, if such activities and services constitute a part of an approved supervised course of study, and such person is designated a speech-language intern or trainee;

(c) the activities and services of persons presently working on their Clinical Fellowship Year ('CFY'), and such person is designated as 'CFY-Speech Language Pathologist';

(d) the activities of any individual who works in the field of speech-language pathology, who does not meet the requirements of licensure and who is working under the indirect supervision of a licensed Speech-Language Pathologist, respective to the individual's work. This includes activities of a speech-language assistant, who shall possess at least a Bachelor's degree in speech and language disorders. A licensed speech-language pathologist may not supervise more than five (5) individuals at one time. The licensed sponsor will assume all responsibilities and will meet all sponsorship requirements for such individuals as set forth by the Board.

Section 121804. Scope of Practice. (a) Speech Language Pathologist. The scope of practice for speech-language pathology includes:
(1) screening, identifying, assessing and interpreting, diagnosing, rehabilitating and preventing disorders of speech (e.g. articulation, fluency, voice) and language;

(2) screening, identifying, assessing and interpreting, diagnosing, rehabilitating and preventing disorders of oral-pharyngeal function (e.g. dysphagia), and related disorders;

(3) screening, identifying, assessing and interpreting, diagnosing, and rehabilitating cognitive and communication disorders;

(4) assessing, selecting and developing augmentative and alternative communication systems, and providing training in their use;

(5) providing aural rehabilitation and related counseling services to hearing impaired individuals and their families;

(6) enhancing speech-language proficiency and communication effectiveness (e.g., accent reduction); and

(7) screening of hearing and other factors for the purpose of speech-language evaluation or the initial identification of individuals with other communication disorders.

(b) A Speech Language Assistants. A speech language assistants, as defined by this Article, must work under the indirect
supervision of the speech language pathologist and may progress
the plan in conjunction with the treatment goals."

Section 12. Article 19 is hereby added to Chapter 12, Division 1,
Part 1 of Title 10 of the Guam Code Annotated to read as follows:

"ARTICLE 19.

VETERINARY MEDICINE.

Section 121901. Definitions. For purposes of this Article, the
following words and phrases have been defined to mean:

(a) 'Animal' means any animal other than man which
includes, but is not limited to, fowl, birds, fish, and reptiles, wild
or domestic, living or dead.

(b) 'Practice of veterinary medicine' means to diagnose, treat,
correct, change, relieve or prevent animal disease, deformity,
defect, injury, or other physical or mental condition, including the
prescription or administration of any drug, medicine, biologic,
apparatus, application, anesthetic, or therapeutic or diagnostic
substance or technique, or the use of any manual or mechanical
procedure for artificial insemination, testing for pregnancy or for
correcting sterility or infertility, or to render advice or
recommendation with regard to any of the above.

(c) 'Veterinary medicine' includes veterinary surgery,
obstetrics, dentistry and all other branches or specialties of
veterinary medicine.
(d) 'Veterinary hospital' or 'veterinary clinic' means a facility for the veterinary care of animals, wherein all activities are directly supervised by a licensed veterinarian.

Section 121902. Requirements for Licensure. Any person desiring a license to practice veterinary medicine on Guam must be licensed in another state of the United States.

Section 121903. Exceptions to Licensure Requirements. These rules shall not be construed to prohibit:

(a) a person who is a regular student in a veterinary school from performing duties or actions assigned by his instructors, or from working under the direct supervision of a licensed veterinarian during a school vacation period;

(b) a person practicing veterinary medicine upon his own animals, being assisted in such practice by his employees when they are normally employed in the conduct of such person's business, or being assisted in such practice by some other person gratuitously; or

(c) a person advising or performing acts which the Board or Guam law recognizes as accepted animal control or livestock management practices.

Section 121904. Professional Conduct; Additional Provisions. The following acts are deemed unprofessional conduct and are subject to disciplinary action as delineated in Article I, General Regulations, of these rules and regulations:
(a) cruelty to animals, as defined by Guam law, or as determined by the Board; and

(b) failure to maintain their professional premises in a sanitary condition.

