



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Office of the Speaker
ANTONIO R. UNPINGCO

Date: Oct. 16, 1998

Time: 11:20am

Rec'd by: [Signature]

Print Name: J. Roberts

OCT 16 1998

The Honorable Antonio R. Unpingco
Speaker
Mina'Bente Kuáttro na Liheslaturan Guåhan
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY

ACKNOWLEDGMENT RECEIPT

Received By: [Signature]

Time: 1:58pm

Date: 10-16-98

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 182 (COR), "AN ACT TO ADD §23111 TO CHAPTER 23, DIVISION 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO FREQUENT FLYER MILEAGE OR TRAVEL BENEFITS FOR OFF-ISLAND MEDICAL REFERRALS", which I have signed into law today as **Public Law No. 24-276**.

This legislation includes all three branches of government, as well as the University of Guam, the Guam Visitors Bureau the Department of Education as well as non-government persons traveling at government expense in a program to donate frequent flyer miles to the use of off-island travel for medical referral needs of Guam.

Very truly yours,

Carl T. C. Gutierrez
I Maga'lāhen Guåhan
Governor of Guam

Attachment: copy attached for signed bill
 original attached for vetoed bill


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

01053

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session


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

This is to certify that Substitute Bill No. 182 (COR), "AN ACT TO ADD §23111 TO CHAPTER 23, DIVISION 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO FREQUENT FLYER MILEAGE OR TRAVEL BENEFITS FOR OFF-ISLAND MEDICAL REFERRALS," was on the 2nd day of October, 1998, duly and regularly passed.



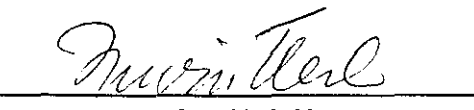
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

.....
This Act was received by I Maga'lahaen Guahan this 6th day of October, 1998,
at 2:50 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 10-16-98

Public Law No. 24-276

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1997 (FIRST) Regular Session

Bill No. 182 (COR)

As substituted by the Author
and amended on the Floor.

Introduced by:

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

**AN ACT TO ADD §23111 TO CHAPTER 23,
DIVISION 1 OF TITLE 5 OF THE GUAM CODE
ANNOTATED, RELATIVE TO FREQUENT FLYER
MILEAGE OR TRAVEL BENEFITS FOR OFF-
ISLAND MEDICAL REFERRALS.**

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

1 **Section 1. Legislative Intent.** *I Liheslaturan Guahan* finds those
2 patients and their families needing off-island medical referral are spending
3 thousands of dollars for transportation through the airlines. Furthermore, *I*
4 *Liheslaturan Guahan* recognizes that many families *cannot* afford this cost
5 plus the direct medical expenses. The Department of Public Health and
6 Social Services, through its medically indigent program, has spent over
7 Two-Hundred Thousand Dollars (\$200,000.00) annually in the past years to
8 provide transportation for patients and their escorts to medical facilities off-
9 island. *I Liheslaturan Guahan* is of the opinion that *if* frequent flyer miles can
10 be pooled from all government entities, then the needs of the medically
11 indigent and other patients requiring off-island medical referral, which are
12 generally medical emergencies, would be better served.

13 **Section 2.** Section 23111 is hereby *added* to Chapter 23, Division 1 of
14 Title 5 of the Guam Code Annotated to read as follows:

15 **"Section 23111. (a) Title.** This Act may be cited and referred
16 to as '*The Medical Referral Benefits Bank Act.*'

17 **(b) Medical Referral Benefits Bank Account.** There is
18 hereby created within the government of Guam a fund for the banking
19 of travel mileage earned as a result of travel paid by the government
20 of Guam. This fund shall be known as the *Medical Referral Benefit Bank*
21 *Account* (the 'MRBBA') to be administered by the Department of
22 Administration for all government agencies, instrumentalities,
23 autonomous agencies, public corporations and branches of the
24 government of Guam into which shall be deposited all travel benefits

1 which accrue to the government of Guam employee or consultant by
2 virtue of receiving travel authorization payments.

