



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

APR 09 1998

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

Refer to
Legislative Secretary

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<i>Loni Amatao</i>
Time	<i>4:00 p.m.</i>
Date	<i>4.9.98</i>

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 72 (COR), "AN ACT TO REPEAL AND REENACT §§2415, ARTICLE 4, CHAPTER 2 AND 3322, ARTICLE 3, CHAPTER 3, BOTH OF DIVISION I OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO CHILDREN'S CERTIFICATE OF HEALTH AND VACCINATION AND IMMUNIZATION", which I have signed into law today as **Public Law No. 24-154.**

This legislation removes an outdated listing from our law on the diseases which children in day care or nursery schools are to be immunized and vaccinated against, as well as the diseases which students from kindergarten up through the University level are to be immunized and vaccinated against. The Department of Public Health and Social Services then provides the list of diseases to be immunized and vaccinated against, determined in conformity with the Advisory Committee on Immunization Practice (ACIP) of the United States Department of Human Services and the American Academy of Pediatrics).


This change brings the list of immunization and vaccination requirements up to date, because some of the diseases still listed in current law are no longer present on Guam. Also, a certificate will be issued by the Department of Public Health and Social Services, for a vaccination and immunization record, so that individual children's day care centers or nursery schools do not have to hire professional medical personnel to check on children's health status.

Very truly yours,


Carl T. C. Gutierrez

Attachment 3-732


cc: The Honorable Joanne M. S. Brown
Legislative Secretary

Office of the Speaker
ANTONIO R. UNPINGCO
Date: *4-9-98*
Time: *14:30*
Rec'd by: 
Print Name: *Charlene Torres*

TWENTY-FOURTH GUAM LEGISLATURE
1998 (SECOND) Regular Session

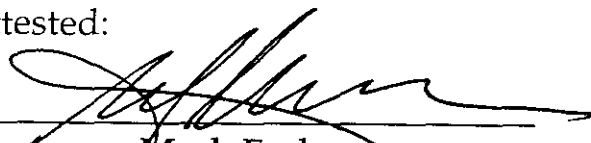
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 72 (COR), "AN ACT TO REPEAL AND REENACT §§2415, ARTICLE 4, CHAPTER 2 AND 3322, ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO CHILDREN'S CERTIFICATES OF HEALTH AND VACCINATION AND IMMUNIZATION," was on the 25TH day of March, 1998, duly and regularly passed.




ANTONIO R. UNPINGCO
Speaker

Attested:



Mark Forbes
Senator and Acting Legislative
Secretary

This Act was received by the Governor this 3rd day of April, 1998, at
10:30 o'clock 9 .M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 4-9-98

Public Law No. 24-154

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 72 (COR)

As substituted by the Committee
on Health and Human Services.

Introduced by:

L. Leon Guerrero
T. C. Ada
F. B. Aguon, Jr.
E. Barrett-Anderson
A. C. Blaz
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
Mark Forbes
L. F. Kasperbauer
A. C. Lamorena, V
C. A. Leon Guerrero
V. C. Pangelinan
J. C. Salas
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

**AN ACT TO REPEAL AND REENACT §§2415 AND
3322 OF DIVISION 1 OF TITLE 10 OF THE GUAM
CODE ANNOTATED, RELATIVE TO CHILDRENS'
CERTIFICATES OF HEALTH AND THEIR
VACCINATION AND IMMUNIZATION.**

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

2 **Section 1.** Section 2415 of Article 4, Chapter 2, Division 1 of Title 10 of
3 the Guam Code Annotated is hereby repealed and reenacted to read:

4 **“Section 2415. Children’s Certificate of Health.** (a) No
5 child shall be admitted to any child care facility without a certificate of
6 health, which includes the required vaccination or immunization,
7 signed by a qualified Guam licensed physician indicating that the child
8 is free from any communicable diseases. Certificates of Health shall be
9 made on forms provided by the Department and a copy of the certificate
10 for medical or religious exemptions shall be included in the child’s
11 health record at the child care facility where enrolled.

12 (b) The Director shall require vaccination or immunization, in
13 conformity with the Advisory Committee on Immunization Practice
14 (‘ACIP’) of the United States Department of Human Services and the
15 American Academy of Pediatrics (‘AAP’); provided, that in the event
16 that the recommendations of the ACIP and the AAP differ, the
17 Department shall determine which recommendations shall apply,
18 except that exemption may be granted to a child, upon certification by
19 the Department or by a parent or legal guardian, that such vaccination
20 or immunization would be against their *bona fide* religious belief, or
21 medical contraindication certified by a Guam licensed medical
22 physician.

23 (c) Certificates of medical and religious exemption shall be
24 prescribed on forms provided by the Department and shall be kept on
25 file in the Bureau of Communicable Diseases Control of the Department.

1 A copy of the certificate for medical and religious exemption shall be
2 included in the child's health record at the child care facility."

3 **Section 2.** Section 3322 of Article 3, Chapter 3, Division 1 of Title 10 of
4 the Guam Code Annotated is hereby repealed and reenacted to read:

5 **"Section 3322. Vaccination and Immunization.** (a) No
6 student shall be permitted to attend any public or private school, college
7 or university within Guam unless evidence is presented to the enrolling
8 officer of such school, college or university that the student child is free
9 from any communicable diseases and has had all the required
10 vaccinations or immunizations as the Director shall in conformity with
11 Advisory Committee on Immunization Practice ('ACIP') of the United
12 States Department of Human Services and the American Academy of
13 Pediatrics ('AAP'); provided, that in the event that the
14 recommendations of the ACIP and the AAP differ, the Department shall
15 determine which recommendations shall apply, except that exemption
16 may be granted to a student in a case when the vaccination or
17 immunization would be against his or her religious beliefs and would
18 not constitute a contagious health risk for the public at large, as certified
19 by the Director, or upon certification by a parent or guardian of a
20 student who is a minor that such vaccination or immunization would be
21 against their religious belief and would not constitute a contagious
22 health risk for the public at large, as certified by the Director, or to a
23 student who has been certified by a Guam licensed medical doctor that

1 said student should be exempt from this Section where medical
2 contraindication to his or her receiving a specific vaccine exists.