Section 121905. Spay/Neuter Clinic. A spay/neuter clinic is a facility established only to spay and neuter animals. Surgeries are performed by, and directly supervised by, a licensed veterinarian. Services are limited to these specific surgical procedures and are performed only by a licensed veterinarian.

Section 13. Article 20 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:

"ARTICLE 20.

RESPIRATORY THERAPY.

Section 122001. Definitions. For purposes of this Article, the following words and phrases have been defined to mean:

(a) 'Licensed respiratory therapist ('Therapist')' means a person who is currently and validly licensed to practice respiratory therapy on Guam.

(b) 'Respiratory technician' means an individual who assists in the treatment of patients under the indirect supervision of a licensed respiratory therapist.

(c) 'Respiratory therapy' means the management of pulmonary diseases with medications and machines.
(d) 'Consultation' means the communication regarding a patient's evaluation and proposed treatment plan with an authorized health care practitioner.

(e) 'Authorized health care practitioner' includes licensed physicians, osteopathic physicians, chiropractors, podiatrists and dentists; provided, however, that nothing herein shall be construed as altering the scope of practice of such practitioners as defined in their respective licensure regulations.

Section 122002. Qualifications for Licensure.

(a) Licensed Respiratory Therapist. Applicants for a license to practice physical therapy on Guam must complete and file an application with the Board. Applicants must have all of the following qualifications:

(1) a bachelor's degree in respiratory therapy from an accredited school of respiratory therapy in the United States or one (1) year experience as a registered respiratory therapist and graduation from a respiratory therapist program approved by the American Medical Association ('AMA') with an associate degree in respiratory therapy;

(2) transcripts from an approved school of respiratory therapy, evidencing the successful completion of a four (4) year degree program;

(3) current certification as a Registered Respiratory Therapist by the National Board for Respiratory Care; and
(4) the applicant must have passed an examination given by the Professional Examination Service in the U.S. or one (1) of its territories, and have been granted a license.

Section 122003. Exceptions to Licensure. (a) No person may practice respiratory therapy on Guam who is not licensed as a respiratory therapist by the Board. These rules and regulations shall not be construed:

(1) to prohibit persons employed as respiratory therapists by a Federal agency from practicing their discipline;

(2) to restrict the activities or services of a student or respiratory therapy intern pursuing a course of study leading to a degree or certificate in respiratory therapy; provided, that these activities and services constitute a part of his supervised course of study;

(3) to restrict the practice of a respiratory therapist who is obtaining the required professional experience and whose required professional experience application has been approved by the Board. Such professional experience is to be defined by the Board as deemed necessary;

(4) to prohibit auxiliary services provided by respiratory therapy technicians in carrying out duties necessary for the support of respiratory therapy, including those duties which involve minor respiratory therapy services when performed under the direct supervision of
licensed respiratory therapists, so long as such activities do not go beyond the scope of practice defined by this Chapter;

(5) to prohibit the practice of respiratory therapy by licensed respiratory therapists of other states or countries while appearing as clinicians at bona fide educational seminars sponsored by respiratory therapy, medical or other healing art professional associations, so long as such activities do not go beyond the scope of practice defined by this Chapter.

Section 122004. Scope of Practice. (a) Respiratory Therapists.

(1) A person licensed under this Chapter as a respiratory therapist may evaluate and treat human ailments by respiratory therapy according to a physician's consultation. The evaluation shall be the Therapist's assessment of a patient's problem and shall include a respiratory therapy diagnosis. If a patient's problem is outside the scope of Therapist, the therapist shall consult with a person licensed to practice medicine. If a patient, at any time, requires further medical evaluation or diagnostic testing, that patient shall be referred to an authorized health care practitioner.

(2) Direct referral of a patient by an authorized health care practitioner may be by telephone, letter or in person; provided, however, if the instructions are oral, the
Therapist may administer treatment accordingly, but must make a record describing the nature of the treatment, the date administered, the name of the person receiving the treatment and the name of the referring authorized health care practitioner.

(b) Respiratory Technician.

(1) A respiratory therapy technician is not an independent practitioner, and works under the indirect supervision of the licensed respiratory therapist.

(2) A respiratory technician will follow the treatment program set by the respiratory therapist.