3 (c) **Definitions.** For purposes of this Act the following
4 words and phrases are defined to mean:

5 (i) '*Account*' means the Medical Referral Benefits Bank
6 Account established under this Act.

7 (ii) '*Accrued mileage*' means those miles accrued by a
8 traveler on a frequent flyer benefit program.

9 (iii) '*Employee*' means all persons employed within the
10 government of Guam, whether classified or unclassified, or full-
11 time, part-time, temporary or limited term basis; all elected
12 officials, judges, mayors and individual consultants.

13 (iv) '*Travel benefit*' means a program designed by an
14 airline that awards accrued mileage and benefit programs to its
15 clients.

16 (d) **Requirement.**

17 (i) All employees of the Legislative, Judicial and
18 Executive Branches, including, but not limited to, all
19 autonomous and semi-autonomous and those agencies, public
20 corporations, the University of Guam, the Guam Visitors
21 Bureau, the Department of Education, all elected officials and
22 individual consultants of the government of Guam, as well as
23 non-government persons traveling at government expense, shall,
24 as a condition of receiving local or Federal monies under a travel
25 authorization ('TA') contractual allotment for travel, or any

1 government of Guam monies, used directly or indirectly for
2 expenses incurred for official government travel, sign a waiver
3 form donating accrued mileage credits from any travel benefit
4 on whatever airline, into the 'MRBB Account.' The executed
5 waiver form shall be required by the certifying officer of the
6 respective entity prior to the certification of the availability of
7 the funds for travel.

8 (ii) All employees of the Legislative, Judicial and
9 Executive Branches, including, but not limited to, all
10 autonomous, semi-autonomous and those agencies, public
11 corporations, the University of Guam, the Guam Visitors
12 Bureau, the Department of Education, all elected officials and
13 individual consultants of the government of Guam traveling in
14 an official capacity shall be required to sign a waiver form
15 donating accrued mileage credits from any travel benefit on
16 whatever airline into the 'MRBB Account'.

17 **(e) Eligibility.** The following persons are eligible for
18 participation:

19 (i) patients and health care staff necessary for the
20 transport of patients being medically referred to be treated off
21 Island;

22 (ii) patients under the Medically Indigent Program;

23 (iii) all health care staff (physicians, nurses, technicians)
24 providing direct care to the patient being transported, as

1 approved by the Medical Director of Guam Memorial Hospital
2 Authority.

3 Patient Eligibility shall be based upon:

- 4 (i) financial need;
- 5 (ii) lack of availability or required medical services on
6 Guam; and
- 7 (iii) urgency and severity of illness, as documented by an
8 attending physician.

9 **(f) Authorized Use.** The accrued mileage account shall be
10 used to send off-island medical referrals patients to the destination as
11 determined by the patient's duly licensed physician with the
12 concurrence of the Guam Memorial Hospital Medical Director.
13 Persons authorized to withdraw from the Account shall be the
14 Medical Referral Office Manager and the Administrator of the Guam
15 Memorial Hospital Authority, or his/her designee.

16 **(g) Membership.** The government of Guam is hereby
17 authorized to become a member of the travel benefits program
18 instituted by any and all airlines serving Guam. All persons covered
19 by this Act are required to become members of travel benefit
20 programs sponsored by any and all airlines serving Guam, *if* required
21 by the respective airlines, to satisfy the purpose of this Act.

22 **(h) Other Travel Benefits.** All other travel benefits,
23 including, but not limited to, volume purchase discounts and accrued
24 number of ticket purchases for free flight benefits and promotional
25 travel benefits shall be accrued and used for the purpose of this

1 Program. The Director of Administration shall establish procedures
2 for management of these benefits and for distribution as requested by
3 the Medical Referral Office Manager or the Hospital Administrator, or
4 his/her designee.

5 (i) **Negotiation.** For the purposes of this Act, the Director
6 of Administration may negotiate with any and all airlines serving
7 Guam.

8 (j) **Deposit of Benefits.** All mileage accrued by a
9 government of Guam employee shall be deposited directly into the
10 Account by the air carrier no later than ninety (90) days after the date
11 of departure.

