



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

06 JUL 2005

The Honorable Mark Forbes
Speaker
Mina' Bente Ocho Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 103 (EC), "AN ACT TO MANDATE FIREFIGHTERS TO EARN AN EMERGENCY MEDICAL TECHNICIAN CERTIFICATION, MORE SPECIFICALLY, AN EMT-BASIC OR AN EMT-PARAMEDIC, BY ADDING NEW §§72105.4 AND 72105.5 TO TITLE 10 GCA, ADDING A NEW §6231 TO TITLE 4 GCA AND BY REPEALING TITLE 4 GCA §6223" which I signed into law on July 1, 2005, as Public Law 28-62.

Sinseru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

Office of the Speaker
MARK FORBES

Date: 7/6/05
Time: 1:35 PM
Rec'd by: ESP
Print Name: ESP

28-05-0291

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: Nikole
Print Name & Initial
Date: 7-7-05

0291 Time: 3:00

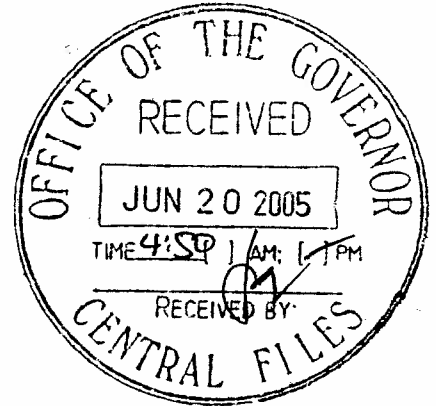
Date: 7-7-05



MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
TWENTY-EIGHTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

June 20, 2005

The Honorable Felix P. Camacho
I Maga'lahen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910



Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 97(EC) & 103(LS); and Substitute Bill Nos. 41(EC), 46(EC), 59(EC), 61(EC), 69(EC), 77(EC), 87(LS), 100(EC), 112(EC), 119(EC), 122(EC), 128(EC) and 137(EC) which were passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on June 17, 2005.

Sincerely,

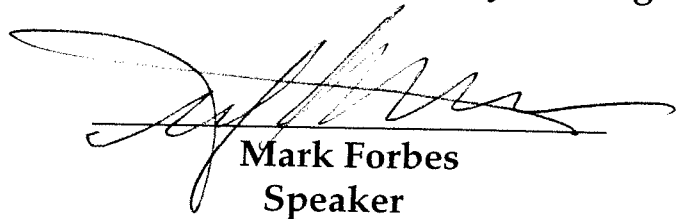
EDWARD J.B. CALVO
Senator and Secretary of the Legislature

Enclosures (15)

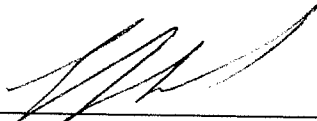
I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 103 (LS), "AN ACT TO MANDATE FIREFIGHTERS TO EARN AN EMERGENCY MEDICAL TECHNICIAN CERTIFICATION, MORE SPECIFICALLY, AN EMT-BASIC OR AN EMT-PARAMEDIC, BY ADDING NEW §§72105.4 AND 72105.5 TO TITLE 10 GCA, ADDING A NEW §6231 TO TITLE 4 GCA AND BY REPEALING TITLE 4 GCA §6223," was on the 17th day of June, 2005, duly and regularly passed.

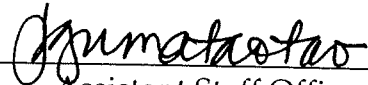

Mark Forbes
Speaker

Attested:

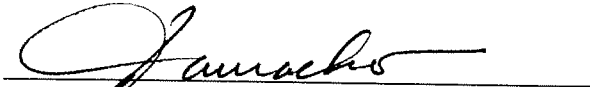


Edward J.B. Calvo
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 20 day of June, 2005,
at 4:50 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 6/30/05

Public Law No. 28-62

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 103 (LS)

As amended on the Floor.

Introduced by:

L. A. Leon Guerrero

Mike Cruz

F. B. Aguon, Jr.

J. M.S. Brown

Edward J.B. Calvo

B. J.F. Cruz

Mark Forbes

L. F. Kasperbauer

R. Klitzkie

J. A. Lujan

A. B. Palacios

R. J. Respicio

Ray Tenorio

A. R. Unpingco

J. T. Won Pat

AN ACT TO MANDATE FIREFIGHTERS TO EARN AN EMERGENCY MEDICAL TECHNICIAN CERTIFICATION, MORE SPECIFICALLY, AN EMT-BASIC OR AN EMT-PARAMEDIC, BY ADDING NEW §§72105.4 AND 72105.5 TO TITLE 10 GCA, ADDING A NEW §6231 TO TITLE 4 GCA AND BY REPEALING TITLE 4 GCA §6223.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the Guam Fire Department ("GFD") is tasked not only with
4 preventing, controlling and extinguishing fires, but also with maintaining and
5 administering an emergency medical and rescue services system.

1 Consequently, some of GFD's firefighters go through training to earn their
2 Emergency Medical Technician-Basic certification, and those wishing the most
3 advanced level of training can go through the Paramedic certification
4 program.

5 Because of the importance of having a firefighter respond to fires and
6 other emergencies, while simultaneously aiding those injured and sick, many
7 of our nation's fire departments now require their firefighters to have an EMT
8 certification. Accordingly, it is the intent of *I Liheslaturan Guåhan* to follow the
9 growing trend of our nation's fire departments by mandating our island's
10 firefighters to earn an emergency medical technician certification, more
11 specifically, an EMT-Basic or an EMT-Paramedic.

12 In addition, it is the intent of *I Liheslaturan Guåhan* to fund for the EMT
13 certification of firefighters who currently do not have an EMT-Basic or an
14 EMT-Paramedic certification.

15 **Section 2.** A new Section 72105.4 is hereby *added* to Chapter 72 of
16 Division 3 of Title 10, Guam Code Annotated, to read as follows:

17 "§72105.4. **Emergency Medical Technicians.** Every Guam Fire
18 Department firefighter shall obtain and maintain Emergency Medical
19 Technician Basic (EMT-B) certification, after which he may undergo
20 advanced training to earn either an Emergency Medical Technician-
21 Intermediate (EMT-I) or Emergency Medical Technician-Paramedic
22 (EMT-P) certification subject to the written authorization of the Fire
23 Chief of the Guam Fire Department."

24 **Section 3.** A new Section 72105.5 is hereby *added* to Chapter 72 of
25 Division 3 of Title 10, Guam Code Annotated, to read as follows:

1 “§72105.5. Immediately after the Civil Service Commission makes
2 its recommendations pursuant to 4 GCA §6231, the Guam Fire
3 Department shall provide in its budget funding for the salary
4 adjustments for firefighters as recommended by the Commission.”

5 **Section 4. A new Section 6231 is hereby *added* to Article 2 of**
6 **Chapter 6 of Title 4, Guam Code Annotated, to read as follows:**

7 “§6231. The Civil Service Commission shall triennially review all
8 positions requiring certification as either EMT-B, EMT-I, or an EMT-P
9 and recommend salary adjustments based on such qualifications to be
10 competitive with national salary schedules.”

11 **Section 5. Section 6223 of Article 2 of Chapter 6 of Title 4, Guam**
12 **Code Annotated, is hereby *repealed*.**

13 **Section 6.** Within thirty (30) days after the enactment of this Act, the
14 Civil Service Commission shall review the salaries of Guam Fire Department
15 firefighters who are also Emergency Medical Technician-Intermediate (EMT-I)
16 certified, and shall make salary adjustments as appropriate.

17 **Section 7. Effective Date of 10 GCA §72105.4.** Section 72105.4 of
18 Chapter 72 of Division 3 of Title 10, Guam Code Annotated, shall be effective
19 one (1) year from the enactment of this Act.

20 **Section 8. Severability.** *If* any of the provisions of this Act or the
21 application thereof to any person or circumstance is held invalid, such
22 invalidity shall *not* affect any other provision or application of this Act which
23 can be given effect without the invalid provision or application, and to this
24 end the provisions of this Act are severable.

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2005 (FIRST) Regular Session

Date: 6/17/05

VOTING SHEET

Bill No. 103(EC)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J.F.	✓				
CRUZ, Michael (Dr.)	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
KLITZKIE, Robert	✓				
LEON GUERRERO, Lourdes A.	✓				✓
LUJAN, Jesse A.	✓				
PALACIOS, Adolpho B.	✓				
RESPICIO, Rory J.	✓				
TENORIO, Ray	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

14

1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

P.L. 28-62



Senator Mike Cruz, M.D.
Chairman, Committee on Health & Human Services
I Mina'Bente Ocho Na Liheslaturan Guåhan
155 Hesler St., Hagåtña, Guam 96910
Tel: (671) 477-5960/2/3 Fax: (671) 477-5984
email: senmike@ite.net

May 26, 2005

The Honorable Mark Forbes
Speaker
I Mina'Bente Ocho Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910


Dear Speaker Forbes:

The Committee on Health and Human Services, to which was referred, **Bill 103 (LS) An act to mandate firefighters to earn an emergency medical services certification, more specifically, an EMT-Basic or an EMT-Paramedic**, now wishes to report back the same with the recommendation **TO PASS**.