3 (b) Certificates of medical and religious exemption shall be kept
4 on file in Bureau of Communicable Diseases Control of the Department.
5 A copy of the certificate for medical and religious exemption shall be
6 included in the student's record at the school.

7 (c) The Director shall notify enrolling officers of all schools and
8 shall notify all parents by public media of any changes to the existing
9 immunization schedules no later than March 1 of each year to allow for
10 the smooth opening of traditionally scheduled schools.

11 (d) The Director shall require vaccination and immunization of
12 any person or persons suspected as carriers of a communicable disease
13 upon entering or leaving Guam which the Director believes may present
14 a risk to the public health of Guam. In case of an epidemic or to control
15 a possible epidemic of a communicable disease, the Director may direct
16 that the general population be vaccinated and immunized against said
17 disease. Students who are not immunized for whatever reason may be
18 excluded from schools at the direction of the Director in case of an
19 epidemic or to control a possible epidemic."

Committee on Health and Human Services
24th Guam Legislature

COPY

155 Hesler Street
Agana, Guam 96910
Tel: (671) 472-3581 * Fax: (671) 472-3582

March 24, 1998

Honorable Antonio R. Unpingco
Speaker
Twenty Fourth Guam Legislature
155 Hesler Street
Agana, Guam 96910

VIA: Chairperson, Committee on Rules, Government Reform, and Federal Affairs

Dear Mr. Speaker:

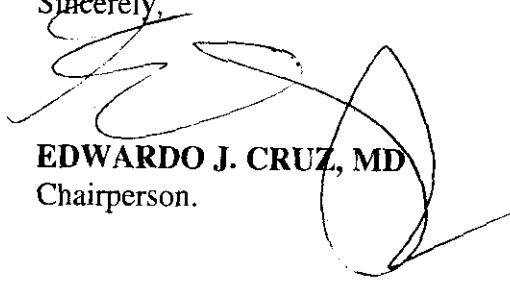
The Committee on Health and Human Services, to which was referred Bill No. 72, "AN ACT TO REPEAL AND REENACT §§2415, ARTICLE 4, CHAPTER 2 AND 3322, ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO CHILDREN'S CERTIFICATE OF HEALTH AND VACCINATION AND IMMUNIZATION," has had the same under consideration, and now wishes to report back the same with the recommendation to do pass as substituted.

The Committee votes are as follows:

To Pass
 Not to Pass
 Abstain
 Inactive File

A copy of the Committee Report and other pertinent documents are enclosed for your immediate reference and information.

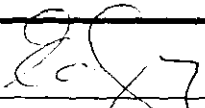
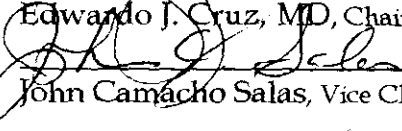
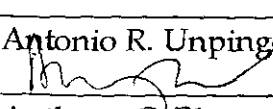
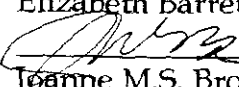
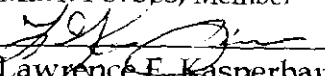
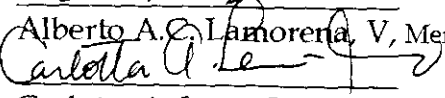
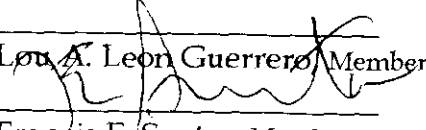
Sincerely,


EDUARDO J. CRUZ, MD
Chairperson.

Enclosure:

Committee Health and Human Services
Vote Sheet on
Substitute Bill No. 72

AN ACT TO REPEAL AND REENACT §§2415, ARTICLE 4, CHAPTER 2 AND 3322, ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO CHILDREN'S CERTIFICATE OF HEALTH AND VACCINATION AND IMMUNIZATION.

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 Edwardo J. Cruz, MD, Chairperson	✓			
 John Camacho Salas, Vice Chairperson	✓			
 Antonio R. Unpingco, Speaker & Ex-Officio	✓			
Anthony C. Blaz, Member				
Elizabeth Barrett-Anderson, Member				
 Joanne M.S. Brown, Member	✓			
Felix P. Camacho, Member				
Mark C. Charfauros, Member				
William BSM Flores, Member				
Mark Forbes, Member				
 Lawrence F. Kasperbauer, Member	✓			
 Alberto A. Lamorena, V, Member	✓			
Carlotta A. Leon Guerrero, Member				
 Lou A. Leon Guerrero, Member	✓			
Francis E. Santos, Member				

Committee on Health and Human Services
Report on
Substitute Bill No. 72

AN ACT TO REPEAL AND REENACT §§2415, ARTICLE 4, CHAPTER 2 AND 3322, ARTICLE 3, CHAPTER 3, BOTH OF DIVISION I OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO CHILDREN'S CERTIFICATE OF HEALTH AND VACCINATION AND IMMUNIZATION.