12 (k) **Penalties.** Violation of this Act shall result in the
13 following:

14 (1) For those cited in Subsection (d) of this Act shall
15 result in forfeiture of government funded travel or any
16 government expense, including, but not limited to, salaries paid
17 while off Island per diem, for a period of one (1) year from the
18 date of last travel.

19 (2) The Certifying Officer of the responsible government
20 department or agency identified in Subsection (d) of this Act
21 shall be individually or personally liable for the payment of any
22 amounts due on any of the official trips made under the
23 provisions of the Government Travel Law and shall be guilty of
24 a petty misdemeanor.

1 **(l) Indemnification.** The government of Guam
2 shall indemnify and hold harmless the participating airline(s) thereof
3 for any loss subject to an agreement, and provided that such loss is not
4 a result of the negligence of the airline(s). *I Maga'lahen Guahan* is
5 hereby authorized to enter into such an indemnification agreement
6 pursuant to this Section.

7 **(m) Rules and Regulations.** The Administrator of the
8 Guam Memorial Hospital and the Director of the Department of
9 Administration shall jointly promulgate rules and regulations within
10 sixty (60) days from the date of enactment providing for the
11 implementation of this Program on January 1, 1999. These rules and
12 regulations shall include provisions for non-compliance with this Act
13 and shall provide for the determination of eligibility as provided in
14 this Act. The rules and regulations shall be promulgated pursuant to
15 Article 3, Chapter 9 of Title 5 of the Guam Code Annotated, through
16 the *Administrative Adjudication Law, Rule Making Procedures.*"

17 **Section 3.** Executive Order Number 95-23, known as "Medivac
18 Charity Account," is hereby *repealed*.

19 **Section 4. Severability.** If any provision of this Law or its
20 application to any person or circumstance is found to be invalid or contrary
21 to law, such invalidity shall *not* affect other provisions or applications of this
22 Law which can be given effect without the invalid provisions or application,
23 and to this end the provisions of this Law are severable.

✓
**Committee on Power, Foreign Affairs
and Governmental Services**

155 Hesler Street
Agana, Guam 96910
Tel: (671) 472-3505 • Fax: (671) 472-9747

May 19, 1998

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

VIA: Chairperson, Committee on Rules

Dear Mr. Speaker:

The Committee on Health and Human Services, to which was referred Bill No. 182, AN ACT RELATIVE TO FREQUENT FLYER MILEAGE OR TRAVEL BENEFITS FOR OFF-ISLAND MEDICAL REFERRAL, TO CITE THE ACT AS THE "MEDICAL REFERRAL BENEFITS BANK ACT" BY ADDING A NEW §23111 TO ARTICLE 1, CHAPTER 23 OF TITLE 5 OF THE GUAM CODE ANNOTATED," 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:

10 ✓ To Do Pass
 Not to Pass
 Abstain
 Inactive File

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

Sincerely,

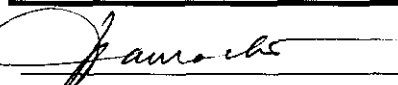
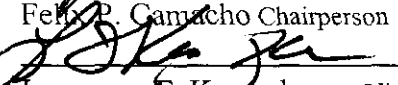
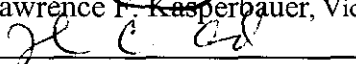
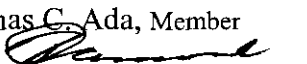
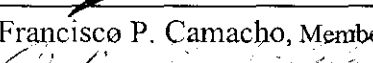
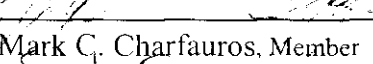
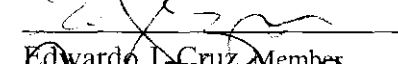
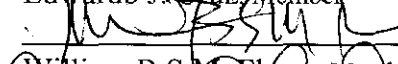
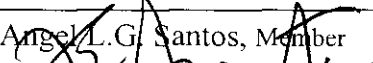
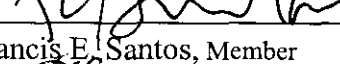


FELIX P. CAMACHO
Chairperson.

