


*I Mina'trentai Siette Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
209-37 (COR)	Therese M. Terlaje	AN ACT TO AMEND § 3803, §3813, AND §3814 ALL OF CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO UPDATING THE PROGRAM, ADVISORY COUNCIL, AND DUTIES OF THE COUNCIL CONCERNING COMMUNITY HEALTH CENTERS.	12/4/23 11:51 a.m.						

***I MINA' TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***  
**2023(FIRST) Regular Session**

**Bill No. 209-37 (COR)**

Introduced by:

Therese M. Terlaje 

**AN ACT TO AMEND § 3803, §3813, AND §3814 ALL OF  
CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED  
RELATIVE TO UPDATING THE PROGRAM,  
ADVISORY COUNCIL, AND DUTIES OF THE  
COUNCIL CONCERNING COMMUNITY HEALTH  
CENTERS.**

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

2 **Section 1.** §3803 of Chapter 3, Title 10 Guam Code Annotated is  
3 hereby *amended* to read:

4 **“§ 3803. Program.**

5 There is hereby established within the Department of Public Health  
6 and Social Services (Department) Bureau of Primary Care Services  
7 (Bureau) a Community Health Center Program (Program) to be  
8 administered on a collateral duty basis by the ~~Health Services~~  
9 ~~Administrator of the Bureau, and who shall serve as the~~ Community  
10 Health Center Chief Executive Officer of the Program. The Program  
11 shall cover two (2) regions of Guam (northern and southern). With the  
12 collateral duty, the Community Health Center Chief Executive  
13 Officer's additional role shall include adherence to the following  
14 nineteen (19) federal program requirements as stipulated in Exhibit A:

15 (a) development and implementation of a needs assessment;

- 1 (b) implementing required and additional primary health care  
2 services;
- 3 (d) adhering to staffing requirements;
- 4 (e) conducting accessible hours of operation and location;
- 5 (f) after hours coverage;
- 6 (g) hospital admitting privileges and continuum of care;
- 7 (h) sliding fee discount;
- 8 (i) quality improvement/quality assurance plan;
- 9 (j) key management staff;
- 10 (k) contractual/affiliation agreements;
- 11 (l) collaborative relationships;
- 12 (m) financial management and control policies;
- 13 (n) billing and collection;
- 14 (o) budget;
- 15 (p) program data reporting systems;
- 16 (q) scope of project;
- 17 (r) board authority;
- 18 (s) board composition; and
- 19 (t) conflict of interest.

20 **Section 2.** §3813 of Chapter 3, Title 10, Guam Code Annotated is  
21 hereby *amended* to read:

22 **“§ 3813. Advisory Council on Community Health Centers.**

23 (a) Council Established. There shall be established within the  
24 Bureau an Advisory Council on Community Health Centers  
25 (“Council”) to serve in ~~an advisory~~ a governing capacity for each  
26 Region. The Council shall consist of seven (7) members appointed by  
27 *I Maga’lahen Guåhan* [Governor]. Members of the Council shall

1 include a Village Mayor from the Region of the Community Health  
2 Center and one (1) of the Municipal Planning Council member from  
3 the Region, other than the Mayor or the Mayor’s staff, which shall  
4 serve their term as long as they are serving in their respective  
5 positions. The other members of the Council shall serve for four (4)  
6 years; provided that, of the members first appointed two (2) shall  
7 serve for two (2) years and three (3) shall serve for four (4) years.

8 (b) Officers; Meeting Requirements. The Council shall annually  
9 elect a Chairperson, Vice-Chairperson and Recorder from among its  
10 membership. The Council shall meet at least quarterly at such time  
11 and place as the Chairperson may designate. Meetings shall be well  
12 publicized and shall be open to the public. The Director or the  
13 Division Head, or both, shall be present on all Council meetings.  
14 Executive sessions are permitted only in accordance with the Open  
15 Government Law. Four (4) members shall constitute a quorum of the  
16 Council for the transaction of business. The concurrence of a majority  
17 of the members present shall constitute official action of the Council.

18 (c) Compensation. The compensation that members of the  
19 Advisory Council may receive shall be the compensation provided by  
20 Guam law.”

21 **Section 3.** §3814 of Chapter 3, Title 10, Guam Code Annotated is  
22 hereby *amended* to read:

23 **“§ 3814. Duties of Council.**

24 The Council shall review and approve the plans and programs of the  
25 Community Health Centers by the Bureau and for that purpose shall perform  
26 the following duties:

1 (a) review and ~~make recommendation~~ approve of the Bureau's annual  
2 budget for the Community Health Centers;

3 (b) review and ~~make recommendation~~ approve of the Bureau's three  
4 (3) - year Plan and its annual update for the Community Health Centers;

5 (c) periodically review available and needed services provided by the  
6 Centers;

7 (d) promote the utilization and assistance of interested persons,  
8 including recovered clients, volunteering their service to the patients of the  
9 Center in whatever qualified service they can provide; and

10 (e) review and comment on all new and renewed Federal grants  
11 applications.

12 (f) Shall approve by resolution all expenditures allowed in § 3811 of  
13 this Chapter greater than Five Thousand Dollars (\$5,000);

14 (g) may approve by resolution a Memorandum of Understanding  
15 between the Community Health Centers and the Department of Revenue  
16 and Taxation to garnish income tax refunds of recipients of products and  
17 services rendered by the Community Health Centers who have not fulfilled  
18 their payment obligation for said products and services. The Board shall  
19 adopt a policy to govern the referral of such tax refund garnishment  
20 requests to the Department of Revenue and Taxation;

21 (h) shall oversee the operations of the Centers, including:

22 \_\_\_\_\_ Holding monthly meetings;

23 \_\_\_\_\_ Approval of the Health Center grant application and budget;

24 \_\_\_\_\_ Selection/dismissal and performance evaluation of the Health Center  
25 CEO;

26 \_\_\_\_\_ Selection of services to be provided and the health center hours of  
27 operations;

1           Measuring and evaluating the organization’s progress in meeting its  
2 annual and long-term programmatic and financial goals and developing  
3 plans for the long-range viability of the organization by engaging in  
4 strategic planning, ongoing review of the organization’s mission and  
5 bylaws, evaluating patient satisfaction, and monitoring organizational assets  
6 and performance; and  
7           Establishment of general policies for the Health Center.”