(3) A respiratory technician shall have the minimum qualification of a certificate, or document showing graduation from a Respiratory Therapy Technician Program approved by the American Medical Association.

(4) Current certification as a Certified Respiratory Therapy Technician by the National Board of Respiratory Care.

Section 122005. Supportive Personnel; Delineation of Responsibilities. A respiratory therapist is professionally and legally responsible for patient care given by supportive personnel under the respiratory therapist's supervision. If a respiratory therapist fails to adequately supervise patient care given by supportive personnel, the Board may take disciplinary action against the licensee. Supervision of
supportive personnel requires that the respiratory therapist perform the following activities:

(a) provide initial evaluation of the patient;

(b) develop a treatment plan and program, including treatment goals;

(c) assess the competence of supportive personnel to perform assigned tasks;

(d) select and delegate appropriate portions of the treatment plan and program;

(e) direct and supervise supportive personnel in delegated functions;

(f) re-evaluate the patient and adjust the treatment plan as acceptable respiratory therapy practice requires, consistent with the delegated health care task;

(g) document sufficient in-service training and periodic evaluation of performance to assure safe performance of the tasks assigned to supportive personnel; and

(h) provide discharge planning."

Section 14. Article 21 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:

"ARTICLE 21.

NUTRITIONIST/CLINICAL DIETITIAN.

Section 122101. Definitions. For purposes of this Article, the following words and phrases have been defined to mean:

(a) ‘Dietitian’ shall mean a specialist in Dietetics.
(b) 'Dietetic' shall mean the science or art of applying the principles of nutrition to the diet.

(c) 'Diet' shall mean the kind and amount of food prescribed for a patient for a particular state of health or disease.

(d) 'Dietary' shall mean the kinds and amounts of food available to or eaten by an individual, group or population.

(e) 'Nutrition' shall mean the act or process of nourishing or being nourished.

(f) 'Nutritionist' shall mean a specialist in nutrition.

(g) 'Menu' shall mean the dishes available for or served at a meal.

(h) 'Anthropometry' shall mean the science of measuring the human body.

(i) 'Biochemical' shall mean characterized by, produced by or involving chemical reaction in a living organism.

(j) 'RDA' shall mean the Recommended Dietary Allowances.

(k) 'Clinical Dietitian' shall mean the person who applies nutritional information to the needs of the healthy and sick patients most likely in a hospital.

(l) 'Nutritionist' shall mean the person who applies nutritional information to the needs of the individuals at nutritional risk and health of the population, and not necessarily trained or qualified for hospital patients or specifics of patient disease dietary treatment.
(m) 'Dietary Technician' shall mean the person who assist
the clinical dietician collect information to screen and assess the
nutritional risk factors, and assist in planning of therapeutic diets
plus instructions.

(n) 'Dietary Assistant' shall mean a person who assists in
the preparation and serving of a planned menu.

(o) 'American Dietetic Association' ('ADA') is a national
organization of registered diettitians, dietary technicians and
others holding degrees in nutritional dietetics or nutrition.

(p) 'Nutritional Risk' shall mean a biological, medical or
eco-social condition which increases an individual's likelihood of
improper nourishment.

Section 122102. Qualification for Licensure; Clinical Dietitian
or Nutritionist. (a) Educational Requirements. Applicants
shall present satisfactory evidence to the Board of having successfully
completed academic and fieldwork experience requirements in dietetic
or nutrition, or other related field. The applicant must also:

(1) possess at least a bachelor's degree in science
specializing in dietetics or nutrition, or other related field
from a recognized college or university in the U.S. or a
Board-approved program; and

(2) submit transcripts from an approved college or
university in the U.S., or from a foreign program recognized
by the Board.
(b) Field Experience. Applicant shall submit to the Board evidence of having successfully completed a supervised fieldwork experience arranged by the recognized educational institution, or by the nationally recognized professional association where the applicant has met the academic requirements.

(c) Membership. Must possess a current registration and membership with the American Dietetic Association ('ADA').

Section 122103. International Graduates; Requirements. A Clinical Dietitian trained outside of United States must satisfy the examination requirements of this Article. The Board shall require these applicants to furnish proof of good moral character and completion of education and supervised fieldwork requirements, substantially equal to those as contained in this Article prior to examination.