The voting record is as follows:

TO PASS	<u> 3 </u>
NOT TO PASS	<u> </u>
TO REPORT OUT ONLY	<u> 4 </u>
ABSTAIN	<u> </u>
TO PLACE IN INACTIVE FILE	<u> </u>

A copy of the Committee Report and other pertinent documents are attached for your information and file.


MIKE CRUZ, M.D.
Senator





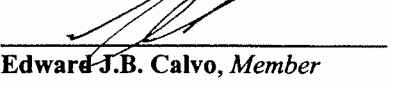
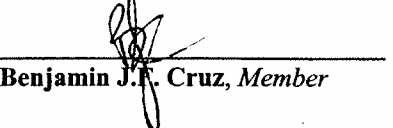



Senator Mike Cruz, M.D.

Chairman, Committee on Health & Human Services

Voting Sheet

Bill 103 (LS): An act to mandate firefighters to earn an emergency medical services certification, more specifically, an EMT-Basic or an EMT-Paramedic.

<u>Name</u>	<u>To Pass</u>	<u>Not to Pass</u>	<u>To Report Out Only</u>	<u>Abstain</u>	<u>To Place in Inactive File</u>
 Mike Cruz, M.D., <i>Chairman</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jesse A. Lujan, <i>Vice Chairman</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Lawrence F. Kasperbauer, <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ray Tenorio, <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Antonio R. Unpingco, <i>Member</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Edward J.B. Calvo, <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne M.S. Brown, <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank B. Aguon, Jr., <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lou A. Leon Guerrero, <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Benjamin J.F. Cruz, <i>Member</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rory J. Respicio, <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Adolpho Palacios, <i>Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Forbes, <i>Ex-Officio Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMITTEE ON HEALTH & HUMAN SERVICES
COMMITTEE REPORT

Bill 103 (LS): An act to mandate firefighters to earn an emergency medical services certification, more specifically, an EMT-Basic
Bill 103 (LS): An act to mandate firefighters to earn an emergency medical services certification, more specifically, an EMT-Basic or an EMT-Paramedic.

Members present: Chairman Mike Cruz Vice Chair Jesse A. Lujan
 Senator B. J. Cruz Senator Ray Tenorio
 Senator Adolpho Palacios Senator Eddie Calvo
 Senator Frank B. Aguon, Jr.

Senator Mike Cruz, Chairman of the Committee on Health and Human Services called the public hearing to order on May 25, 2005 at 4:10 p.m. in the Public Hearing Room of *I Mina Bente Ocho Na Liheslaturan Guahan* and introduced **Bill 103 (LS): An act to mandate firefighters to earn an emergency medical services certification, more specifically, an EMT-Basic or an EMT-Paramedic**, authored by Senator Lou Leon Guerrero, who submitted her written comments for the record to be read in her absence (off-island) from this public hearing.

Chairman Cruz read from the author's memorandum wherein she thanked the Chair for expediting a public hearing on Bill 103. Senator Leon Guerrero apologized for her absence (attending the APIL conference) and stressed the importance of this legislation, which addresses the Emergency Medical System in our community. She thanked the GFD for their consistent pursuit in providing quality care, stating that "we must support their efforts and we must invest in the value of their work. Furthermore, Bill 103 will allow the CSC to compensate these brave men and women appropriately and to allow for continuous upgrade of their skills."

Written testimonies in favor of Bill 103 (LS) were also submitted by:

- (1) **Raymond G. Santos**, requesting consideration of including the Guam International Airport Authority Aircraft Rescue Fire Fighting (ARFF) unit as a part of this bill.
- (2) Asst. Fire Chief **Anthony P. Rabon** in his current capacity as Chief of the Emergency Medical Services and Rescue Bureau, noting that Bill 61 introduced by Senator Frank Aguon, Jr. addressed the formulation and permanency of the Advanced Life Support (ALS) Program within the GFD, and Bill 106 introduced by Senator B. J. Cruz seeks to appropriate the necessary funds to remediate pay disparity and uniform stipends. Chief Rabon stated that although he applauds the intent of Bill 103, which provides for the mandate of certification, it does not address a funding source.

Testimonies on Bill 103 (LS) were heard from:

- (1) **Tomas DP Fegurur**, read from prepared testimony in support of Bill 103, stating that it should create and accurately classify a dual role firefighter, compensate accordingly and prevent indiscriminate deductions.
- (2) **Joey San Nicolas**, read from prepared testimony pledging full support of Bill 103, as a firefighter, but more so as a citizen; with one recommendation to include the Airport Rescue and Firefighting Unit to ensure that the standard of care is consistent throughout the Guam firefighters.
- (3) **George D. Aquino**, Acting Fire Chief of the Guam Fire Department, read from prepared testimony in support of Bill 103, citing several concerns about the certification mandate affecting the job classification and title as firefighters, and made suggestions for the CSC to review these additional duties for both EMT-

B and EMT-I and make appropriate salary adjustments. Chief Aquino concluded his testimony pledging full support of GFD providing the highest quality of pre-hospital emergency care and transportation *“if this legislation were to identify a consistent funding source to train, certify and provide for equipment and other needs of the EMT-Bs, EMT-Is and Paramedics.”*

- (4) **John P. Santos**, Fire Captain assigned as the EMS/ALS Officer-in-charge, presented oral (and submitted written) testimony, noting that Bill 103 (as written) is of good intention, but raises a few concerns. In particular, Captain Santos focused on SECTION 4, wherein he addressed the national burnout rate for EMTs (6 years), depending on the workload; the bill does not address this particular issue. Requiring the certification does not allow leeway to prevent burnout. He also cited that the manpower shortage because of the military contingent affect the staffing of these critical position and add to the stresses of the job. He also requested reconsideration of the 15% incentive pay, stating that those individuals who want to receive this pay can remain certified and continue working within the EMS bureau (thus receiving the extra pay), and those who do not, don't. Captain Santos also addressed SECTION 9, wherein he questioned the one-time appropriation to fund the certification and training; although it addresses current needs, it does not allow for continuity of funds needed for training. As a line agency, a permanent funding source must be identified.
- (5) **Anthony Morocco, M.D.**, Guam EMS Medical Director, read from prepared testimony in support of Bill 103, which aims to establish a paramedic program within the Guam Fire Department, noting that GFD may soon lose the Advanced Life Support (ALS) capabilities. Dr. Morocco cited the benefits of this move to mandate certification, as it would enhance the skills and autonomy of our current ALS providers and our GFD paramedics can be held to a national standard for excellence. As a result of increasing the level of service, Dr. Morocco suggested that to address the increasing cost, Guam should consider a **billing revenue** using the current Medicare fee schedule. That number includes only private insurance and Medicare patients; not MIP, Medicaid or self-pay. This income (est. \$1,000,000/year) could pay for the ALS program and EMS supplied and equipment.
- (6) **Rueben Olivas**, a Fire Captain with the Guam Fire Department, who read from prepared testimony in support of Bill 103. Captain Olivas addressed two important notes: (1) Executive Order 2001-01, signed by former Governor Carl T.C. Gutierrez on January 23, 2001, which mandated that all firefighters (Firefighter I through Fire Captain) be EMT-B certified and compensated; this included the GIAA ARFF unit. Although certification has been maintained, the EMT performance pay has not been paid for the last couple of years. (2) Passage of this legislation will allow the ALS program budget to be included into the GFD budget request. Further, Captain Olivas noted that the GIAA ARFF unit should be included to remain consistent with the Executive Order as well as the proposed reorganization of GovGuam, which includes incorporating ARFF within the GFD. He also noted some points for clarification within the language of Bill 103: a) Within the title of Bill 103, the “or” should be stricken; b) Amend page 4, section 10, lines 21 through 25 to read, “all Government of Guam firefighters and those firefighters that are also Emergency Medical Technician-Intermediate (EMT-I) certified.”
- (7) **Doug Sherwin**, a member of the Advanced Life Support Team, commented on the salary costs for EMT-Basics and Paramedics. He is in favor of the mandatory EMT-Basic certification for all front-line firefighters, concurring with the Chairman's statements that they are often first-responders at an emergency scene and as such should be able to administer basic EMT services. The number of paramedics should be determined by the management. He also recommended that the title be amended to remove “or an EMT-Paramedic.”
- (8) **Ted Nelson**, former Senator and Speaker of the Legislature, spoke in favor of Bill 103, and commented that every firefighter should be EMT certified. He spoke of the time back in 1986 when they had an ambulance shortages, as well as the growing needs of the GFD, and listed his efforts to address that situation. He stated that despite the challenges he faced, Senator Nelson said that it was all well worth it.

