

I Mina'trentai Sietta 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
267-37 (COR)	Tina Rose Muña Barnes Roy A. B. Quinata Christopher M. Dueñas William A. Parkinson Jesse A. Lujan Frank Blas, Jr. Joe S. San Agustin Amanda L. Shelton Dwayne T.D. San Nicolas	AN ACT TO ADD A NEW § 5126.1 TO SUBARTICLE C, ARTICLE 2, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE DIVISION OF PUBLIC WELFARE TO JOIN OR USE CONTRACTS OF OTHER STATES, OTHER GOVERNMENT PROCUREMENT UNITS, OR NOT-FOR-PROFIT ENTITIES COMPRISING ONE OR MORE STATES OR GOVERNMENT PROCUREMENT UNITS.	4/11/24 8:54 a.m.	4/12/24	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning	Request: 4/12/24 4/18/24			Exhibit A and Exhibit B



COMMITTEE ON RULES

Senator Chris Barnett, Chairperson
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature

April 18, 2024

To: **Joaquin P. Taitague**
Clerk of the Legislature

From: **Senator Chris Barnett** 
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 267-37 (COR)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 267-37 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.



Bureau of Budget & Management Research
Fiscal Note of Bill No. 267-37 (COR)

AN ACT TO ADD A NEW §5126.1 TO SUBARTICLE C, ARTICLE 2, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE DIVISION OF PUBLIC WELFARE TO JOIN OR USE CONTRACTS OF OTHER STATES, OTHER GOVERNMENT PROCUREMENT UNITS, OR NOT-FOR-PROFIT ENTITIES COMPRISING ONE OR MORE STATES OR GOVERNMENT PROCUREMENT UNITS.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Health and Social Services	Dept./Agency Head: Peter John Camacho, Acting Director
Department's General Fund (GF) appropriation(s) to date: Operations (\$65,451,346); Health Insurance Premiums for Foster Children (\$665,396); Child Protective Services Program (\$1,226,236); Supplemental Tobacco and Nicotine Control Prevention from excess FY2023 General Fund revenues (\$500,000)	\$67,842,978
Department's Other Fund appropriation(s) to date: Environmental Health Fund (\$1,317,328); Health Futures Fund (\$1,389,851); Health Professional Licensing Office Revolving Fund (\$285,709); Office of Vital Statistics Revolving Fund (\$228,865); DPHSS Sanitary Inspection Revolving Fund (\$293,844); Healthy Futures Fund for Guam Cancer Registry (\$389,144)	\$3,904,741
Total Department/Agency Appropriation(s) to date:	\$71,747,719

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2023 Unreserved Fund Balance		\$0	\$0
FY 2024 Adopted Revenues	\$0	\$0	\$0
FY 2024 Appro. (P.L. 37-42)	\$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 2024 (if applicable)	FY 2025	FY 2026	FY 2027	FY 2028
General Fund	1/	1/	\$0	\$0	\$0	\$0
Special Funds	1/	1/	\$0	\$0	\$0	\$0
Total	1/	1/	\$0	\$0	\$0	\$0

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

Analyst:  Tyler Bautista, BMA I	Date: <u>04/17/2024</u>	Director:  Lester L. Carlson, Jr., Director	Date: <u>APR 18 2024</u>
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Notes:
 1/ See attached comments.

**BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 267-37 (COR)**

The proposed legislation seeks to add a new section 5126.1 to Subarticle C, Article 2, Chapter 5, Title 5, Guam Code Annotated to allow the Department of Public Health and Social Services, Division of Public Welfare (DPHSS, DPW) to join or use contracts of other states, other government procurement units, or not-for-profit entities comprising one or more states or government procurement units as the DPHSS, DPW has not explicitly been granted authority under the Guam Procurement Law to leverage and reuse contracts of other states, procurement units, or not-for-profit entities. The addition of this new section authorizes DPHSS, DPW to enter into a joinder with other entities within the United States with the authorization from the contracting vendor to help improve the efficacy of Guam's Medicaid Program. Additionally, the contracting officer must verify and provide in writing that the jurisdiction's contract has gone through a competitive procurement process.

Absent pertinent information from the DPHSS relative to the estimated costs and/or potential cost savings to join or use the contracts of other states, procurement units, or not-for-profit entities, the Bureau is unable to determine a fiscal impact to the Government of Guam should this bill be passed into law.