Enclosure:

Committee Power, Foreign Affairs and General Governmental Services
Vote Sheet on
Substitute Bill No. 182

AN ACT RELATIVE TO FREQUENT FLYER MILEAGE OR TRAVEL BENEFITS FOR OFF-ISLAND MEDICAL REFERRAL, TO CITE THE ACT AS THE "MEDICAL REFERRAL BENEFITS BANK ACT" BY ADDING A NEW §23111 TO ARTICLE 1, CHAPTER 23 OF TITLE 5 OF THE GUAM CODE ANNOTATED.

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 Felix P. Camacho Chairperson	✓			
 Lawrence F. Kasperbauer, Vice Chairperson	X			
 Thomas C. Ada, Member	✓			
 Francisco P. Camacho, Member	✓			
 Mark C. Charfauros, Member	✓			
 Edwardo J. Cruz, Member	✓			
 William B.S.M. Flores, Member	✓			
 Carlotta A. Leon Guerrero, Member	✓			
Alberto A.C. Lamorena, V, Member				
Vicente C. Pangelinan, Member				
 Angel L.G. Santos, Member	✓			
Francis E. Santos, Member	✓			
 Judith Won Pat-Borja, Member	✓			
Frank B. Aguon, Jr., Member				

TO REPORT OCT 2014

Committee on Power, Foreign Affairs and Governmental Services

Report on
Substitute Bill No. 182

AN ACT RELATIVE TO FREQUENT FLYER MILEAGE OR TRAVEL BENEFITS FOR OFF-ISLAND MEDICAL REFERRAL, TO CITE THE ACT AS THE "MEDICAL REFERRAL BENEFITS BANK ACT" BY ADDING A NEW §23111 TO ARTICLE 1, CHAPTER 23 OF TITLE 5 OF THE GUAM CODE ANNOTATED.

Introduced by Senators
E. J. Cruz, J. C. Salas, and E. Barrett-Anderson

PUBLIC HEARING:

The Committee on Power, Foreign Affairs and General Governmental Services conducted a public hearing on Friday, June 20 1997 to hear testimonies on Bill No. 182, "AN ACT TO ADD A NEW SECTION TO TITLE 5 GUAM CODE ANNOTATED ESTABLISHING USE OF FREQUENT FLYER MILEAGE FOR OFF-ISLAND MEDICAL REFERRAL, AND TO CITE THE ACT AS THE "OFF-ISLAND MEDICAL REFERRAL MILEAGE BANK ACT." 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 Power, Foreign Affairs and General Governmental Services, Senator Felix P. Camacho. Committee and other members were present at the hearing.

TESTIMONY:

Teofila P. Cruz, the Acting Hospital Administrator appeared before the Committee and presented testimony on behalf of the Hospital. Ms. Cruz informed the Committee that the Hospital is pleased to see proposal enacted as statute. She also suggested to the Committee that "medical escorts" also be included. The inclusion of these escorts will reduce the burden to families and patients in need of this service.

Senator Lou Leon Guerrero questioned the practicability and workability of the program. She also expressed concern about tracking travelers and whether the mileage earned would be deposited into the Bank.

However, Senator Salas, likened the program to that of a corporation doing business with the airlines. Negotiated rates and benefits always follow. A standard account number would be issued on the TA and travel agents would then enter the account into the computer program for issuance of mileage or benefits gained.

Senator Elizabeth Barrett-Anderson informed the witnesses present that during her tenure as Attorney General she was in the process of preparing documentation to effectuate a mileage bank program. However, the airlines at the time would not allow the government of Guam to establish such a bank.

The former Director of the Departments of Administration and Education, Wilfred G. Aflague testified that the program is a commendable program, a workable one and one that should be passed by the Legislature. .

Senator Larry F. Kasperbauer at this time questioned whether some of the accrued mileage can be used to off set some of the air fare expended by the Department of Education with regards to non-appropriated funds. The Committee Chairperson responded saying that if the current "Mileage Bank" program with respects to the patient referrals becomes a workable program, he has no objections of extending the program to cover the school children. Senator Cruz emphasized that the program must first work before its parameters can be broaden.