DISCUSSION:

Chairman Cruz asked Fire Chief Aquino (after his testimony) if he knew the estimate as to what the additional amounts were needed based on the staffing numbers at present. Fire Captain John Santos replied in for the Fire Chief that there are currently 360-380 firefighters. By September 2005, 142 need to be re-certified. Another extension is not allowed. By March 2006,

the remaining EMTs will need to be re-certified. Therefore, where it is stated that GFD should seek the funding from within their budget to conduct the training, he states that it is not realistic because in reality, GFD is never given the full budget as requested.

Senator Frank B. Aguon, Jr. interjected that in this amount was, in fact, reflected in the budget adopted in FY'05. Therefore, for clarification purposes, the Senator stated that what was requested by the front office – by the Chief Executive – for the Fire Department was provided in this Fiscal Year's budget. He cautioned Captain Santos from making general statements, as he made in his last sentence, because the senator attested that education, public safety and health care have been made a priority by the legislators, regardless of whether it was in the last four months or in the previous legislature.

Chairman Cruz thanked Senator Aguon for that historical knowledge because it was not available to him. He also asked Captain Santos what the process was for certification and how much it cost per individual.

Fire Captain Santos apologized as well to Senator Aguon for his statement because he was not privy to that knowledge himself and made it based on what he sees on a daily basis. He went on to clarify to explain to the Committee the process of the EMS training. Further, he noted that there is no EMS commission to oversee the system and stated that at GCC, it costs about \$55/credit unit x 3 credits plus a \$30 lab fee and additional administrative fee of \$10-15 dollars. Including books, total cost is \$260/individual – multiplied by 142 (current personnel needing certification before September).

Chairman Cruz apologized for not introducing his committee members, acknowledging Senators Palacios and Tenorio, as well as Senator Aguon, and asked if they had any questions of the testifiers.

Senator Frank Aguon took this opportunity to note that Chairman Cruz brought up a good point about the actual amount needed by the Fire Department in this fiscal year to address the balance of the requirements. He suggests that it be broken down into components – FY'05 – what that amount would have been if everyone was paid that particular differential beginning October 1st – and then another figure, based on a monthly allocation, because if this bill makes it to next session's agenda (possibly on June 6th), then it should be inclusive of June-July-August and September for the balance of the fiscal year. Senator Aguon agreed with the Chairman that it would behoove them to get the actual figure needed to take care of our firefighters and ensure that they are properly compensated based on the provisions contained.

Another issue he addressed was the complimentary provisions in this Bill 103 to his Bill 61. Apologizing to Chairman Cruz, Senator Aguon noted that he brings up Bill 61 as something he has worked on extensively and stated that the Oversight Chair (Senator Tenorio) is aware of the provisions contained therein. To some extent, he noted that they mirror and compliment the other; therefore, he asked how they could mesh the two legislations – not necessarily into one – but not to lose the primary intents in both bills. He also addressed that one colleague suggested a 'retro' measure; however, he suggested that we move forward to prevent the measure from shutting down. Further, he apologized for his defense of the previous legislature's fiscal year

appropriations and stated that the approval of the budget goes above and beyond the rank of Fire Chief – the budget decisions are being made by those not cognizant of what is really going on out in the field.

Senator Ray Tenorio asked Captain Santos if instruction on basic life saving skills are mandatory in the Fire Academy, to which he replied in the affirmative. He asked if re-certification as a first responder is required after graduation, to which Captain Santos cited the requirements for re-certification as required by law. Therefore, Senator Tenorio noted that this re-certification is already happening and asked if it would be in the best interest of the people of Guam to allow GFD to determine the breadth and scope of the EMT-B, EMT-I and EMT-P programs, which is the basic, intermediate and paramedic; or should the legislators make that decision. Captain Santos commented that that should be a management issue.

Fire Chief Aquino clarified that at present, the re-certification is not mandated by law; however, the firefighters maintain their certification because of the 15% incentive, although they have not been paid for the last couple of years. He noted that he extended their certification to prevent them from ‘backing off’ but he stated that the 15% is being restored. Captain Santos elaborated that the 15% incentive pay was how the individual was paying for his certification.

Chairman Cruz acknowledged the presence of Senator Calvo and invited Senator Palacios to make comment.

Senator Palacios addressed his concern about identifying the funding for personnel, qualifications and such; however, he stressed the need to identify funding for equipment. Although he agrees and supports the upgrade of pay; however, he notes that equipment is needed and the funding for it must be also taken into consideration.

He also stated his concern that the fee structure (already approved) is not in place to date. He believes that there should be a recovery of cost – a user fee – for those who are serviced by this department.

Chairman Cruz also acknowledged the arrival of Senators Eddie Calvo, B.J. Cruz and Jesse Lujan.

Senator Calvo apologized for his tardiness; however, he noted that with regard to the budget, he cited that the current of the Police and Fire Departments, as well as with other departments – especially with full restoration of increments as of June 17th – the reality of the financial condition of the Government of Guam must not be overlooked. The question is on whether we can afford it? Once we establish a mandate, can we fund it? With the mandate for every firefighter to be certified, but with not enough ambulances or with no place to put them – the budgetary impact may dictate whether or not his committee would be able to move forward with the request. He also concurred with Dr. Morocco’s testimony that the insurance companies do pay for ambulance services. He will bring up this point during Friday’s budget hearings and plans to ask the Governor – the administration – is his position regarding re-evaluation and assessments. Further, he encouraged Dr. Morocco to include his statements as such during the budget hearings.

Chairman Cruz thanked all the senators who provided input as well as those testifying on Bill 103 and summarized that it is obvious that there is unquestionable support that health care is as best as we can get here on Guam. The Firefighters/Paramedics are the first responders in the health care team that we have. In fact, they are probably the first health care person seen by some patients. That we need a better system – that we need to reward our firefighters that get the certifications that they need – goes without saying. But as in everything else on Guam, the question is whether or not we can afford it. But as Firefighter San Nicolas stated, “Can we afford not to save human lives?” He applauds the services of these men. The Committee on Health & Human Services will take all comments and input into consideration.

COMMITTEE FINDINGS:

Although there were concerns addressed by Senator Frank Aguon (the author of Bill 61) about the similarity of intent in both Bill 61 and Bill 103, the committee determined that Bill 61, relative to establishing a critical life-saving advanced life support program within GFD was heard on April 12, 2005 by the Committee on Justice, Public Safety, Youth & Foreign Affairs chaired by Senator Ray Tenorio. Accordingly, Bill 61 should be reported out by that committee. Likewise, Bill 106, authored by Senator B.J. Cruz, which addresses the funding issue for personnel services, has been forwarded to the Committee on Finance, Taxation & Commerce, chaired by Senator Eddie Calvo. The Committee further finds that there is no need to make any change to the language of Bill 103 (LS) in its present form as it relates to mandating emergency medical services certification.

COMMITTEE RECOMMENDATION: The Committee on Health & Human Services recommends that **Bill 103 (LS): An act to mandate firefighters to earn an emergency medical services certification, more specifically, an EMT-Basic or an EMT-Paramedic**, be submitted to I Mina Bente Ocho Na Liheslaturan Guahan with a recommendation **TO PASS**.

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 103 (LS)

Introduced by: L.A. Leon Guerrero,
M. Cruz

**AN ACT TO MANDATE FIREFIGHTERS TO EARN AN
EMERGENCY MEDICAL SERVICES CERTIFICATION,
MORE SPECIFICALLY, AN EMT-BASIC OR AN EMT-
PARAMEDIC.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent and Findings. *I Liheslaturan Guahan* finds that the Guam Fire Department ("GFD") is not only tasked with prevention, controlling and extinguishing of fires, but also, it is tasked with maintaining and administering an emergency medical and rescue services system. Consequently, some of GFD's firefighters go through training to earn their Emergency Medical Technician-Basic ("EMT-Basic") certification, and for those wishing the most advanced level of training, they go through the Paramedic certification program.

Because of the importance of having a firefighter respond to fires and other emergencies, while simultaneously aiding those injured and sick, many of our nation's fire departments now require their firefighters to have an EMT certification. Accordingly, it is the intent of *I Liheslaturan Guahan*, to follow the growing trend of our nation's fire departments by mandating our island's firefighters to earn an emergency medical services

certification, more specifically, an EMT-Basic or an EMT-Paramedic.

In addition, it is the intent of *I Liheslaturan Guahan* to fund for the EMT certification of firefighters who currently do not have an EMT-Basic or an EMT-Paramedic certification. While this may cost the government of Guam money, the ability of our island's firefighters to save lives cannot be outweighed by any dollar figure.

