

***I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN***  
**RESOLUTION STATUS**

<b>Resolution No.</b>	<b>Sponsor</b>	<b>Title</b>	<b>Date Intro</b>
<b>345-34 (COR)</b>	Dennis G. Rodriguez, Jr.	Relative to creating a Special Investigating Committee that shall be authorized to investigate the administration and management of the Guam Memorial Hospital Authority (GMHA) concerning alleged coercion and/or undue pressure of GMHA employees incident to GMHA's modernization program, funding, and accreditation; the providing of alleged false information to Members of I Mina'Trentai Kuåttro Na Liheslaturan Guåhan during official legislative proceedings regarding GMHA on January 22, 2018; hiring, termination, and contractual decisions from January 6, 2011 to present, which may or may not have been consistent with GMHA's mission and ethical standards; potential violations of the Sunshine Reform Act of 1999 and other laws; and financial audits and related information relative to the financial state and condition of GMHA; and to determine civil or criminal liability implications, if any, in connection therewith, and to make recommendations, if any, concerning the same.	2/8/18 4:54 p.m.

***I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN***  
**2018 (SECOND) Regular Session**

**Resolution No. 345-34 (COR)**

Introduced by:

Dennis G. Rodriguez, Jr. *DR*

Relative to creating a Special Investigating Committee that *shall* be authorized to investigate the administration and management of the Guam Memorial Hospital Authority (GMHA) concerning alleged coercion and/or undue pressure of GMHA employees incident to GMHA's modernization program, funding, and accreditation; the providing of alleged false information to Members of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* during official legislative proceedings regarding GMHA on January 22, 2018; hiring, termination, and contractual decisions from January 6, 2011 to present, which may or may not have been consistent with GMHA's mission and ethical standards; potential violations of the Sunshine Reform Act of 1999 and other laws; and financial audits and related information relative to the financial state and condition of GMHA; and to determine civil or criminal liability implications, if any, in connection therewith, and to make recommendations, if any, concerning the same.

2018 FEB -8 PM 4:54 *NR*

1        **BE IT RESOLVED BY THE COMMITTEE ON RULES OF *I***  
2        ***MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN*:**

3        **WHEREAS**, the 34th Guam Legislature Committee on Health (Committee) has  
4        received communications from Guam Memorial Hospital Authority (GMHA)  
5        classified employees who, under alleged fear of reprisal, have implored the  
6        Committee to keep their identities anonymous, reported that GMHA management

1 engaged in coercive behavior toward them and others in the recent campaign to  
2 defend management's decisions and interactions with the Guam Legislature; and

3 **WHEREAS**, information released by Governor Calvo's administration and  
4 information presented to the Committee appear to be inconsistent since the  
5 introduction of Bill No. 230-34 (COR), which succeeded months of management and  
6 administration campaigning for Governor Calvo's modernization proposal; and

7 **WHEREAS**, *I Liheslatura* has reason to believe that GMHA management  
8 provided false testimony while under oath at the most recent oversight hearing of  
9 GMHA on January 22, 2018; now therefore, be it

10 **RESOLVED**, that the Committee on Rules of *I Mina'Trentai Kuåttro Na*  
11 *Liheslaturan Guåhan* does hereby, on behalf of *I Liheslaturan Guåhan* and the people  
12 of Guam, by the authority granted by Section 11.09 of the Standing Rules of *I Mina*  
13 *Trentai Kuåttro Na Liheslaturan Guåhan*, create a Special Investigating Committee to  
14 investigate the Guam Memorial Hospital Authority, to include the administration and  
15 management thereof, the scope and purpose of which shall include but not be limited  
16 to:

- 17 1. Determining whether GMHA management coerced and/or otherwise  
18 unduly pressured GMHA classified employees regarding GMHA's  
19 modernization program, GMHA's accreditation, and GMHA's resources,  
20 and further determining the reasons therefor, if any;
- 21 2. Determining whether GMHA management provided false information to  
22 Members of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* during  
23 official legislative proceedings held in January 22, 2018, whether  
24 government resources were used to provide false information to Members  
25 of *I Liheslatura* and whether such was provided to influence legislative

1 decisions related to GMHA, and further determining the reasons therefor,  
2 if any;

3 3. Determining whether any of GMHA management's hiring, termination,  
4 and contractual decisions from January 6, 2011 to present have been  
5 premised upon pretenses antithetical to the efficient exercise of GMHA's  
6 mission, and to the code of ethical conduct of this government, and further  
7 determining the reasons therefor, if any;

8 4. Determining whether GMHA management violated the Sunshine Reform  
9 Act of 1998 on January 22, 2018; and further determining the reasons  
10 therefor, if any;

11 5. Determining the financial state and position of GMHA through the  
12 investigation of any and all financial and management audits and other  
13 related information, and further determining the reasons therefor, if any;  
14 and

15 6. Determining civil or criminal liability implications, if any, in connection  
16 therewith, and making recommendations concerning the same; and be it  
17 further

18  
19 **RESOLVED**, that the Chairman of the Committee on Health shall appoint,  
20 from among the Members of *I Liheslatura*, the six (6) Members of this Special  
21 Investigating Committee, which shall be composed of an equal number of Democrat  
22 Members and Republican Members. The Chairman of the Committee on Health shall  
23 also appoint, from among his member appointees, the co-chairpersons of the Special  
24 Investigating Committee, each representing their respective party; and be it further

25 **RESOLVED**, that the Special Investigating Committee is granted all powers  
26 enumerated in law and by the Standing Rules of , including but not limited to the

1 power to subpoena witnesses and information, to hold government officials in  
2 legislative contempt, to deputize investigators, and to outsource audits and  
3 investigative work; and be it further

4 **RESOLVED**, that all proceedings and deliberations of the Special  
5 Investigating Committee, unless expressly prohibited by law, shall be open to the  
6 public; and be it further

7 **RESOLVED**, that the Special Investigating Committee is authorized to exist  
8 and carry out all the powers and duties expressed herein, and shall present its findings  
9 for the consideration of *I Liheslatura* within 120 days of the passage of this resolution;  
10 and be it further

11 **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules  
12 certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of  
13 the same be thereafter transmitted to all Members of *I Mina'Trentai Kuattro Na*  
14 *Liheslaturan Guáhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF  
I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN ON THE DAY  
OF \_\_\_\_ 2018.**

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**BENJAMIN J.F. CRUZ**  
Speaker

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**RÉGINE BISCOE LEE**  
Chairperson, Committee on Rules

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**RÉGINE BISCOE LEE**  
Legislative Secretary