Introduced by
Senator L. Leon Guerrero

PUBLIC HEARING:

The Committee on Health and Human Services conducted a public hearing on Tuesday, February 25, 1997 at 9:00 a.m. to hear testimonies on Bill No. 72, "AN ACT TO REPEAL AND REENACT §§2415, ARTICLE 4, CHAPTER 2 AND 3322, ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1 OF TITLE 10 OF THE GUAM, CODE ANNOTATED, RELATIVE TO CHILDREN'S CERTIFICATE OF HEALTH AND VACCINATION AND IMMUNIZATION," The public hearing was held in the Guam Legislature Public Hearing Room.

MEMBERS PRESENT:

The hearing was called to order by the Chairperson of the Committee on Health and Human Services, Senator Edwardo J. Cruz. Committee members present were: John Camacho Salas, Vice Chairperson, Lou. A. Leon Guerrero, Francis E. Santos, Felix P. Camacho, Carlotta Leon Guerrero, William B.S.M. Flores, Elizabeth Barrett-Anderson, Lawrence F. Kasperbauer and Alberto C. Lamorena, V. Also in attendance were: Frank B. Aguon Jr. and Vicente C. Pangelinan.

TESTIMONY:

Mr. Ronald Balajadia, Immunization Supervisor, Bureau of Communicable Disease Control, Department of Public Health and Social Services, presented testimony on behalf of the Director and the Department. Additional testimonies were also received by the Committee after the scheduled hearing.

FINDINGS:

The Committee finds that:

- Guam's current statute currently provides no child shall be admitted to any child care facility without a certificate of health signed by a qualified physician indicating the child is free from any communicable disease, and has current inoculations or vaccinations against the following contagious diseases:
 - (a) Smallpox;
 - (b) Diphtheria, pertussis and tetanus;
 - (c) Typhoid fever;
 - (d) Poliomyelitis.

- No student shall be permitted to attend any public or private school, college, or university within Guam unless evidence is presented to the enrolling officer of such school, college or university that the student has had all required vaccinations or immunizations.

- Required vaccinations and immunizations include but are not limited to Diphtheria, Pertussis, Tetanus, Polio, Measles (Rubella), Mumps and Rubella (German Measles) or against any other communicable disease as the Director shall, by regulation, require, except that exemption may be granted to a student in a case when the vaccination or immunization would be against his or her religious beliefs, or upon certification by a parent or guardian of a student who is a minor that such vaccination or immunization would be against their religious belief, or to a student who has been certified by a licensed medical doctor that said student should be exempt from this section where medical contraindication to his or her receiving a specific vaccine exists.

- The Director may require vaccination and immunization of any person or persons suspected as carriers of a communicable disease upon entering or leaving Guam which the Director believes may present a risk to the public health of Guam. The Director, in case of an epidemic or to control a possible epidemic of a communicable disease, may direct that the general population be vaccinated and immunized against said disease. A child may not be enrolled in kindergarten or first grade unless that child has been administered the measles, mumps, and rubella (MMR) vaccine twice or that child is exempt on religious grounds or that the administration to such child is medically contraindicated.

- Concerns expressed that Bill No. 72 proposes to inundate privately operated child care facility(s) with tremendous amount of paper work documenting the present vaccine requirements. It might, in some cases, require child care facility(s) to employ the services of a full time nurse like the public school

system to track the forms to be prescribed by and received from the Department of Public Health and Social Services.

RECOMMENDATION:

The Committee, having reviewed the testimonies presented at the public hearing, does hereby recommend to the Legislature the following: that Bill No. 72, "AN ACT TO REPEAL AND REENACT §§2415, ARTICLE 4, CHAPTER 2 AND 3322, ARTICLE 3, CHAPTER 3, BOTH OF DIVISION 1 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO CHILDREN'S CERTIFICATE OF HEALTH AND VACCINATION AND IMMUNIZATION," be passed as substituted.

Title 10, Guam Code Annotated
Part 1, Division 1, Chapter 2, Article 4.

Current through P.L. 23-35 (1995)

§2415. Children's Certificate of Health.

No child shall be admitted to any child care facility without a certificate of health signed by a qualified physician indicating the child is free from any communicable disease, and has current inoculations or vaccinations against the following contagious diseases:

- (a) Smallpox;
- (b) Diphtheria, pertussis and tetanus;
- (c) Typhoid fever;
- (d) Poliomyelitis.

Title 10, Guam Code Annotated
Part 1, Division 1, Chapter 3, Article 3.

§3322. Vaccination and immunization.

No student shall be permitted to attend any public or private school, college, or university within Guam unless evidence is presented to the enrolling officer of such school, college or university that the student has had all required vaccinations or immunizations. Required vaccinations and immunizations include but are not limited to Diphtheria, Pertussis, Tetanus, Polio, Measles (Rubeola), Mumps and Rubella(German Measles) or against any other communicable disease as the Director shall, by regulation, require, except that exemption may be granted to a student in a case when the vaccination or immunization would be against his or her religious beliefs, or upon certification by a parent or guardian of a student who is a minor that such vaccination or immunization would be against their religious belief, or to a student who has been certified by a licensed medical doctor that said student should be exempt from this section where medical contraindication to his or her receiving a specific vaccine exists. The Director may require

vaccination and immunization of any person or persons suspected as carriers of a communicable disease upon entering or leaving Guam which the Director believes may present a risk to the public health of Guam. The Director, in case of an epidemic or to control a possible epidemic of a communicable disease, may direct that the general population be vaccinated and immunized against said disease. A child may not be enrolled in kindergarten or first grade unless that child has been administered the measles, mumps, and rubella (MMR) vaccine twice or that child is exempt on religious grounds or that the administration to such child is medically contraindicated.

Title 10, Guam Code Annotated
Part 1, Division 1, Chapter 3, Article 3.

