



FILE COPY

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

June 1, 2015

The Honorable Edward J.B. Calvo
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam

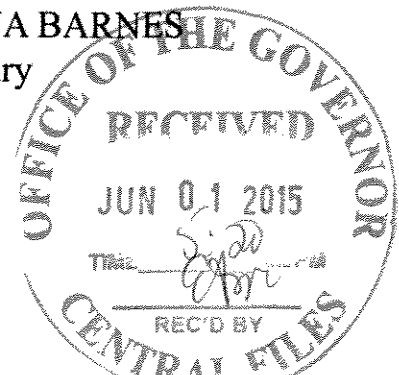
Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 9-33(COR), 21-33(COR), 25-33(COR), 31-33(COR), 44-33(COR), 48-33(COR), 50-33(COR), 55-33(COR), 61-33(COR), 64-33(COR), 65-33(COR), 69-33(COR), 70-33(COR), 73-33(COR), 77-33(COR), 79-33(COR), 81-33(COR), 82-33(COR), 83-33(COR), 90-33(LS), 92-33(LS), 107-33(LS), 108-33(LS), 109-33(LS) and 110-33(LS) which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on May 29, 2015.

Sincerely,


TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosure (25)



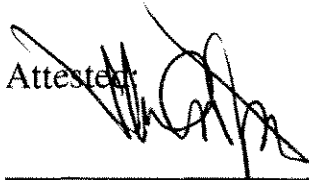
**I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session**

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

This is to certify that **Substitute Bill No. 70-33 (COR), "AN ACT TO ADD A NEW § 72109 TO CHAPTER 72 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF AN EMERGENCY ON-LINE REGISTRY FOR INDIVIDUALS WITH SPECIAL NEEDS; AND TO APPROPRIATE UP TO ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FROM THE FISCAL YEAR 2015 UNAPPROPRIATED FUND BALANCE OF THE ENHANCED 911 EMERGENCY REPORTING SYSTEM FUND TO THE GUAM FIRE DEPARTMENT AS A START-UP COST,"** was on the 29th day of May 2015, duly and regularly passed.

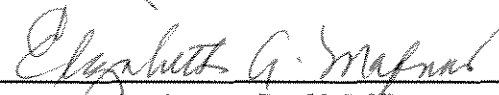


**Judith T. Won Pat, Ed.D.
Speaker**

Attested 

**Tina Rose Muña Barnes
Legislative Secretary**

This Act was received by *I Maga'lahen Guåhan* this 18th day of June, 2015, at 5:20 o'clock P.M.



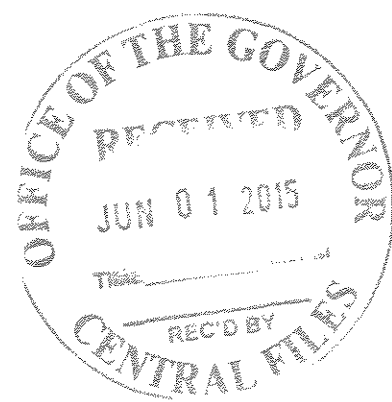
**Assistant Staff Officer
Maga'lahi's Office**

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____



I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 70-33 (COR)

As substituted by the Committee on Appropriations
and Adjudication; and further substituted
and amended on the Floor.

Introduced by:

N. B. Underwood, Ph.D.

R. J. Respicio

T. C. Ada

V. Anthony Ada

Frank F. Blas, Jr.

FRANK B. AGUON, JR.

B. J.F. Cruz

James V. Espaldon

Brant T. McCreadie

Tommy Morrison

T. R. Muña Barnes

Dennis G. Rodriguez, Jr.