Section 122104. Licensure Examination. An applicant for licensure as a Clinical Dietitian or Nutritionist must pass the written examination for registration with the ADA as provided for in this Article. An applicant who has fulfilled the educational requirements as outlined above, but is pending completion of the examination, may initiate the application process for licensure.

Section 122105. Qualifications for Examination. Only persons satisfying the requirements of this Article may apply for examination in such a manner as the Board shall prescribe. The Board recognizes the ADA as the national credentialing body for U.S. Dietitian and Nutritionist. A person who fails an examination may apply for re-
examination, subject to the policies and procedures of the licensing body.

**Section 122106. Waiver of Requirements.** (a) Licensure by Endorsement. The Board may waive the examination, education or experience requirements and grant a license to any applicant who shall present proof of having practiced in another state, the District of Columbia, Puerto Rico or Territory of the United States which has standards for regulations that are substantially equivalent to the requirements specified in the Article. The Board shall use discretion in considering applicants from unregulated states.

(b) The Board may grant a license to any person who holds a current registration and membership in the American Dietetics Association (‘ADA’) prior to the effective date of this Act, whose principal residence is Guam, and who presents satisfactory evidence to the Board of having practiced on Guam for at least one (1) year prior to the enactment of this Article. Proof of actual practice shall be presented to the Board in such manner as it may prescribe. To obtain the benefit of this waiver, an applicant must file an application no later than ninety (90) days from the effective date of this Act.

**Section 122107. Persons and Practices Not Affected.** Nothing in this Article shall be construed as preventing or restricting the practice, services or activities of:
(a) any person licensed on Guam by any other law from engaging in the profession or occupation for which the person is licensed;

(b) any person employed as a clinical dietitian or nutritionist by the Federal government, or its agency;

(c) any person pursuing a supervised course of study leading to a degree or certificate in clinical dietetic or nutrition at an accredited educational program, if the person is designated by a title which clearly indicates the person’s status as a student or trainee;

(d) any person providing clinical dietetic or nutritional services on Guam, if these services are performed for no more than ninety (90) days in a calendar year in association with a clinical dietitian or nutritionist licensed under this Article:

(1) the person is licensed or otherwise regulated under the law of another state which has substantially equivalent requirements for practice as specified under this Article; or

(2) the person has passed the examination for registration as administered by the ADA; or

(e) any person functioning as a dietary assistant or dietary technician.

Section 122108. Scope of Practice; Clinical Dietitian, Nutritionist, Dietary Technician and Dietary Assistant.
(a) Clinical Dietitian. A clinical dietitian is a practitioner that may enter a case for the purposes of providing direct or indirect service, consulting, evaluating an individual as to the need for services, for any individual who has an injury or illness which can be a hospital, clinic or institutional home. Clinical dietitian services includes, but are not limited to:

(1) developing and coordinating menu planning to combine foods for maximum nutritional value, taste and eye appeal to meet patients’ nutritional needs and preferences;

(2) assessing high risk patient’s nutritional needs and status upon admission to the hospital, clinic or institutions; obtaining, evaluating and utilizing dietary information for planning the nutritional care of the patients;

(3) providing medical nutrition therapy for patients who have specific nutritional needs and problems; explaining dietary needs and helping motivate patients to understand and appreciate the importance of diet for optional nutritional status;

(4) consulting with physicians concerning dietary prescriptions; giving suggestions to modify diet to adapt to the individual needs of the patient;

(5) conducting and participating in nutrition education programs for patients, staff and the general public; providing nutrition counseling for outpatient clinical referrals;
(6) interpreting and applying current scientific information on food, nutrition, diet and health to patients and clients; and

(7) maintaining patients' charts and preparing reports."

(b) Nutritionist. A Nutritionist is a practitioner that practices the nutritional needs of individuals at nutritional risk, but not necessarily in a hospital setting, clinics or institutions.

(c) Dietary Technician. A dietetic technician is not an independent practitioner, and works as a member of the foodservice or healthcare team under the supervision of a clinical dietitian. Dietetic technician functions include, but are not limited to, the following:

(1) collects laboratory data, diet histories and anthropometric information to screen and assess the nutritional risk factors of patient upon admission to the hospital, clinic or institutions.