§ 3301. Definitions.

As used in this article:

(a) Communicable Disease includes any of the following diseases or conditions which are dangerous to public health:

1. Acquired Immune Deficiency Syndrome (AIDS)
2. Amebiasis (amoebic dysentery);
3. Anthrax;
4. Brucellosis (undulant fever);
5. Chancroid;
6. Chickenpox;
7. Cholera;
8. Clonorchiasis (liver-fluke);
9. Conjunctivitis, acute infectious (pink eye);
10. Dengue;
11. Diarrhea of newborn (epidemic infantile);
12. Diphtheria;
13. Encephalitis, primary (infectious);
14. Erysipelas;
15. Favus;
16. Filariasis;
17. Fish (ciguatera) poisoning;

18. Fish (scombroid) poisoning;
19. Glanders (farcy);
20. Gonorrhoea;
21. Gonorrhoeal ophthalmia;
22. Granuloma inguinale;
23. Hepatitis A (Infectious)
24. HIV-seropositive condition;
25. Hepatitis B (Serum);
26. Hookworm disease;
27. Impetigo contagious (in institution);
28. Influenza;
29. Kerato-Conjunctivitis (Infectious);
30. Leprosy (Hansen's Disease);
31. Leptospirosis (Weil's disease or hemorrhagic jaundice);
32. Malaria;
33. Measles (rubeola);
34. Melioidosis
35. Meningitis, aseptic;
36. Meningitis, cerebrospinal (meningococcic);
37. Meningitis, other infectious;
38. Mononucleosis, infectious;
39. Mumps;
40. Paratyphoid fever;
41. Pertussis (whooping cough);
42. Plague;
43. Poliomyelitis, acute anterior (infantile paralysis);
44. Psittacosis-ornithosis;
45. Puerperal septicemia;
46. Rabies;
47. Relapsing fever;
48. Rheumatic fever (active);
49. Rickettsial disease;
50. Ringworm of the scalp (tinea capitis);
51. Rubella (German measles);
52. Salmonellosis;
53. Scabies;
54. Scarlet Fever;
55. Septic sore throat (streptococcus);

56. Shigellosis (bacillary dysentery);
57. Smallpox;
58. Syphilis;
59. Tetanus;
60. Trachoma;
61. Trichinosis;
62. Tuberculosis (pulmonary);
63. Tuberculosis (other than pulmonary);
64. Tularemia;
65. Typhoid fever;
66. Typhus fever;
67. Yaws;
68. Yellow fever
69. Any other disease deemed by the Director to be dangerous to the public health may be added by regulation.

(b) Isolation means the separation of persons suffering a communicable disease or carriers of such a disease from other persons for the period of communicability in such places and under such conditions as will prevent the transmission of the causative agent; and

(c) Quarantine means the limitation of freedom of movement of those who have been exposed to a communicable disease, whether a person or animal, for a period of time equal to the longest usual incubation period of the disease, in such manner as to prevent effective contacts with those not so exposed.

<<CHAPTER 3. PUBLIC HEALTH AND SOCIAL SERVICES>>

<<AUTHORITY AND SOURCE>>

NOTE: The former Chapter 3 was repealed by P.L. 22-130:1 and a new Chapter 3 was added by P.L. 22-130:2.



*Ronald Balajadia
2/25/99/mess*

GOVERNMENT OF GUAM
AGANA, GUAM 96910

TESTIMONY ON BILL NO. 72

My name is Ronald Balajadia, Immunization Supervisor for the Bureau of Communicable Disease Control with the Department of Public Health and Social Services. I am here to present testimony on behalf of our Director, Mr. Dennis G. Rodriguez and the Department.

The Department supports the intention of Bill 72 which would allow any changes to be made in the recommended immunizations by the Advisory Committee on Immunization Practices (ACIP) and the American Academy of Pediatrics (AAP).

There are several recommendations that we are submitting for your consideration for incorporation into this bill.

On Section 2415 of Title 10, Chapter 2, Article 2 Guam Code annotated, we have a concern with the language "free from any communicable disease." We would like to recommend to the committee to clarify this portion or to come up with a definition for "communicable disease." Our concern stems from those children who may be HIV+, Hepatitis B or other diseases. Should these children be excluded from a child care facility? Should there be language added for exclusion of certain communicable diseases due to the routes of transmission?

In section 2415, there are two topics which are being discussed. They are talking about 1) certification of clearance of communicable disease, and 2) having current immunization shots. By deleting "and has current inoculations or vaccinations against the following contagious diseases:" and adding "as the Director of Public Health and Social Services shall, ..." the two topics are being made into one subject which does not flow. There needs to be a separation of the two topic areas.

We would also like to include "Immunization recommendations of the Advisory Committee on Immunization Practices (ACIP) of the United States Department of Health and Human Services and the American Academy of Pediatrics (AAP); provided that in the event that the recommendations of the ACIP and the AAP differ, the Department of Public Health and Social Services shall determine which recommendations shall apply." The reason is to identify the groups involved in determining the Immunization schedule.

We agree in the deletion of the listed diseases.



Commonwealth Now!

Concerning P.L. 22-130 Section 3322, we would again like to include the language "Immunization recommendations of the Advisory Committee on Immunization Practices ..." where new language has been added into the law.

We again agree with the deletion of listed immunizations since immunization schedules change frequently.

We would like to thank you for your time in hearing our concerns and recommendations and if you have any questions or need clarification, please do not hesitate in contacting us. Thank you again for the opportunity to present testimony on Bill 72 and we respectfully request that this Committee recommend passage of this to the Legislature.