[**Section 2.** Section 72101 of Chapter 72 of Division 3 of Title 10, Guam Code Annotated, is hereby *amended* to read as follows:

"§72101. Powers and Duties. The Guam Fire Department shall have the power and duty to control and extinguish injurious or dangerous fires and to remove that which is liable to cause such fires, and to enforce all laws relating to the preventing or spreading of fires and all laws pertaining to fire control and fire hazards within the Territory. The Guam Fire Department shall also have the power and duty of maintaining an emergency medical and rescue services system."]

Section 3. Section 72105 of Chapter 72 of Division 3 of Title 10, Guam Code Annotated, is hereby *amended* to read as follows:

"§72105. Emergency Medical Services. ~~The Fire Department shall have the power and the responsibility of maintaining an emergency medical and rescue services system.~~ The Guam Fire Department shall employ emergency medical services personnel who have been certified to provide such services under the provisions of Chapter 84, 10 GCA. The Fire Department shall maintain and operate equipment necessary to convey on land and sea an individual who is acutely ill, injured, incapacitated or helpless and requires emergency care. The Fire

Department personnel shall provide emergency medical assistance on the scene and enroute to designated emergency medical services facilities to the full extent of their certification by the Emergency Medical Services Commission."

Section 4. A new Section 72105.1 is hereby *added* to Chapter 72 of Division 3 of Title 10, Guam Code Annotated, to read as follows:

"§72105.1. **Emergency Medical Technicians.** Each Guam Fire Department firefighter, at a minimum, shall be certified as an Emergency Medical Technician-Basic (EMT-Basic). Thereafter, each firefighter EMT-Basic may undergo advanced training to earn an Emergency Medical Technician-Paramedic (EMT-Paramedic) certification."

Section 6. A new Section 72105.2 is hereby *added* to Chapter 72 of Division 3 of Title 10, Guam Code Annotated, to read as follows:

"§72105.2. Immediately after the Civil Service Commission ("Commission") makes its recommendations pursuant to 4 GCA § 6231, the Guam Fire Department shall provide in its budget funding for the salary adjustments as recommended by the Commission."

Section 7. A new Section 6231 is hereby added to Article 2 of Chapter 6 of Title 4, Guam Code Annotated, to read as follows:

"§6231. The Civil Service Commission shall review and reevaluate the Guam Fire Department's firefighter positions and make necessary salary upgrades based on their added duty, responsibility and qualification, pursuant to 10 GCA §72105.1, as a certified EMT-Basic or an EMT-Paramedic. The salary schedules shall be competitive with the National average. Thereafter, the

salary schedules shall be reviewed by the Commission every three (3) years, and upgraded as needed.”

Section 8. Section 6223 of Article 2 of Chapter 6 of Title 4, Guam Code Annotated, is hereby deleted in its entirety.

Section 9. The Guam Fire Department shall request from *Liheslatura* a one-time appropriation from the Safe Street, Safe Homes Fund, for the purpose of funding Emergency Medical Services certifications and re-certifications of the Guam Fire Department’s firefighters. Thereafter, the Guam Fire Department shall provide in its budget funding for any subsequent Emergency Medical Services certifications and/or re-certifications of its firefighters.

Section 10. Within thirty (30) days upon the enactment of this Act, the Civil Service Commission shall immediately review the salaries of Guam Fire Department firefighters who are also an Emergency Medical Technician-Intermediate (EMT-I) certified, and shall make salary adjustments as appropriate.

Section 11. Effective Date of 10 GCA §72105.1. Section 72105.1 of Chapter 72 of Division 3 of Title 10, Guam Code Annotated, shall be effective one (1) year from the enactment of this Act.

Section 12. Severability. If any of the provisions of this Act or the application thereof to any person or circumstance is 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.



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Mina' Bente Ocho Na Liheslaturan Guahan
TWENTY-EIGHTH GUAM LEGISLATURE
Senator Lou A. Leon Guerrero

May 23, 2005

Memorandum

To: Senator Mike Cruz
From: *Sen Lou* Senator Lou Leon Guerrero
Re: Bill 103

Thank you for expediting a public hearing for Bill 103. I apologize that I will be off island attending the APIL Conference and unfortunately will not be present at the hearing. However, this is a very important piece of legislation that will address some of the issues raised with the Emergency Medical System in our community.

Bill 103 is a permanent solution to the whole issue of our men and women out in the fields fighting to save the lives of our people. They are on the front line, first on the scene and *must* be supported with the knowledge and skills that they *must* have to deliver critical and safe care. Bill 103 will also upgrade the level of service delivered and to advance the care delivered to be in line with standards of community emergency services. I thank the firefighters for their consistent pursuit in providing quality care to our community. We must support their efforts and we must invest in the value of their work.

Furthermore, Bill 103 will allow CSC to compensate these brave men and women appropriately and to also allow for continuous upgrade of their skills.

Thank you.

Committee on
General &
Omnibus
Matters
Member

Committee on
Health &
Human
Services
Member

Committee on
Natural
Resources,
Utilities &
Micronesia
Affairs
Member

RECEIVED
DATE: *5/24/05*

W

To: Senator Mike M. D. Cruz

From: Raymond G. Santos

Subject: Written Testimony for Bill 103 - Inclusion of the Guam International Airport Authority, Aircraft Rescue Fire Fighting (ARFF)

Date: May 24, 2005

Dear Senator:

On behalf of the men and women of the Guam International Airport Authority, Aircraft Rescue and Fire Fighting Division (ARFF), we would like to be considered, to be entered into the language of Bill 103. Presently 90% of our 32 personnel are EMT-B certified. We provide basic life support for the flying public, the GIAA employees, tenants and all who visit our facilities.

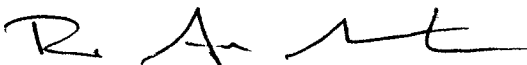
We are bound to the minimum requirements of the FAA, which would be the CFR, FAR Part 139. The minimum is 40 hours of Basic First Aid and CPR, or First Responder Level. The 90% of the personnel previously mentioned chose to go beyond the minimum required and have attained and retained an EMT-B certification. If we were to be included into Bill 103 the minimum standard or Job Qualification Standard will be EMT-B. This will bring the level of care at the airport one level above the required.

If an air disaster were to occur our mission is to provide fire protection, rescue, treatment and triage of all victims and prepare them for a systematic transport. The islands Emergency Disaster Plan will be activated and all other agencies will respond accordingly. The GIAA ARFF are the initial responders and we will provide all Emergency Medical Services prior the arrival of mutual aid.

On a daily basis we are dispatched to various EMS calls, we provide Basic Life Support to victims prior to the arrival of an ambulance. We treat, triage and package victims and ready them for a smooth transfer of care to an ambulance. The only service we do not provide is transport. Our services augment the local EMS system and provide for a more pleasant experience for our tourist industry. We are the first and last impression to our islands tourist driven economy.

Your consideration in this matter will be greatly appreciated.

Regards,



Raymond G. Santos

RECEIVED
DATE: 5/25/05
52502

Testimony on Bill 103(LS)
By Assistant Fire Chief Anthony P. Rabon
Chief, EMS/Rescue Bureau, Guam Fire Department
To
The Committee on Health and Human Services
I Mina'Bente Ocho na Liheslaturan Guåhan
On
Wednesday, May 25, 2005
4:00 p.m.
at the temporary Legislative Building Session Hall
Hågatña, Guåhan

Hafa Adai yan Buenas!

Mr. Chairman, Dr. Mike Cruz; and distinguished members of the Committee on Health and Human Services. Please permit me to introduce myself, I am Anthony P. Rabon, an Assistant Fire Chief of the Guam Fire Department and recent as last week, now serves as the Chief, Emergency Medical Services and Rescue Bureau.

I am honored and privileged to be able to provide this testimony on Bill 103; an "Act to mandate Firefighters to earn an Emergency Medical Services certification, more specifically, an Emergency Medical Technician – Basic or an Emergency Medical Technician – Paramedic".

The GFD EMS/RESCUE mission is to ensure quality patient care by administering an effective island-wide system of coordinated emergency medical care, injury prevention, and disaster medical response.

Our Emergency Medical Services was not always like we see it today. It was not so long ago that the function of an ambulance crew was to race to the scene, snatch the patient and race back to the hospital. As one may imagine, this was not an effective method of saving lives.

Our EMS has evolved from the days of the biblical "Good Samaritan", Roman Wars, and Napoleon's "es ambulances volantes" consisting of horse drawn wagons staffed with battlefield caregivers. Similar systems, commonly operated by hospitals and funeral homes, were used in various American cities soon after the end of the Civil War. The "modern" era of EMS was created in the late 1960's to early 1970's with coordinated transport and prehospital interventions, to provide earlier, more intensive care to the community.