Michael F.Q. San Nicolas

Mary Camacho Torres

Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW § 72109 TO CHAPTER 72 OF
TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO
THE CREATION OF AN EMERGENCY ON-LINE
REGISTRY FOR INDIVIDUALS WITH SPECIAL
NEEDS; AND TO APPROPRIATE UP TO ONE
HUNDRED FIFTY THOUSAND DOLLARS (\$150,000)
FROM THE FISCAL YEAR 2015 UNAPPROPRIATED
FUND BALANCE OF THE ENHANCED 911
EMERGENCY REPORTING SYSTEM FUND TO THE
GUAM FIRE DEPARTMENT AS A START-UP COST.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there is a need to better enhance the current systems in place to effectively

1 address the needs of individuals with special needs in emergency situations, or in
2 situations where immediate action is to be performed by law enforcement
3 personnel and first responders. *I Liheslaturan Guåhan* recognizes that community
4 support for individuals with special needs includes treatment that is fair, respectful
5 and mindful of the specific needs of these individuals, especially during
6 interactions with law enforcement personnel and first responders. The ability of
7 law enforcement personnel and first responders to understand certain
8 characteristics and requirements of these individuals will not only allow them to
9 interact appropriately with individuals with special needs, but will ensure that the
10 critical needs of the individual with special needs are addressed in a timely
11 manner.

12 The Guam Department of Education (GDOE) Division of Special Education
13 reports that in the program School Year 2013-2014, approximately one thousand
14 seven hundred sixty-eight (1,768) students received numerous services relating to
15 their disability. According to the U.S. Census, one in five people suffer some form
16 of disability or special need. These children and adults would certainly benefit
17 from some form of registry in the event of an emergency.

18 Therefore, it is the intent of *I Liheslaturan Guåhan* to promote
19 communication between law enforcement personnel, first responders and
20 individuals with special needs and their families, and to further improve services to
21 individuals with special needs by creating an Emergency Registry for Individuals
22 with Special Needs.

23 **Section 2.** A new § 72109 is hereby *added* to Chapter 72 of Title 10,
24 Guam Code Annotated, to read:

25 **“§ 72109. Emergency On-Line Registry for Individuals with**
26 **Special Needs.**

27 (a) Definitions.

1 (1) *Confidential information* means any and all non-public,
2 medical, financial and personal information in whatever form (written,
3 oral, visual or electronic) possessed or obtained by either party.
4 Confidential information *shall* include all information which:

5 (A) either party has labeled in writing as confidential;

6 (B) is identified at the time of disclosure as
7 confidential;

8 (C) is commonly regarded as confidential in the health
9 care industry; or

10 (D) is Protected Health Information as defined by the
11 Health Insurance Portability Accountability Act.

12 (2) *First responders* means an employee of an emergency
13 service who is likely to be among the first people to arrive at and
14 assist at the scene of an emergency, such as an accident, natural
15 disaster, or terrorist attack. First responders typically include police,
16 firefighters, paramedics, and emergency medical technicians.

17 (3) *Special needs* means the phrase used in clinical diagnosis
18 and functional development to describe individuals who require
19 assistance for disabilities that may be medical, mental or
20 psychological; and the needs of such individuals.

21 (b) The Guam Fire Department *shall* create and maintain a registry
22 entitled, the “Emergency On-Line Registry for Individuals with Special
23 Needs,” herein referred to as “Registry,” which *shall* be integrated into the
24 Enhanced 911 Emergency Reporting System. Such Registry *shall* be
25 referred to by and any relevant information is to be conveyed to the first
26 emergency responders.

27 (1) The Registry *shall only* contain information voluntarily

1 disclosed by a registered individual with special needs, or his or her
2 parent or legal guardian. Such information may include, but not be
3 limited to, emergency contact information, relevant medical history,
4 and a description of any special need deemed relevant by the
5 registrant. All information within the registry *shall* be deemed
6 confidential information that *shall only* be used for the purposes of the
7 Registry. Any other disclosure may occur only upon the written
8 authorization of the registrant.

9 (2) The Registry *shall* be voluntary and the individual with
10 special needs, or the parents or legal guardian of the individual with
11 special needs under the age of eighteen (18) may register with the
12 Guam Fire Department. An option to attach a passport-style photo
13 may be permitted. The Registry application form may be available at
14 the Guam Fire Department.

15 (3) Once the registration has been received and processed,
16 the Guam Fire Department or its designated agent *shall* officially
17 respond by mail or email to the applicant confirming their inclusion
18 on the Registry *no less than* seven (7) days from the date of the
19 submission of the registration. An identification card *shall* be issued
20 which may accompany the individual with special needs at all times,
21 as deemed appropriate.