MACK N. EZZELL

Management Consultant

PO Box 21863

MPO GUAM, GU 96921

TELEPHONE 671-632-1208

FACSIMILE 671-632-1209

E-MAIL mack@kuentos.guam.net

Date: February 25, 1997

Senator Edwardo J. Cruz, M.D.
Chairperson, Committee on Health & Human Services
Twenty-Fourth Guam Legislature

Subject: Testimony on Bill 72
Children's Certificate of Health
Vaccination & Immunization (Poliomyelitis)

Dear Senator Cruz:

In 1955 I contracted Poliomyelitis in Hawaii as the vaccine was being distributed throughout the United States. I spent nine months in the hospital and the rest of my life trying to recover. I strongly support immunizations against communicable diseases.

I joined the Rotary Club of Northern Guam in part because it has adopted the goal, in conjunction with the World Health Organization, of eliminating Poliomyelitis from the world by 2005. Small pox has been exterminated throughout the world through the aggressive use of vaccination. Wild Poliomyelitis has been eliminated throughout North & South America and in most other countries. However, it still exists in China, India and a few other countries. Because of air travel a person can catch poliomyelitis one day and be in Guam the next and still not show symptoms for ten days to two weeks meanwhile spreading the disease to any non-immunized person contacted. In Europe and some other areas the main reservoir of wild Poliomyelitis is in religious communities who do not believe in vaccination.

I am a person who deeply believes in God and hesitates to force someone to do something in contradiction to their beliefs; however, I consider the greater public welfare to be worth overriding their objections and mandating that all children be vaccinated (I certainly wish I had been).

Perhaps a public health professional can confirm this but my understanding is that more people have been saved from death and disease by immunizations, vector control, and improved sanitation than by all other factors (doctors, hospitals, operations, medical procedures, etc.) combined.

I do encourage the extension of greater power to the Director of the Department of Public Health and Social Services (DPHSS), my friend Dennis Rodriguez, and the Advisory Committee on

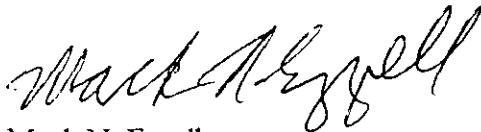
Mack N. Ezzell
2/25

Immunization Practice (ACIP) to take immediate action to immunize the general population against a new or resurgent disease. However, I feel that after the emergency is dealt with, that the Administrative Adjudication Act with its public hearings should be made mandatory, so both the general body of health professionals and the public can have input into these critical matters.

To summarize:

- 1 I do not support dropping the immunization requirement from the law (except for small pox which is extinct in the wild) and making them discretionary on the part of the DPHSS Director and the ACIP.
- 2 I support giving the DPHSS Director and the ACIP greater power to take immediate action.
- 3 I support making the Administrative Adjudication Act requirements mandatory in regards to extension of immunization requirements to additional types of diseases.
- 4 I do not support religious exemptions to immunization requirements.

Thank you and your dedicated colleagues for your hard work in presenting this Bill.



Mack N. Ezzell

Pacific Life Chiropractic
761 S. Marine Drive, Ste. A5-B
Cen-Tam Bldg.
Tamuning, GU 96911
649-9355

Robert W. Gregory, D.C.

Barbara Onedera-Gregory, D.C.

Senator Ed Cruz, M.D.
Chairperson, Committee on Health and Human Services
Twenty-Fourth Guam Legislature
297-C W. O'Brien Drive Agana, GU 96910.

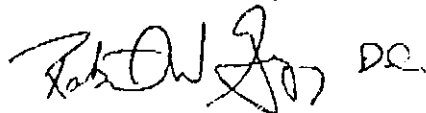
Dear Senator Cruz:

I would like voice my support in favor of Bill 72 which amends Section 2415 of Title 10 Chapter 2, Article 4 of the Guam Code annotated and P.L. 22-130 Section 3322. The current code does not provide exemptions for religious or medical reasons of children of child care facility age. The current law does however, provide these exemptions for children of the ages from kindergarten and up. Therefore, the current law was protecting the rights of children from kindergarten age and up, and disregarding the rights of the children of child care age. I'm sure this was just an oversight on the part of the lawmakers who originally passed this law, but Bill 72 would amend this oversight correctly.

The current code is also outdated because it requires children in a child care facility to be immunized against diseases that have been eradicate or are no longer a threat to the island (Small pox and Typhoid fever). Bill 72 would change this by empowering the appropriate authorities to advise the appropriate vaccines at the correct times.

It is my position that our elected officials, which includes you as the Chairperson of the Committee on Health & Human Services, support the United States Constitution, and should have no problem with passing this amendment. If you have any questions, please do not hesitate to call me at my office or home.

Thank you for your time.



Robert W. Gregory, D.C.

**Pacific Life Chiropractic
761 S. Marine Drive, Ste. A5-B
Cen-Tam Bldg.
Tamuning, GU 96911
649-9355**

Robert W. Gregory, D.C.

Barbara Onedera-Gregory, D.C.

February 28, 1997

Senator Edwardo J. Cruz, M.D.
Chairperson, Committee on Health and Human Services
Twenty-Fourth Guam Legislature
297-C W. O'Brien Drive
Agana, GU 96910

Dear Senator Cruz:

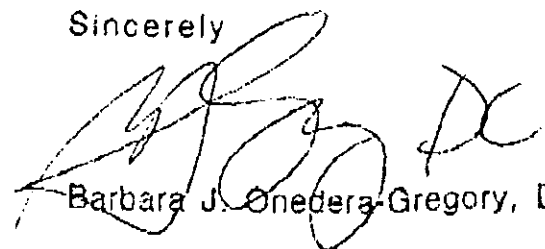
I would like to voice my support in favor of Bill 72 which amends Section 2415 of Title 10 Chapter 2, Article 4 of the Guam Code annotated and P.L. 22-130 Section 3322. The current code is outdated and requires children enrolled in a child care facility to be immunized against diseases that have been eradicated or are no longer a threat to the island (ie. Small pox and Typhoid fever). This code also does not provide exemptions for religious beliefs or medical reasons.