Between 1963 and 1966, the National Academy of Science convened a group of experts to address the spiraling toll of trauma in the U.S. Their findings, published in 1966, pointed out that soldiers in Vietnam received faster medical care than motor vehicle accident (MVA) victims on U.S. highways and more people died in MVA's each year than the entire Korean War.

The Emergency Medical Services Systems Act of 1973 (Public Law 93-154) developed a systematic approach to EMS care. The United States EMS trained and empowered physician surrogates (i.e., Emergency Medical Technician (EMT) to deliver prehospital patient care.

The following 15 components were identified as essential to the Emergency Medical System:

- COMMUNICATIONS
- TRAINING
- MANPOWER
- MUTUAL AID
- TRANSPORTATION
- ACCESSIBILITY
- FACILITIES
- CRITICAL CARE UNITS
- TRANSFER OF CARE
- CONSUMER PARTICIPATION
- PUBLIC EDUCATION
- PUBLIC SAFETY AGENCIES
- STANDARD MEDICAL RECORDS
- INDEPENDENT REVIEW AND EVALUATION
- DISASTER LINKAGE

The initial EMS design subsequently was proven deficient in many respects, including medical direction and accountability, prevention, rehabilitation, financing, and operational and patient care protocols. EMS continued to be refined in the 1980s and through this date, even after most federal funding had ended. Today, prehospital care has evolved into an indispensable element of public well being, peace of mind, safety, and health.

EMS is a mix of good science, expedient medicine, and ingrained practice. That's why EMS changes all the time: because people keep trying new things, examining how they work, and making appropriate adjustments. That's why training – so important throughout the fire services – is especially key in EMS.

As providers, we are trained to meet expectations and requirements in programs and comply with local and federal standards. Training includes didactic, clinical and field components. We are required to pass written and practical examinations (160 hours of classroom/clinical) for EMT- B (48 hours of classroom/clinical for recertification). Additionally, EMTs are required to receive continuing didactic and clinical education to maintain certification.

Education is used to reinforce proper patient care, update standards and protocols, and remedy perceived deficiencies in patient care. Physician involvement is essential (Medical Director) to assure appropriate utilization of

skills and equipment. The EMS also provides community education, such as courses offered to the public in cardio-pulmonary resuscitation (CPR), first aid, child safety, and EMS access.

Protocols are developed to deal with operational, administrative, and patient care issues. They define a standardized acceptable approach to commonly encountered problems. Guam's protocol reflect local and federal standards, as well as the uniqueness and limitations of the local environment. The medical director has the responsibility to address protocols dealing with patient care such as triage and treatment.

Triage assesses the condition of each patient, sorts patients into treatment categories, and optimizes use of field resources for treatment and transportation. In addition, triage addresses the level of provider capability and the level of response needed to care for the patient. Specific triage criteria are essential during multiple casualty incidents to facilitate the screening, prioritization, treatment, and transport of patients.

Treatment protocols describe the authority and responsibility of providers and offer guidance for medical evaluation and care. Optimal care and medical accountability require standardized protocols, algorithms, and standing orders that outline specific actions providers can take without contacting a physician for orders. Any deviation from these standing orders must be considered a breach of duty and must result in an audit. On line medical direction in systems requiring decision making to provide guidance and assume some of the patient care responsibilities.

We strive for continuous quality improvement (CQI). It is the sum of all activities undertaken to assess and improve the products and services we provide. Our goal is to influence patient outcomes positively by delivering timely, consistent, appropriate, compassionate, and cost effective services.

The measure before us provides for the mandate of certification, however, does not guide us as to how to fund such an endeavor.

I applaud the intent, and I support this measure but more needs to be addressed as echoed by I'm sure all that will testify to this Bill. I commend the leadership of this auspicious body for their due diligence in attempting to redress a long awaited remedy to a constantly evolving field of public service.

Bill 61, introduced by Senator Frank Aguon, Jr. addresses the formulation and permanency of the Advanced Life Support (ALS) program within the Guam Fire Department. Bill 106, seeks to appropriate the necessary funds to remediate pay disparity, and uniform stipends.

I am hopeful that this legislative body considers an "omnibus" Fire Department Reform Act to incorporate all that is desired to make our Guam Fire Department a shining example once again.

May 25, 2005

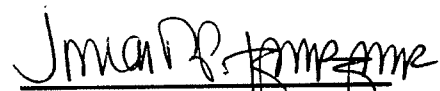
TESTIMONY, BILL 103

Chairperson and Committee Members:

I support Bill 103 for a few reasons. First, it certifies and creates new positions for Firefighter EMT and Firefighter Paramedic. Second, the positions should appropriately reclassify existing firefighters to accurately describe the job they perform. And third, allow a mechanism to adjust existing firefighter salaries simplifying unsettled compensation issues.

The Guam Fire Department continues to mimic aspects of the Fire Industry, appropriately so because it sets standards and direction for developing fire services. In keeping with industry standards, firefighter duties have progressively evolved taking on additional EMT (Emergency Medical Technician) responsibilities. That added responsibility is due to increasing pre-hospital demands within our community, prior, little was done for patient care today, EMT duties are fully incorporated into daily fire operations. PL 19-52 mandates minimum standards for EMT services and Bill 61, seeks to mandate a higher standard of EMT service at the Advance Life Support level. Their dual role justifies reclassifying Firefighters to Firefighter EMT or Firefighter Paramedic positions consistent with Fire Industry titles.

Because of additional duties and the lacked of a position to fairly compensate the Firefighter EMT, a 15% differential pay was added to their salary. It is better known as EMT incentive pay for retention, certification and additional duty compensation. The incentive is appreciated but at the same time demoralizing and problematic. Demoralizing because it is arbitrarily unpaid for one reason or another but those same reasons are not applied to other employees who continue to receive 100% of their salary. I don't think any private or public employee would appreciate a 15% deduction while other employees receive full compensation. Problematic because who receives and at what percentage? Not only are there EMTs in the Fire Department but they are also in other government entities. Please keep in mind that these concerns have gone on for many years and it needs to be corrected. If passed, Bill 103 should create and accurately classify a dual role firefighter, compensate accordingly and prevent indiscriminate deductions.


TOMAS DP. REGURGUR

Bill 103 Testimony

Hafa Adai Mr. Chairperson and Committee Members,

My name is Joey San Nicolas, a firefighter with the Guam Fire Department and most importantly, a citizen of the island of Guam. I am here today to pledge my full support of Bill 103 that seeks to raise the standard of care of your Guam Firefighters. Though many firefighters have reached this standard of care today, this bill will further ensure that the standard of care will sustain longevity through several models.

First, by making it law that firefighters maintain, at a minimum, EMT-Basic certification and/or EMT Paramedic for those wishing to increase their knowledge, skills and abilities guarantees that our people of Guam will receive the same, higher standard of care that every U.S. citizen is entitled too. This keeps us in-line with the national trend. No matter which responding Fire unit is in contact with your constituents, you can be certain that saving lives is the primary mission.

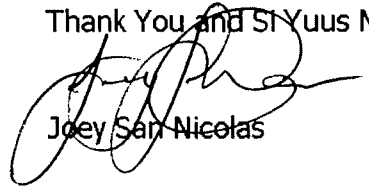
Secondly, just compensation of firefighters holding these certifications has been approached haphazardly by our government. Though its intentions were justifiable, it was left vague in specifications of who is entitled to it and when. This grey area of interpretation has left it vulnerable to be paid to some and not to others who all perform the same duties of an EMT but in different capacities. One capacity is no more important than the other. Equal pay for equal work has not occurred and continues to be an issue that affects the morale, but not the dedication, of your fire service personnel. I say, "Not the dedication", because my fellow firefighters continue to provide professional public service even when we are not being justly compensated. How long will this last, I couldn't tell you, but Bill 103 will ensure that we won't have to find out. EMT-Basic and EMT-Paramedic is an added role and responsibly and should be compensated accordingly.

Finally, Bill 103 identifies an initial funding source that would absorb the costs of this endeavor and mandates the Guam Fire Department to include it in its annual budget requests. This holds many of you to your stated priorities of Public Safety, Health and Education. After all, this issue is a part of two out of the three stated priorities.

One minor adjustment I would like to recommend is language that includes the Aircraft Rescue and Firefighting Unit or ARFF personnel. This ensures that the standard of care of your Guam Firefighters is consistent throughout the island of Guam.

I would like to close with a one bold statement if you will. No one should place a price on life, and by not supporting this bill, you would be doing just that.

Thank You and Si Yuus Maase,


Joey San Nicolas

TESTIMONY
BILL 103
GEORGE D. AQUINO, ACTING FIRE CHIEF,
GUAM FIRE DEPARTMENT

GOOD AFTERNOON SENATOR MIKE CRUZ, CHAIRMAN, COMMITTEE ON HEALTH AND HUMAN SERVICES AND MEMBERS OF THIS COMMITTEE.