There being no further witnesses, the Chairperson adjourned the Committee hearing on Bill No. 182.

MEETING WITH CONTINENTAL MICRONESIA:

On March 19, 1997, Senator E. J. Cruz, the main sponsor of Bill No. 182, assigned two (2) of his Committee staffers to meet with Mr. Walter Dias, Staff Vice President, Sales and Promotion, Continental Micronesia regarding Bill No. 182. At the outset, Mr. Dias informed the staff that Continental Micronesia is receptive to the idea of assisting the government in establishing an "off-island mileage bank" for patient referral. Mr. Dias also made mention of the Executive Order that established the Medivac Charity Account for off-island referral. The biggest flaw with this program according to Mr. Dias was that no "OnePass Number" was assigned to the TA's that were issued to the travelers.

The proposal that Mr. Dias suggested is that a OnePass Account number be issued the government. The number will then be typed on the TA and when travel agents issue the ticket, the number will automatically be credited to the government of Guam. Using this number, all statements will then be mailed to the Department of Administration for verification purposes on a monthly or quarterly basis. This, according to Mr. Dias would be the most feasible way of implementing this type of program.

FINDINGS:

The Committee finds the following:

- The Department of Public Health and Social Services through its medical indigent program and Medicaid program, spent over \$250,000 per year to provide transportation for patients and their escorts to medical facilities off-island.
- The government of Guam in Fiscal Years 1995 through 1997 expended over \$5 million in air travel.
- On October 18, 1995, the Governor of Guam promulgated Executive Order 95-23 establishing the "Medivac Charity Account."
- Since the "Medivac Charity Account" was established the account has not been used since there have been no mileage deposited into the account.
- Bill No. 182 as substituted has received the favorable support from the Hospital and concerned citizens alike.
- Bill No. 182 has received the support of the largest airline carrier serving Guam and the Western Pacific. Based upon their recommendation, the program is a workable program designed to benefit the people of Guam.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH

The Bureau of Budget and Management Research (BBMR) having reviewed the legislation stated in its findings that "the Bill's impact on present program funding would be decreased."

More importantly, BBMR's general comments states that *"Bill No. 182 (COR) will have a positive impact on the Department's annual funding requirement for the both Medically Indigent and Medicaid Program. These programs provide off-island medical referrals which are funded through both local and federal matched funds. If Bill 182 is passed into law, the cost savings of the Mileage Bank Act would reduce the off-island funding requirement of both programs. Quantifiable savings to be realized or additional cost to the program is any as a result of the proposed bill has yet to be determined and are unavailable at this time."*

RECOMMENDATION:

The Committee, having reviewed the testimonies presented at the hearing, does hereby recommend to the Legislature the following:

Bill 182, AN ACT RELATIVE TO FREQUENT FLYER MILEAGE OR TRAVEL BENEFITS FOR OFF-ISLAND MEDICAL REFERRAL, TO CITE THE ACT AS THE "MEDICAL REFERRAL BENEFITS BANK ACT" BY ADDING A NEW §23111 TO ARTICLE 1, CHAPTER 23 OF TITLE 5 OF THE GUAM CODE ANNOTATED, be passed as substituted.

**Profile on
Substitute Bill No. 182**

Brief Title:	"Medical Referral Travel Bank Act."
Dated Introduced:	Submitted to the Legislature for introduction on March 18, 1997 to be officially ratified during the April session.
Main Sponsors:	Senators E. J. Cruz, J. C. Salas and E. Barrett-Anderson.
Committee Referral:	Referred by the Committee on Rules to the Committee on Power, Foreign Affairs and General Governmental Services.
Public Hearing:	Friday, June 20, 1997.
Official Title:	AN ACT RELATIVE TO FREQUENT FLYER MILEAGE OR TRAVEL BENEFITS FOR OFF-ISLAND MEDICAL REFERRAL, TO CITE THE ACT AS THE "MEDICAL REFERRAL BENEFITS BANK ACT" BY ADDING A NEW §23111 TO ARTICLE 1, CHAPTER 23 OF TITLE 5 OF THE GUAM CODE ANNOTATED.
Recommendation:	To do pass as substituted.