Bill 72 updates the immunization requirements and also provides for religious or medical exemptions. I strongly feel that these exemptions are necessary. First of all, a religious exemption is necessary because this exemption would allow for freedom of religious beliefs which is guaranteed by the Constitution of The United States of America. Secondly, a medical exemption is necessary in order to minimize damage to the child who has already had an adverse reaction to an inoculation.

We want to protect the health of our most valued possessions, our children, and we also want protection of our rights guaranteed by the Constitution.

Thank you for your time and we greatly appreciate your help.

Sincerely



Barbara J. Onedera-Gregory, D.C.

*file in 2/25/97
Public Hearing
Testimony*

THE CHILD CENTER, 136 Mamis St, Tumon Heights, Guam 96911
649 6505 646 1183

March 5, 1997

Senator Edwardo J. Cruz, MD.,
Chairperson, Committee on Health and Human Services
Twenty Fourth Guam Legislature

RECEIVED
24TH GUAM LEGISLATURE
COM. HEALTH & HUMAN SVCS.
DATE 3/10 By: *[Signature]*

Dear Senator Cruz,

RE: TESTIMONY ON BILL #72

On retiring from the Department of Education in June of 1995, I opened and direct, The Child Center, a twenty-four hour facility located in Tumon Heights. I am using this opportunity to express concerns, recommendations and support of various sections contained in Bill #72.

I am concerned that If the present list of vaccinations is deleted and required vaccinations left to the discretion of the Director of Public Health (whose listings could arbitrarily change at any time), I foresee record keeping activity becoming a full time position in the school setting, child care facilities and other institutions to the neglect of their primary function, which is the development and care of the child.

There is already a tremendous amount of paper work documenting the present vaccination requirements. In our public schools, the Government of Guam funds the employment of nurses who are already overburdened with paperwork to the exclusion of their primary duties. Let me remind the listener here that the nurse receives an expensive education certifying her as a practitioner not as a record keeping clerk.

The private sector faces a similar situation with the added burden of hiring a person for an unproductive position. Child centers operate on a small profit margin and the maintenance of such a position is an additional expense making costs exorbitant to the point, in the near future, of closing down the centers.

I recommend that vaccinations remain listed within the law and or it should be the Department of Public Health's responsibility to review the records and determine whether student's have met the criteria or not. We should receive a clearance form from Public Health to admit a student.

[Handwritten initials]
3/11/97
3/10/97

They would also provide the notification to parents, child care directors and schools of vaccinations due. I would willingly assist in setting up the process.

Parents would receive a verification certificate with a public health stamp with the due date for the next vaccination. A small fee could be charged by Public Health for those eligible to pay.

I support exempting from vaccination children whose parent's or guardian's object for either religious or medical contraindication reasons.

I recommend defining 'communicable diseases.' My concern is for a child who may be HIV+ or children with other communicable diseases. Will they be denied enrollment in a child care facility?

If this law succeeds in deleting the required immunizations from the law I believe at the very least the public should have the opportunity to comment through the administrative adjudication act system when new schedules of immunizations are proposed.

I am glad to have this opportunity to present this important point of view. Child care directors should be freed from the burden of repetitive paper work so they can devote their energies, in the context of their training, to the development of programs which will benefit the nurturing, growth and care of the children of Guam, our Island's most precious resource.

A handwritten signature in black ink, reading "Gillian Hardman". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

GILLIAN HARDMAN
DIRECTOR
THE CHILD CENTER

Committee on Health and Human Services

Public Hearing
February 25, 1997
9:00 am to 12:00 noon

Agenda

Bill No. 21 by Senator Felix Camacho, AN ACT TO REPEAL AND RE-ENACT SECTION 2303, ARTICLE 3, CHAPTER 2, TITLE 10, GUAM CODE ANNOTATED, TO REQUIRE THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES DIRECTOR TO PROVIDE FREE DENTAL CARE FOR ECONOMICALLY INDIGENT CHILDREN UNDER THE AGE OF SIXTEEN

Bill No. 72 by Sen. Lou Leon Guerrero, AN ACT TO AMEND SECTION 2415 SECTION 10 CHAPTER 2 ARTICLE 4, OF THE GUAM CODE ANNOTATED; AND P. L. 22-130 SECTION 3322.

Bill No. 127 by Sen. Edwardo J. Cruz, M.D. , AN ACT TO ADD A NEW SECTION (D) TO CHAPTER 4 ARTICLE 3 §4302 REQUIRING ALL HEALTH INSURANCE COMPANIES PROVIDING SERVICES TO GOVERNMENT OF GUAM EMPLOYEES TO HAVE CONTRACTS WITH ALL GOVERNMENT ENTITIES PROVIDING MEDICAL SERVICES TO THEIR SUBSCRIBERS.

Bill No. 137 by Sen. Edwardo J. Cruz, M.D. , AN ACT TO AUTHORIZE GUAM MEMORIAL HOSPITAL AUTHORITY TO SET ROOM RATE ADJUSTMENTS THROUGH THE ADMINISTRATIVE ADJUDICATION LAW.

Bill No. 138 by Sen. Edwardo J. Cruz, M.D. , AN ACT TO ADD A NEW SECTION (H) TO CHAPTER 4 GCA ARTICLE 3 §4302 TO INCLUDE ALL GOVERNMENT OF GUAM RETIREES THE OPTION OF HEALTH INSURANCE COVERAGE.