MY NAME IS GEORGE D. AQUINO, ACTING FIRE CHIEF OF THE GUAM FIRE DEPARTMENT.

I APPEAR BEFORE YOU TODAY TO TESTIFY ON BILL NO. 103 (LS) AN ACT TO MANDATE FIREFIGHTERS TO EARN AN EMERGENCY MEDICAL SERVICES CERTIFICATIONS MORE SPECIFICALLY, AN EMT-BASIC OR AN EMT-PARAMEDIC.

I AM IN FULL SUPPORT OF THE GUAM FIRE DEPARTMENT TO PROVIDE THE HIGHEST QUALITY OF PRE-HOSPITAL EMERGENCY CARE AND TRANSPORTATION FOR THE SICK AND INJURED. THERE ARE HOWEVER, CONCERNS THAT SHOULD BE CAREFULLY LOOKED INTO PERTAINING TO EMT-INTERMEDIATE AND PARAMEDIC LEVEL OF TRAINING.

ALTHOUGH THE ABILITY OF OUR FIREFIGHTERS TO SAVE LIVES CANNOT BE OUTWEIGHED BY ANY DOLLAR FIGURE, THE FIREFIGHTERS HAVE TO BE ASSURED THAT THIS BILL WOULD

IN NO WAY AFFECT THEIR JOB CLASSIFICATION/TITLE AS FIREFIGHTERS.

SOME OF THESE CONCERNS ARE;

- AFTER SALARY ADJUSTMENTS, WOULD THEIR JOB CLASSIFICATION BE CHANGED IF THEIR PRIMARY DUTIES WERE CONCENTRATED ON EMT-I OR PARAMEDIC DUTIES?
- SALARY ADJUSTMENTS WHICH RESULTS IN AN INCREASE IN SALARY WOULD INSPIRE EMT-Bs TO PURSUE AN EMT-I OR PARAMEDIC LEVEL OF CERTIFICATION. WOULD THIS AFFECT THE NUMBER OF EMT-Bs THAT ARE ASSIGNED TO THE AMBULANCE, FIRE ENGINE OR RESCUE UNITS BEING THAT THEIR SALARY IS BASED ON EMT-I /PARAMEDIC LEVEL OF TRAINING.
- CAN THE GOVERNMENT OF GUAM, GUAM FIRE DEPARTMENT CONSISTENTLY MANAGE TO FUND THE CERTIFICATION OF ALL THE PERSONNEL WHO WISHES TO ADVANCE THEIR LEVELS OF CERTIFICATION? THE BILL PROVIDES FOR A ONE (1) TIME APPROPRIATION WHICH IS NOT SUFFICIENT CONSIDERING THAT THE CERTIFICATION WILL NEED TO BE CONTINUALLY RENEWED. A REFERENCE TO FUTURE FUNDING CALLED "BUDGET FUNDING" DOES NOT CLEAR UP THIS MATTER.
- CAN THE GOVERNMENT OF GUAM, GUAM FIRE DEPARTMENT PROVIDE CONSISTENT FUNDING TO PROVIDE FOR VEHICLES, EQUIPMENT AND OTHER NEEDS TO EFFICIENTLY PERFORM

THIS LEVEL OF SERVICE IMMEDIATELY AFTER IT BECOMES A MANDATE FOR SAID LEVEL OF TRAINING?

THE EMTs ARE CATEGORIZED INTO THREE LEVELS OF CERTIFICATION.

1. EMT-BASIC: IT HAS TRAINING IN BASIC EMERGENCY CARE SKILLS, INCLUDING AUTOMATED DEFIBILLATION; USE OF DEFINITIVE AIRWAY ADJUNCTS, AND ASSISTING PATIENTS WITH CERTAIN MEDICATIONS. THESE EMT-Bs ARE CURRENTLY ASSIGNED TO THE AMBULANCE, FIRE ENGINE AND RESCUE UNITS. THEY REQUIRE 160 HOURS OF TRAINING FOR CERTIFICATION AT A COST OF \$900.00 PER PERSONNEL. FOR RECERTIFICATION, 48 HOURS OF TRAINING AT A COST OF \$669.00 PER PERSONNEL IS REQUIRED.
2. EMT-Is : AN EMT-I HAS ADVANCED TRAINING IN SPECIFIC ASPECTS OF ADVANCED LIFE SUPPORT, SUCH AS INTRAVENOUS (IV) THERAPY. A TOTAL OF 800 HOURS OF TRAINING AT A COST OF \$9,000.00 IS REQUIRED TO ATTAIN CERTIFICATION AS AN EMT-I. FOR RECERTIFICATION, A TOTAL OF 45 HOURS OF TRAINING AT A COST OF \$700.00 IS REQUIRED.
3. EMT-PARAMEDIC: HAS EXTENSIVE TRAINING IN ADVANCED LIFE SUPPORT, INCLUDING IV THERAPY,

PHARMACOLOGY, CARDIO MONITORING, AND OTHER ADVANCED ASSESSMENT AND TREATMENT SKILLS. THIS TRAINING/CERTIFICATION REQUIRES 1,000 HOURS OF TRAINING AT A COST OF \$12,750.00 PER PERSONNEL. FOR RECERTIFICATION, 45 HOURS IS REQUIRED AT A COST OF \$985.00 PER STUDENT.

SIR, ANOTHER CONCERN THAT GFD HAS RELATIVE TO BILL NO. 103 ARE SECTIONS 7 & 10. SECTION 7 REQUIRES CIVIL SERVICE TO REVIEW AND EVALUATE GFD'S FIREFIGHTER POSITIONS AND MAKE NECESSARY SALARY UPGRADES BASED ON THEIR ADDED DUTY, RESPONSIBILITY AND QUALIFICATION AS A CERTIFIED EMT-B OR PARAMEDIC. SECTION 10 REQUIRES CIVIL SERVICE TO IMMEDIATELY REVIEW THE SALARIES OF GFD FIREFIGHTERS WHO ARE ALSO AN EMT-I CERTIFIED AND TO MAKE SALARY ADJUSTMENTS AS APPROPRIATE WITHIN THIRTY (30) DAYS OF ENACTMENT OF THIS ACT. THIS PARTICULAR SECTION MAY BE UNFAIR OR DISCRIMINATES ON THE EMT-B IN THAT THERE IS NO TIMELINE SET FOR CIVIL SERVICE TO EVALUATE THEIR ADDITIONAL DUTIES AND CERTIFICATION. WE FEEL THAT CIVIL SERVICE SHALL BE REQUIRED TO REVIEW BOTH EMT-B'S AND EMT-I'S ADDITIONAL DUTIES AND MAKE APPROPRIATE SALARY ADJUSTMENTS WITHIN THE THIRTY (30) DAYS.

IN CLOSING, I WOULD LIKE TO AGAIN STATE, THAT I AM IN FULL SUPPORT OF THE GUAM FIRE DEPARTMENT TO PROVIDE THE HIGHEST QUALITY OF PRE-HOSPITAL EMERGENCY CARE

AND TRANSPORTATION IF THIS LEGISLATION WERE TO IDENTIFY A CONSISTENT FUNDING SOURCE TO TRAIN, CERTIFY AND PROVIDE FOR EQUIPMENT AND OTHER NEEDS OF THE EMT-Bs, EMT-Is AND PARAMEDICS.

I WANT TO THANK YOU MR. CHAIRMAN AND MEMBERS OF THIS COMMITTEE FOR ALLOWING ME TO TESTIFY BEFORE YOU TODAY.

Skills and Capabilities

“Bringing the Patient to the E.R.”

- - **EMT – Basic (Ambulance)**
 - Patient Assessment
 - First-Aid for Injured
 - Oxygen
 - C.P.R.
 - **Automated External Defibrillator**
 - Transport to Hospital



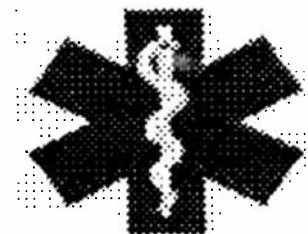
Skills and Capabilities

“Bringing the E.R. to the Patient”

- EMT-Paramedic
 - All EMT-Basic skills and capabilities except transport to hospital.
 - Advance Patient Assessment
 - Diagnostic Equipment
 - Pulse Oximetry
 - Accu-Check
 - EKG Monitor
 - Interventions
 - Advance Airway – Intubation
 - Intravenous Therapy
 - Critical Medications for a variety of critical emergencies
 - Manual External Defibrillator



Training Hours



- EMT-Basic
 - Initial Cert. 120 hrs
 - CPR 8 hrs
 - EVOC 40 hrs

- **Total 168 hrs**

- EMT-B Re-cert. 60 hrs
- Continual Ed. 48 hrs

- EMT-Paramedic
 - EMT-B Total 168 hrs
 - EMT-I Initial Cert. 800 hrs
 - ACLS 16 hrs
 - PALS 16 hrs
 - NALS 8 hrs
 - EKG & Pharm. 16 hrs

- **Total 1024 hrs**

- **Paramedic +200 hrs**

- EMT-I Re-cert. 60 hrs
- Continual Ed. 48 hrs

May 25, 2005

Good afternoon Senator Mike Cruz, Chairman of the Committee on Health and Welfare, and to all Senatorial members. My name is Fire Captain John P. Santos, with the Guam Fire Department. Currently I am assigned as The EMS/ALS Officer-in-Charge. I am here today to testify on Bill 103.