GENERAL OVERVIEW AND INTENT:

The main intent of Bill No. 182 is to create a "Mileage Bank" to be used for sending patients for off-island medical treatment. The Bank will accrue mileage from persons traveling at government expense. More importantly, it allows for the Director

of the Department of Administration to negotiate with airline carriers serving Guam to participate in the program. Annually, the government spends approximately over \$300,000 to provide transportation for patients and their escorts. It is the intent of the Guam Legislature to ensure that mileage credit garnered as a direct result of a government funding be deposited into a Mileage Bank. The Mileage Bank shall be used to send patients and medical escort(s) to off-island medical facilities.

SECTION ANALYSIS:

Section 1. Legislative Intent: The Guam Legislature opines that while the government is making efforts to cut cost and expenditure, it is also exploring ways and means to fund off-island medical referral trips for patients without having to incur additional expenses. This can be achieved by establishing a Medical Referral Benefit Bank.

Section 2. Adds a new Section 23111 to Title 5 of the Guam Code Annotated. This new Section cites and makes reference to the Act as the "Medical Referral Benefit Bank Act. Furthermore, it provides that Medical Referral Mileage Account be established. This Account is to be used for the purpose of banking travel mileage earned as a result of travel paid for by the government of Guam. Also, Section 23111 defines certain terms used throughout the Act, as well as provide that the Director of the Department of Administration negotiate with any and all other airlines serving Guam for mileage deposits. To effectuate the program, the Administrator of the Guam Memorial Hospital and the Director of the Department of Administration, shall jointly promulgate rules and regulations.



TWENTY-FOURTH
GUAM LEGISLATURE

Senator Felix P. Camacho

Chairman, Committee on Power, Foreign Affairs and General Government Services

155 Mesler Street
Agaña, Guam 96910

Tel: (671)
472-3505 / 6

Fax: (671)
472-9747

November 19, 1997

Mr. Walter Dias
Staff Vice President
Sales & Promotion
Continental Micronesia
P.O. Box 8778
Tamuning, Guam 96931

RECEIVED 11-98
24TH GUAM LEGISLATURE
COM. HEALTH & HUMAN SVCS.
DATE: 11/18 By: [Signature]

Dear Mr. Dias:

As Chairman of the Committee overseeing proposed legislation establishing the "Medical Referral Travel Benefit Act of 1997", I am grateful Continental Micronesia has expressed support for Bill No. 182, and have recommended changes to reflect the realities of mechanics of the program. Bill No. 182 has be amended to reflect much of the testimony received and I would appreciate if you can comment on the enclosed version as substituted by the authors.

I am appreciative of your efforts in working with the Department of Administration and the Legislature in finalizing this program that can be adopted by all branches of government of Guam.

Senator Felix P. Camacho
Chairman

cc: All Senators

Enclosure: Bill No. 182 as substituted by the authors

Post-It™ brand fax transmittal memo 7871		# of pages >
To <i>Sen. E. Cruz</i>	From <i>Sen. Felix Camacho</i>	
Co.	Co.	
Dept.	Phone #	
Fax # <i>472-3582</i>	Fax #	

cc: EJC
RB
JC
RL -JE

Continental Micronesia



Fly with the warmth of Paradise

WALTER B. DIAS
Staff Vice President
Sales and Promotions

P.O. Box 8778
Tamuning, Guam 96931
Tel 671 647 6580
Fax 671 649 6588
SITA GUMEXCS

VIA FAX: 670 472-3582

August 13, 1997

Senator Edwardo J. Cruz, M.D.
Guam Legislature
Route 4, T.S. Tanaka Building, Ste 100
Agana, Guam 96910

Post-it Fax Note 7671		Date	# of pages
To	AGNES	From	WALTER
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

Dear Senator Cruz:

As we discussed, Continental Micronesia supports establishing a medical referral program that utilizes OnePass miles earned by government paid travel. We are currently working with the Department of Administration to complete such an agreement.

Therefore, we support the objective of Bill 182 submitted to the 24th Guam Legislature. However, the details of the Bill need to be changed to reflect the realities of mechanics of frequent flyer programs. For example, a "pooling" arrangement in a "Medivac Charity Account" is not possible in our system. The other details can be discussed at a later date.