Office of
Senator Edwardo J. Cruz, M. D.
Chairperson
Committee on Health and Human Services
T.S. Tanaka Building
Tel: 472-3581 Fax: 477-1208

Memorandum

To: Elena Scragg
Mental Health

From: Chairperson and Vice Chairperson
Committee on Health and Human Services

Date: February 19, 1997

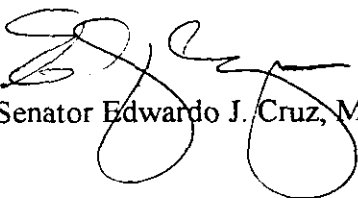
Subject: Public Hearing on February 25, 1997

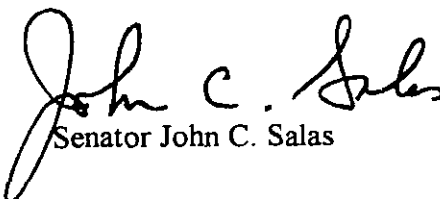
The committee on Health and Human Services is scheduled to conduct a Public Hearing on Tuesday February 25, 1997 at the Public Hearing Room from 9:00 am to 12:00 noon. The Agenda and copies of the Bills to be heard are enclosed for your review and information.

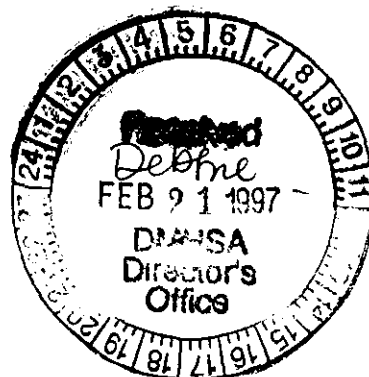
Each Agency Director/Administrator and/or their respective representative(s) are encouraged to participate and discuss the bill that may have impact on their agency.

We consider your testimony, either written or oral, to be invaluable in this process.

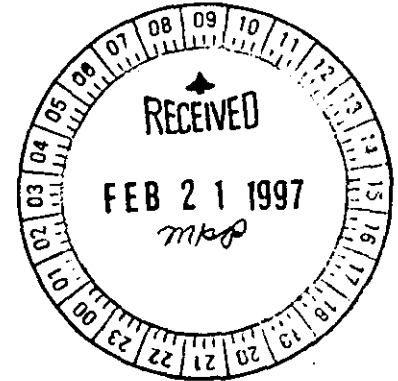
Thank You,


Senator Edwardo J. Cruz, M. D.


Senator John C. Salas



Office of
Senator Edwardo J. Cruz, M. D.
Chairperson
Committee on Health and Human Services
T.S. Tanaka Building
Tel: 472-3581 Fax: 477-1208



Memorandum

To: Tyrone Taitano
Guam Memorial Hospital

From: Chairperson and Vice Chairperson
Committee on Health and Human Services

Date: February 19, 1997

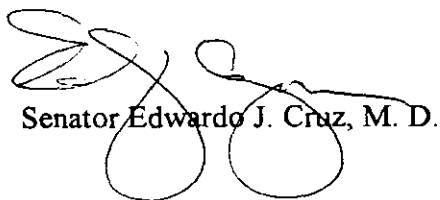
Subject: Public Hearing on February 25, 1997

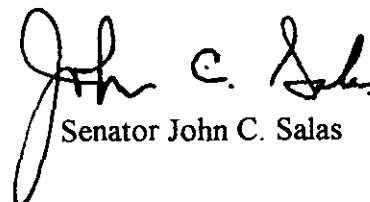
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Thank You,


Senator Edwardo J. Cruz, M. D.


Senator John C. Salas

attn: Dan Astoraga
Fax: 477-7100

received
2/21/97

Office of
Senator Edwardo J. Cruz, M. D.
Chairperson
Committee on Health and Human Services
T.S. Tanaka Building
Tel: 472-3581 Fax: 477-1208

Memorandum

To: John S. Salas
Department of Administration

From: Chairperson and Vice Chairperson
Committee on Health and Human Services

Date: February 19, 1997


Subject: Public Hearing on February 25, 1997

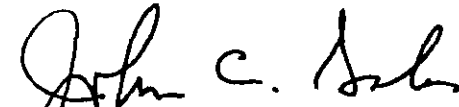
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Senator Edwardo J. Cruz, M. D.


Senator John C. Salas

Office of
Senator Edwardo J. Cruz, M. D.
Chairperson
Committee on Health and Human Services
T.S. Tanaka Building
Tel: 472-3581 Fax: 477-1208

Memorandum

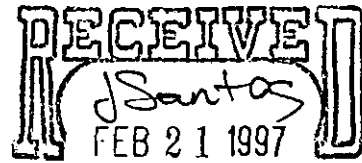
To: FHP Calvo Life & Health Division
GMHP
StayWell
Mult-Cover

Attention: Director of Communications

From: Chairperson and Vice Chairperson
Committee on Health and Human Services

Date: February 19, 1997

Subject: Public Hearing on February 25, 1997



Calvo's Insurance
Underwriters, Inc.

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Senator Edwardo J. Cruz, M. D.