22 (c) Authorization. The Guam Fire Department is hereby authorized
23 to enter into a Memorandum of Understanding with the Department of
24 Integrated Services for Individuals with Disabilities and other departments
25 and agencies, as determined by the Guam Fire Department to seek
26 consultation and advice in the creation and maintenance of the Registry.

27 (d) The Guam Fire Department and the Department of Integrated

1 Services for Individuals with Disabilities and other departments and
2 agencies as determined by the Guam Fire Department *shall meet at least*
3 quarterly to report the activities of the registry and *shall* submit an annual
4 report, beginning on January 1, 2017, to *I Maga'lahaen Guåhan* and *I*
5 *Liheslaturan Guåhan*, which *shall* include, but not be limited to:

6 (1) the number of individuals voluntarily registered;

7 (2) a comparative analysis on the number of individuals on
8 the Registry that benefited from the Registry, their special needs, and
9 the delivery of services received;

10 (2) incident reports filed by first responders when responding
11 to an emergency with an individual on the Registry;

12 (3) a list of complaints, if any, from the individual on the
13 registry; and

14 (4) any other strategy effectiveness related to the Registry.

15 (e) Evaluation. The Guam Fire Department *shall* conduct a yearly
16 evaluation of the Registry, which *shall* include, but not be limited to:

17 (1) tracking the implementation process, to include any
18 planned and/or unanticipated adaptations to the Registry that may
19 affect the outcome of the findings;

20 (2) a comparative analysis on the number of individuals on
21 the Registry that benefited from the Registry, their disability and the
22 delivery of services received;

23 (3) assessment of the need for any adaptations to the strategy
24 to meet the needs of the target population;

25 (4) input from first responders on their use of the Registry
26 and its effectiveness; and

27 (5) recommendations, if any, to improve the effectiveness of

1 the Registry.

2 The Guam Fire Department may assign these duties to the Department
3 of Integrated Services for Individuals with Disabilities as part of the
4 Memorandum of Understanding as authorized in this Section.

5 (f) Training. The Guam Fire Department *shall* develop a training
6 regimen for emergency responders specifically dedicated for individuals
7 with special needs. The curriculum may be developed in collaboration with
8 the Guam Community College and/or the University of Guam to supplement
9 any existing programs or in-service training. The training *shall* be
10 formulated to include new employees, as well as veteran employees who are
11 defined as first responders in this Act and shall be conducted on a yearly
12 basis. The training *shall* also include practical experience with individuals
13 with special needs.”

14 **Section 3. Participation in National Registry.** Nothing herein shall be
15 interpreted to prevent the Guam Fire Department from participating in a national
16 on-line registry, which meets the requirements set forth in this Act.

17 **Section 4.** The Guam Fire Department may seek and apply for federal
18 grants and/or other grants available for funding opportunities to support the
19 mandates of the Emergency On-Line Registry for Individuals with Special Needs.

20 **Section 5. Appropriation.** The sum of up to One Hundred Fifty
21 Thousand Dollars (**\$150,000**) is appropriated from the Fiscal Year 2015
22 unappropriated fund balance of the Enhanced 911 Emergency Reporting System
23 Fund to the Guam Fire Department as a start-up cost for the Emergency On-Line
24 Registry for Individuals with Special Needs. The Guam Fire Department may
25 request in its budget for every fiscal year thereafter the funds necessary to maintain
26 and support the mandates of the Emergency On-Line Registry for Individuals with
27 Special Needs.

1 **Section 6. Effective Date.** The effective date for the implementation of
2 the Emergency On-Line Registry for Individuals with Special Needs is January 1,
3 2016. Development of the Registry *shall* commence upon enactment of this Act.

4 **Section 7. Severability.** If any provision of this Act or its application to
5 any person or circumstance is held invalid, the invalidity *shall not* affect other
6 provisions or applications of this Act which can be given effect without the invalid
7 provision or application and to this end the provisions of this Act are severable.