The Guam Fire Department is tasked with many mandates, one being "maintaining and administering an Emergency Medical and Rescue Service System". We are here today to try to address a few concerns with certification and training needs, including funding.

Bill 103 as written is of good intention, but does raise a few concerns.

1) Section 4.

Whereas each Guam Fire Department firefighter, at a minimum, shall be certified as an Emergency Medical Technician-Basic.

This is a great idea and its intention is to provide the people of Guam with increased standard of care.

What we must understand is that the national burnout rate for EMTs is six years, depending on the workload. This bill does not take into consideration or provide any structures to address this particular issue.

I myself have served for sixteen years with this department and have responded or encountered countless runs that were of an extremely traumatic and horrific nature. These events have impacted or subjected me to undue extreme stress that has affected my mental, physical, and emotional well-being. I find myself burnt out.

Requiring all firefighters to maintain an EMT-B certification does not allow any leeway to prevent burnout, we are all still subjects at any time for assignment on an ambulance.

Many may disagree with this and say that with a larger number of EMT's available, that a rotation of duty assignment may be considered to help alleviate burnout. All our EMT's are good, but some are better than others. Now what if you happen to be one of the top EMTs, and you are constantly utilized just for that fact, or due to the lack of personnel, which we often find ourselves in, then you are basically stuck in that assignment, with no one available to replace you. Not knowing on a daily basis what your assignment is, whether to be Engine Company or Ambulance does not help matters. It may in fact just add to your stress. Then you may say, "but that is why we have annual leave". However if you were to research, you would find that

there are always a large number of our employees with excess leave numbering in the hundreds of hours. You will also find that the majority are the same individuals on a yearly basis. This is due to individuals not having an opportunity to take the leave because of manpower shortages, currently due to our military contingent.

We may want to reconsider the position of the 15% incentive pay, and leave well enough alone. Individuals wanting to receive this pay can remain certified, and continue working within the EMS Bureau, thus receiving the extra pay, and those who do not, don't.

2) Section 9

The Guam Fire Department shall request for a one-time appropriation from the Safe Street, Safe Homes Fund, for the purpose of funding emergency medical service certification and re-certification training.


Thereafter, the Guam Fire Department shall provide in its budget, funding for any subsequent certification/re-certification training.

This addresses our current or immediate needs, but does not allow for future continuity of funds needed for training. If the Guam Fire Department is expected to seek from its own budget the source of monies needed, then this is not feasible.

“Why”, you ask?

Historically the Guam Fire Department did not receive the budget that it requested fiscally. We must understand that it is a tax supported agency and as such, a permanent funding source must be identified. If we were like GPA or GWA all we would have to do is increase our rates to provide a funding source. We are not. If cost saving measures are to be taken or for that matter budgets to be cut, it is usually public safety that has been looked upon first. This practice should not continue.

I want to thank you for this opportunity to present this testimony on Bill 103.


John P. Santos
Fire captain
Guam Fire Department

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TESTIMONY TO THE COMMITTEE ON HEALTH AND HUMAN SERVICES

Mike Cruz, Chairman

May 25, 2005

Bill No. 103

Anthony Morocco, M.D.
Guam EMS Medical Director

Senators, my name is Anthony Morocco, and I have served as an Emergency physician at GMH and Medical Director for Guam Emergency Medical Services for two years. I would like to voice my support for Bill 103, which aims to establish a paramedic program within the Guam Fire Department.

We are now at a crossroads in EMS here on Guam. As you know, we may soon lose our Advanced Life Support (ALS) capabilities within GFD. Currently, we have a group of EMT-Intermediates providing this ALS service under a several year old "pilot program". These providers may decertify in July as they have received little support from GFD for their extra work and training. Bill 103 would give legitimacy to this work and help to create a defined rank and commensurate pay for ALS practitioners.

An ALS program is a vital part of our medical system in Guam. The high rates of cardiovascular disease, kidney dysfunction, diabetes, and high blood pressure found in our population results in a large number of critically ill patients in need of hospital transport. Guam may be a relatively small island, but transports often take 20 to 30 minutes, during which advanced medical treatments can be initiated. For patients in need of immediate resuscitation, even a few minutes can make a difference in survival. For this reason, advanced life support, usually in the form of Paramedic care, is standard in nearly all EMS systems in the U.S., both rural and urban. An additional role for ALS personnel is in the area of disasters, both natural and man-made, where dual training in firefighting and medicine is invaluable.

The move from EMT-Intermediate to Paramedic has a number of benefits. First, additional training will result in an enhancement of skills and autonomy for our current ALS providers. From a community relations standpoint, the name "Paramedic" is widely recognized as a standard for prehospital providers. The term EMT-Intermediate is confusing and has widely different meanings depending on the locale. The National Scope of Practice Model for prehospital providers, an ongoing project by the National Highway Traffic Safety Administration to standardize EMT skills and training, does not include the EMT-Intermediate level. Our GFD Paramedics can be held to a national standard for excellence.

Of course, increasing a level of service often means increasing cost. ALS care is not free, and the current fiscal state of the Government of Guam certainly makes a new expenditure difficult. However, for EMS, there is a readily available and untapped funding source. Guam may be the only place in the United States that does not bill for EMS. Government-run EMS elsewhere is supported by a combination of tax money and billing revenue. We calculated in February 2005 a potential income of \$100,000 in billing revenue using the current Medicare fee schedule. That number includes only private insurance and Medicare patients, not MIP, Medicaid, or self-pay. This income of well over \$1,000,000 per year could certainly pay for the ALS program and go a long way in keeping our EMS supplies and equipment in order. Thank you for your consideration of this important legislation.

Anthony Morocco, M.D.

Guam EMS Medical Director, Guam Department of Public Health and Social Services
Chairman, Department of Emergency Medicine, Guam Memorial Hospital

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Testimony of Fire Captain Rueben D. Olivas in Favor of Bill 103

Good afternoon, Mr. Chairman, members of the Committee on Health and Human Services and all those that are gathered here today. My name is Rueben Olivas. I am a Fire Captain with the Guam Fire Department. I have served in the Public Safety arena here and in the United States for nearly 30 years of which nearly 20 of those years have been with the Guam Fire Department. However, I am here today on my own accord to offer testimony in support of Bill 103, an act to mandate firefighters to earn at minimum, an Emergency Medical Technician Basic (EMT-B) certification.

We firefighters are here today because we have a great concern for the quality of services that we provide for the people of Guam, especially when it comes to the type and quality of emergency medical services.

Most people recognize that firefighters fight fires and respond to all sorts of emergencies. We are also known to perform known many public services, and yes, we do in fact take cats out of trees.

Testimony of Fire Captain Rueben D. Olivas in Favor of Bill 103

rank of Firefighter I through Fire Captain were required to be EMT-B certified and be compensated as stated within the Executive Order. This included the members of the Guam International Airport Authority's Fire and Rescue Unit, the other Fire Department on Guam. It went as far as to change our position descriptions from Firefighter I through Fire Captain. In 2000, the Civil Service Commission amended our position descriptions and required the possession of a valid Emergency Medical Technician (EMT) basic certification.

Most of the required certifications were obtained by fire personnel but the EMT performance pay has not been paid for the last couple of years, a direct violation of the Executive Order, which is still in effect.

Secondly, regarding the ALS program, with the passage of this legislation, this pilot program will finally be legitimized whereupon an EMT career path would be extended up to the paramedic level and the ALS program budget would now be

Testimony of Fire Captain Rueben D. Olivas in favor of Bill 103

would be address with additional compensation, should the Civil Service Commission see it just, that salary adjustments be made.

On page 4, Section 10, lines 21 through 25, it reads, "Within thirty (30) days upon the enactment of this Act, the Civil Service Commission shall immediately review the salaries of Guam Fire Department firefighters who are also an Emergency Medical Technician-Intermediate (EMT-I) certified, and shall make salary adjustments as appropriate." We would propose to amend this section to include, "all Government of Guam Firefighters and those firefighters that are also Emergency Medical Technician-Intermediate (EMT-I) certified."