Senator John C. Salas

Office of
Senator Edwardo J. Cruz, M. D.
Chairperson
Committee on Health and Human Services
T.S. Tanaka Building
Tel: 472-3581 Fax: 477-1208

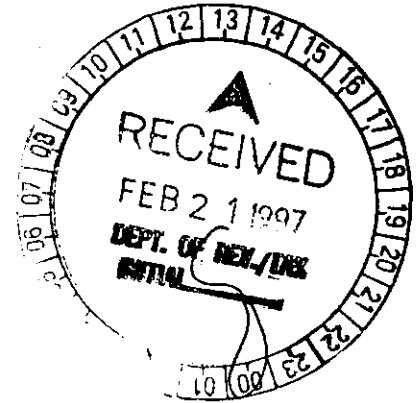
Memorandum

To: Joey Duenas
Revenue & Taxation

From: Chairperson and Vice Chairperson
Committee on Health and Human Services

Date: February 19, 1997

Subject: Public Hearing on February 25, 1997

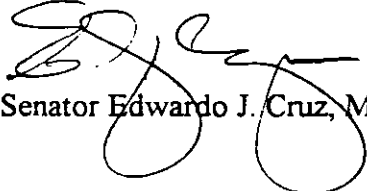


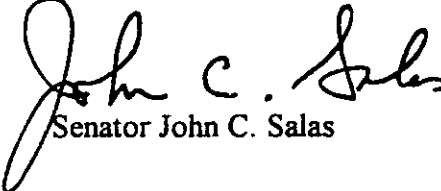
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Thank You,


Senator Edwardo J. Cruz, M. D.


Senator John C. Salas

Office of
Senator Eduardo J. Cruz, M. D.
Chairperson
Committee on Health and Human Services
T.S. Tanaka Building
Tel: 472-3581 Fax: 477-1208

*Rec'd
2/21/97
Agencia
Cruz*

Memorandum

To: Dennis Rodriquez *Peñajela Camacho*
Public Health & Social Services

From: Chairperson and Vice Chairperson
Committee on Health and Human Services

Date: February 19, 1997

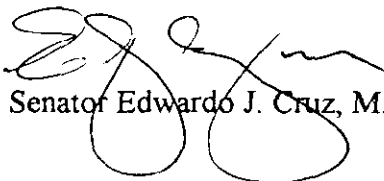
Subject: Public Hearing on February 25, 1997

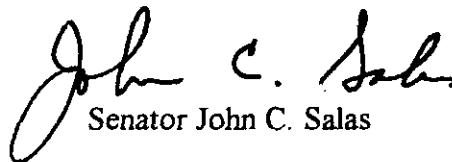
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Thank You,


Senator Eduardo J. Cruz, M. D.


Senator John C. Salas

ncs
OFFICE COPY

Office of
Senator Eduardo J. Cruz, M. D.
Chairperson
Committee on Health and Human Services
T.S. Tanaka Building
Tel: 472-3581 Fax: 477-1208

Memorandum

To: Members of the Committee on Health and Human Services
Ex-Officio Speaker Antonio R. Unpingco
Vice Speaker Anthony C. Blaz
Senator Elizabeth Barrett-Anderson Senator Joanne M. S. Brown
Senator Felix P. Camacho Senator William B.S.M. Flores
Senator Mark Forbes Senator Lawrence F. Kasperbauer
Senator Alberto A.C. Lamorena, V Senator Carlotta M. Leon Guerrero
Senator Lou A. Leon Guerrero Senator Francis E. Santos

From: Chairperson and Vice Chairperson
Committee on Health and Human Services

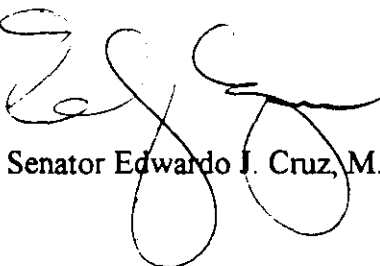
Date: February 19, 1997

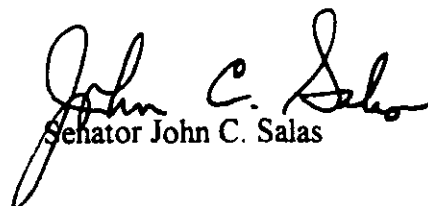
Subject: Public Hearing on February 25, 1997

The Committee on Health and Human Services is scheduled to conduct a Public Hearing on Tuesday, February 25, 1997 at The Public Hearing Room from 9:00 am to 12:00 noon. The Agenda and the Bills to be heard are enclosed for your review.

You are requested to be present at this hearing.

Thank You,


Senator Eduardo J. Cruz, M. D.


Senator John C. Salas

**FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

BBMR-F7

Bill Number: 72 Date Received: 3/26/97
 Amendatory Bill: Yes Date Reviewed: 4/22/97

Department/Agency Affected: Public Health and Social Services
 Department/Agency Head: Dennis Rodriguez
 Total FY Appropriation to Date: \$74,620,483

Bill Title (preamble): AN ACT TO AMEND SECTION 2415 OF TITLE 10 CHAPTER 2 ARTICLE 4, OF THE GUAM CODE ANNOTATED; AND P.L. 22-130 SECTION 3322.

Change in Law: AMENDS SECTION 2415 OF TITLE 10, CHAPTER 2, ARTICLE 4, GCA.

Bill's Impact on Present Program Funding:
 Increase _____ Decrease _____ Reallocation _____ No Change XX

Bill is for:
 Operations _____ Capital Improvement _____ Other XX

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Public Health	See Comments		

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL	See	Comments				
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? N/A -- IF NO, ADD'L AMOUNT REQUIRED \$
 AGENCY/PERSON/DATE CONTACTED: PHSS / Peter John Camacho / 4/22/97

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						

ANALYST Stephen Guerrero DATE 4/22/97 DIRECTOR Francisco Gonzalez DATE 4/22/97
 for Joseph E. Rivera, Acting

FOOTNOTES: Bill No. 37 is administrative in nature and has no fiscal impact on the General Fund.