(2) assists the Clinical Dietitian in planning of menus and designing therapeutic diet patterns as prescribed; and

(3) delivers diet instructions to low and moderate risk patients.

(d) Dietary Assistant. (1) A dietary assistant is not an independent practitioner, and works under the direct or indirect supervision of the clinical dietitian.
(2) A dietary assistant will follow and distribute a planned menu set by the clinical dietitian.”

Section 15. Article 22 is hereby added to Chapter 12, Division 1, Part 1 of Title 10 of the Guam Code Annotated to read as follows:

"ARTICLE 22.

NURSING HOME ADMINISTRATOR.

Section 122201 Nursing Home Administrator. A nursing home shall be administered by a licensed Nursing Home Administrator.

Section 122202. Authority. The Board shall issue a license to practice as a nursing home administrator to any applicant who meets the qualification for licensure upon submission of an application and payment of the required fee.

Section 122203. Qualification for Licensure. An applicant for a nursing home administrator license shall apply to the Board of Licensure on forms provided by the Board. The applicant shall submit:

(a) proof of age;
(b) proof of physical and emotional capability to administer the nursing home;
(c) a notarized copy of a diploma, or evidence satisfactory to the Board of having successfully completed an accredited course of study or training as a nursing home or health administrator, approved by the Board (The program shall consist of both theory and practical experience.); and
(d) have a personal interview with the Board, as requested.
Section 122204. Application for License. Any person who desires to practice as a Nursing Home Administrator on Guam, and meets the qualifications contained in §122203 of this Chapter, shall complete and submit his application on the form provided by the Board and file all required documents. The Board may request for a personal interview with the applicant.

Section 122205. Licensure by Examination. Having successfully passed an examination administered by the Board designed to test competency in the following areas:

(1) working knowledge of the needs to be served by nursing homes;

(2) laws governing the operation of nursing homes, including prosecution of the interests of patients; and

(3) elements of good nursing home administrator.

Payment for the required fee.

Section 122206. Licensure by Endorsement/Reciprocity.
The Board may issue a nursing home administrator's license to any person who holds a current license as a nursing home administrator from another U.S. jurisdiction; provided, that the standards for licensure are equivalent to those prevailing on Guam, and the applicant meets the qualification and payment of the required fee.
Section 122207. Courses of Instruction and Training. The Board shall make provisions for courses and training on Guam for interested applicants to meet the requirements of this Chapter.

Section 122208. Present Administrators. Persons who, on the effective date of this Chapter, have been actively engaged as a Nursing Home Administrator for at least two (2) years next preceding such effective date, but do not meet the requirements in force pursuant to this Article, shall be issued a temporary license without evidence of satisfactory completion of a course of instructions, training and without examination, but any such licenses shall expire no later than June 30, 2001.

Section 122209. Renewal of License. The Nursing Home Administrator’s license shall be valid for two (2) years, nontransferable, and shall be renewed biennially thereafter on or before September 30 on forms provided by the Board and payment of the fee.

Section 16. Reserving and Amending Specific Chapters.

Subsequent Chapters after Chapter 23 up to Chapter 30 of Title 10 of the Guam Code Annotated shall be reserved for the Board of Allied Heath Examiners. Chapter 9 through Chapter 30 of Article 12 of Title 10 of the Guam Code Annotated are hereby amendable through the Administrative Adjudication Law, Rule Making Procedures.

Section 17. Rules and Regulations. The Board shall promulgate rules and regulations through the Administrative Adjudication Law, Rule Making Procedures, as the need arises to follow the intent of this Act. Within one hundred eighty (180) days from the date of enactment, the
Board shall promulgate rules and regulations through the Administrative Adjudication Law, Rule Making Procedures, to govern the practice of the following allied health professions: (1) Laboratory Technologist and (2) Radiology Technologist.

Section 18. Codification. The Compiler of Laws is hereby authorized to appropriately codify this Act.

Section 19. Severability. If any of the provisions of this Act or the application thereof to any person or circumstance are held invalid, such invalidity shall not affect any other provision or application of this Act, which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Section 20. Effective Date. The provisions contained in this Act shall take effect upon enactment.