

I Mina'trentai Sais Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
98-36 (LS)	Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth and Senior Citizens by request of <i>I Kongressun Manhoben Guåhan</i> , the Guam Youth Congress, in accordance with 2 GCA § 7102.	AN ACT TO <i>ADD</i> A NEW § 7124 TO CHAPTER 7, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING LICENSED RESIDENTIAL CARE FACILITIES TO INSTALL SURVEILLANCE EQUIPMENT; AND TO CITE THIS ACT AS THE " <i>PATIENT LIBERTIES FOR SURVEILLANCE ACT.</i> "	3/25/21 3:11 p.m.	3/26/21	Committee on Air Transportation, Parks, Tourism, Higher Education and the Advancement of Women, Youth, and Senior Citizens			Request: 3/29/21 4/5/21	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÁTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

April 5, 2021

MEMO

To: **Rennae Meno**
Clerk of the Legislature

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Fiscal Notes for Bill Nos. 91-36 (LS), 95-36 (LS), and 98-36 (LS)**

Buenas yan Håfa adai.

Attached, please find the fiscal notes for the following bills:

Bill No. 91-36 (LS)

Bill No. 95-36 (LS)

Bill No. 98-36 (LS)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



Bureau of Budget & Management Research
Fiscal Note of Bill No. 98-36 (LS)

Bill No.98-36 (LS) AN ACT TO ADD A NEW § 7124 TO CHAPTER 7, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING LICENSED RESIDENTIAL CARE FACILITIES TO INSTALL SURVEILLANCE EQUIPMENT; AND TO CITE THIS ACT AS THE "PATIENT LIBERTIES FOR SURVEILLANCE ACT."

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Public Health and Social Services	Dept./Agency Head: Arthur San Agustin, Director
Department's General Fund (GF) appropriation(s) to date:	27,718,995
Department's Other Fund (Specify) appropriation(s) to date: Environmental Health Fund - \$1,322,570, Healthy Futures Fund - \$12,147,547, Health Professional Licensing Office Revolving Fund - \$286,085, Office of Vital Statistics Revolving Fund - \$241,442, Sanitary Inspection Revolving Fund - \$85,425, Medically Indigent Program Payment Revolving Fund - \$14,438,056	<u>28,521,125</u>
Total Department/Agency Appropriation(s) to date:	\$56,240,120

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund:	Total:
FY 2020 Unreserved Fund Balance	\$0	\$0	\$0
FY 2021 Adopted Revenues	\$0	0	0
FY 2021 Appro. (P.L. 35-99)	\$0	0	0
Sub-total:	\$0	0	0
Less appropriation in Bill	\$0	0	0
Total:	\$0	0	0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2021 (if applicable)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- | | | | |
|---|-----------|---------|--------|
| 1. Does the bill contain "revenue generating" provisions?
If Yes, see attachment | // N/A | // Yes | /X/ No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ | /X/ N/A | // Yes | // No |
| 3. Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies?
Is there a federal mandate to establish the program/agency? | // N/A | // Yes | /X/ No |
| 4. Will the enactment of this Bill require new physical facilities? | | // Yes | /X/ No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:
/X/ Requested agency comments not received by due date: | | /X/ Yes | // No |
| | // Other: | | |

Analyst: <u>Mikel S. Espiritu</u>	Date: <u>04/02/2021</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <u>APR 05 2021</u>
-----------------------------------	-------------------------	---	--------------------------

Notes:
1/ Please see attachment

Bureau of Budget & Management Research
Comments on Bill No. 98-36 (LS)

1/: The intent of Bill No.98-36 (LS) is to protect patients living in residential care facilities by implementing such laws as to make them, and/or their guardians, aware of their liberties for surveillance. It also requires surveillance equipment in common areas of said facilities.

The proposed bill will add a new subsection to Chapter 7 of Title 10, Guam Code Annotated, to read: "§7124. Patient Liberties for Surveillance. (a) All licensed residential care facilities, variously known as personal care homes, adult congregate living facilities, domiciliary care homes, adult care homes, homes for the aged, and assisted living facilities must notify patients and guardians of patients about their (the patient and/or the guardian) right to install a technical surveillance equipment in their living quarters within the facility, upon their placement into the home. At any point during their time in the home, patients and/or guardians will have this option; (b) All licensed residential care facilities, variously known as personal care homes, adult congregate living facilities, domiciliary care homes, adult care homes, homes for the aged, and assisted living facilities must install surveillance equipment in all common areas of the facility; and (c) All surveillance records shall be kept private unless otherwise ordered by the court."

The installation of surveillance equipment in common areas within the abovementioned facilities will pose a fiscal impact if the proposed legislation were to be enacted. However, absent additional information from the department (DPHSS) on the costs associated at Government of Guam owned facilities, the Bureau is unable to determine an approximate fiscal impact at this time.