We also support the language of the bill regarding firefighter salary schedules should be competitive with the National average. 4 GCA, Chapter 6, Article 3, Section 6301 subsections (2) & (3) states:

"To the extent practical, compensation will be targeted at the U.S. National Average levels compared to the appropriate labor markets and account taken of the relevant economic factors. Internal equity should be reviewed annually and external competitiveness at least every three (3) years."

Testimony of Fire Captain Rueben D. Olivas in favor of Bill 103

our mandates and compensated accordingly. Bill 103 addresses these issues.

As our basic mission dictates, we save lives and protect property.

We will continue to do so because it is our job and it is the right thing to do.

We firefighters ask that members of this committee, the rest of the Senators of the 28th Guam Legislature and the current Administration, give this bill the support it needs to pass into law.

Thank you.

Bill calls for firefighters to acquire certifications

By Ryota Dei

Pacific Daily News
rdei@guampdn.com

A bill that requires all firefighters in the Guam Fire Department to earn emergency medical services certification will be discussed in a public hearing at 4 p.m. today in the Legislature's public hearing room.

Bill 103, introduced by Sen. Lou Leon Guerrero, D-Tamuning, and Sen. Mike Cruz, R-Piti, would require that all firefighters earn Emergency Medical Technician-Basic certification and Emergency Medical Technician-Paramedic certification. The bill also provides the funding to train firefighters who currently don't have those certifications.

Noted in the bill is a growing trend in the nation to require firefighters to have an EMT certification because of the importance

IF YOU GO

▲ The Legislature's Committee on Health and Human Services will hold a public hearing on a bill that requires Guam Fire Department firefighters to earn emergency medical services certification. The hearing starts at 4 p.m. today in the legislative public hearing room. The committee will also continue its oversight hearing on the Guam Memorial Hospital Authority, starting at 5 p.m. For more information, call 477-5960.

of firefighters aiding the injured and the sick while responding to fires and emergencies.

After that hearing, the legislative health committee also will continue its oversight hearing on the Guam Memorial Hospital Authority.

Pacific Daily News, Wednesday, May 25, 2005 guampdn.com

Tuesday, May 24, 2005

MEETINGS

- ON 10 a.m. to 4 p.m. May 25. University of Guam representatives (scholarships, training programs and Dr. Antonio C. Yamashita Corps). Call 475-8801.
- COMMITTEE ON HEALTH AND HUMAN SERVICES: Continuation of oversight hearing on Guam Memorial Hospital Authority, 5 p.m. May 25, Legislature's public hearing room Hagåtña. Call 477-5960/62/63.
- COMMITTEE ON HEALTH AND HUMAN SERVICES: Public hearing 4 p.m. May 25, Legislature's session hall, Hagåtña. Bill 103, mandating firefighters to earn emergency medical services certification: EMT-basic or EMT-paramedic, sponsored by Sens. Lou Leon Guerrero and Mike Cruz. Call 477-5960/2/3.
- COMMITTEE ON TOURISM, MAR-

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 103 (LS)

Introduced by:

L.A. Leon Guerrero *HP*
M. Cruz *MC*

AN ACT TO MANDATE FIREFIGHTERS TO EARN AN
EMERGENCY MEDICAL SERVICES CERTIFICATION,
MORE SPECIFICALLY, AN EMT-BASIC OR AN EMT-
PARAMEDIC.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Intent and Findings. *I Liheslaturan Guahan*
3 finds that the Guam Fire Department ("GFD") is not only tasked with
4 prevention, controlling and extinguishing of fires, but also, it is tasked
5 with maintaining and administering an emergency medical and rescue
6 services system. Consequently, some of GFD's firefighters go through
7 training to earn their Emergency Medical Technician-Basic ("EMT-
8 Basic") certification, and for those wishing the most advanced level of
9 training, they go through the Paramedic certification program.

10 Because of the importance of having a firefighter respond to fires
11 and other emergencies, while simultaneously aiding those injured and
12 sick, many of our nation's fire departments now require their firefighters
13 to have an EMT certification. Accordingly, it is the intent of *I*
14 *Liheslaturan Guahan*, to follow the growing trend of our nation's fire
15 departments by mandating our island's firefighters to earn an
16 emergency medical services certification, more specifically, an EMT-
17 Basic or an EMT-Paramedic.

1 In addition, it is the intent of *I Liheslaturan Guahan* to fund for the
2 EMT certification of firefighters who currently do not have an EMT-
3 Basic or an EMT-Paramedic certification. While this may cost the
4 government of Guam money, the ability of our island's firefighters to
5 save lives cannot be outweighed by any dollar figure.

6 **Section 2.** Section 72101 of Chapter 72 of Division 3 of Title 10,
7 Guam Code Annotated, is hereby *amended* to read as follows:

8 **"§72101. Powers and Duties.** The Guam Fire Department
9 shall have the power and duty to control and extinguish
10 injurious or dangerous fires and to remove that which is liable
11 to cause such fires, and to enforce all laws relating to the
12 preventing or spreading of fires and all laws pertaining to fire
13 control and fire hazards within the Territory. The Guam Fire
14 Department shall also have the power and duty of maintaining
15 an emergency medical and rescue services system."

16 **Section 3.** Section 72105 of Chapter 72 of Division 3 of Title 10,
17 Guam Code Annotated, is hereby *amended* to read as follows:

18 **"§72105. Emergency Medical Services.—**~~The Fire~~
19 ~~Department shall have the power and the responsibility of~~
20 ~~maintaining an emergency medical and rescue services system.~~
21 The Guam Fire Department shall employ emergency medical
22 services personnel who have been certified to provide such
23 services under the provisions of Chapter 84, 10 GCA. The Fire
24 Department shall maintain and operate equipment necessary to
25 convey on land and sea an individual who is acutely ill,
26 injured, incapacitated or helpless and requires emergency care.
27 The Fire Department personnel shall provide emergency
28 medical assistance on the scene and enroute to designated

1 emergency medical services facilities to the full extent of their
2 certification by the Emergency Medical Services Commission."

3 **Section 4.** A new Section 72105.1 is hereby *added* to Chapter 72 of
4 Division 3 of Title 10, Guam Code Annotated, to read as follows:

5 "§72105.1. **Emergency Medical Technicians.** Each Guam
6 Fire Department firefighter, at a minimum, shall be certified as
7 an Emergency Medical Technician-Basic (EMT-Basic).
8 Thereafter, each firefighter EMT-Basic may undergo advanced
9 training to earn an Emergency Medical Technician-Paramedic
10 (EMT-Paramedic) certification."

11 **Section 6.** A new Section 72105.2 is hereby *added* to Chapter 72
12 of Division 3 of Title 10, Guam Code Annotated, to read as follows:

13 "§72105.2. Immediately after the Civil Service
14 Commission ("Commission") makes its recommendations
15 pursuant to 4 GCA §6231, the Guam Fire Department shall
16 provide in its budget funding for the salary adjustments as
17 recommended by the Commission."

18 **Section 7.** A new Section 6231 is hereby added to Article 2 of
19 Chapter 6 of Title 4, Guam Code Annotated, to read as follows:

20 "§6231. The Civil Service Commission shall review and
21 reevaluate the Guam Fire Department's firefighter positions
22 and make necessary salary upgrades based on their added
23 duty, responsibility and qualification, pursuant to 10 GCA
24 §72105.1, as a certified EMT-Basic or an EMT-Paramedic. The
25 salary schedules shall be competitive with the National
26 average. Thereafter, the salary schedules shall be reviewed by
27 the Commission every three (3) years, and upgraded as
28 needed."

1 **Section 8.** Section 6223 of Article 2 of Chapter 6 of Title 4,
2 Guam Code Annotated, is hereby deleted in its entirety.

3 **Section 9.** The Guam Fire Department shall request from *I*
4 *Liheslatura* a one-time appropriation from the Safe Street, Safe Homes
5 Fund, for the purpose of funding Emergency Medical Services
6 certifications and re-certifications of the Guam Fire Department's
7 firefighters. Thereafter, the Guam Fire Department shall provide in its
8 budget funding for any subsequent Emergency Medical Services
9 certifications and/or re-certifications of its firefighters.

10 **Section 10.** Within thirty (30) days upon the enactment of this Act,
11 the Civil Service Commission shall immediately review the salaries of
12 Guam Fire Department firefighters who are also an Emergency Medical
13 Technician-Intermediate (EMT-I) certified, and shall make salary
14 adjustments as appropriate.

15 **Section 11. Effective Date of 10 GCA §72105.1.** Section 72105.1 of
16 Chapter 72 of Division 3 of Title 10, Guam Code Annotated, shall be
17 effective one (1) year from the enactment of this Act.

18 **Section 12. Severability.** If any of the provisions of this Act or the
19 application thereof to any person or circumstance is held invalid, such
20 invalidity shall not affect any other provision or application of this Act
21 which can be given effect without the invalid provision or application,
22 and to this end the provisions of this Act are severable.