We believe the final DOA program should be used as a prototype for the rest of the government of Guam branches. As soon as the DOA program is completed, we would be happy to work with the government of Guam to implement the agreement for all branches.

We look forward to working with the Legislature on this matter. Please let me know if you have any further questions.

Sincerely,


Walter Dias

Post-It™ brand fax transmittal memo 7671 # of pages 2	
To: <i>Sen. E. Cruz</i>	From: <i>Staff</i>
Co. <i>FYI</i>	Co. <i>Sen. Felix Camacho</i>
Dept.	Phone #
Fax # <i>472-3552</i>	Fax # <i>472-7707</i>

**Continental
Micronesia**



Fly with the warmth of Paradise

WALTER B. DIAS
Staff Vice President
Sales and Promotions

11-149.

RECEIVED
24TH GUAM LEGISLATURE
COM. HEALTH & HUMAN SVCS.
DATE: *11/25/97* By: *W. B. Dias*

P.O. Box 8773
Tamuning, Guam 96931
Tel 671 647 5800
Fax 671 649 5588
SITA GUMEX CS

VIA FAX: 671 472-9747

November 24, 1997

Senator Felix P. Camacho
Chairman, Committee on Power, Foreign Affairs and General Government Services
Twenty-Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Senator Camacho:

Thank you, for the opportunity to comment on the most recent revision of Bill No. 182. As we stated previously, Continental Micronesia supports establishing a medical referral program that utilizes OnePass miles earned by government paid travel. In the past, we have supported the medically indigent program by granting discounts or free tickets to those in need. We have been working with the Department of Administration to complete an agreement utilizing Onepass miles earned by the government.

Such a complex program has never been attempted anywhere else in the world. As a concerned and responsible member of the community, we began work on this project three years ago in a cooperative effort with the DOA. Much of the details of the program have been mutually agreed upon to the point of completing a draft contract for the program.

We have reviewed the revised draft of Bill No. 182 and note the need for some fundamental changes in the proposed structure of the program. As we have indicated in a letter dated August 13, 1997 to Senator Eduardo Cruz, a "pooling" arrangement structure which "pools" miles from various individuals to one "Medivac Charity Account" is not physically possible in our system. I have attached a copy of the draft agreement we have been developing with the DOA. This draft agreement outlines the specific mechanics that will allow the program to work within Continental Micronesia's OnePass system.


cc-ESC
RB
JC
RL
JE

We have been ready to implement the program as outlined in the draft agreement for over a year, unfortunately one issue prevents us from moving forward. This final outstanding issue is the "indemnification" issue as outlined in paragraph 9 of the agreement. Continental Micronesia is unable to enter into a contract that exposes the company to additional potential legal liabilities outside those that already exist in the daily operation of an airline. This paragraph is absolutely necessary for us to enter into any agreement.

As we have stated previously, we believe the DOA program, as outlined in the attachment, should be used as a prototype for the rest of the government of Guam branches. We can implement this program tomorrow, if the indemnification issue can be settled. As soon as the DOA program is completed, we would be happy to work with the government of Guam to implement the agreement for all branches.

We look forward to working with the Legislature on this matter. Please let me know if you have any further questions.

Sincerely,


Walter Dias

RECEIVED
24TH GUAM LEGISLATURE
COM. HEALTH & HUMAN SVCS.
DATE: 11-25-97 By: [Signature] 9:50 am



Guan Memorial Hospital / Authority Aturidåt Espetåt Mimuriåt Guåhan

850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96911
TEL: 647-2444 or 647-2330
FAX: (671) 649-0145



March 25, 1996

Senator Eduardo J. Cruz, M.D.
Chairperson
Committee on Health and Human Services
T.S. Tanaka Building
Agana, Guam 96910

Dear Senator Cruz and Members of the Committee on Health and Human Services

I am Teofila P. Cruz the acting Hospital Administrator. I am pleased to provide testimony in support of bill no. 182 to establish the use of Frequent Flyer Mileage for Off-Island Medical Referral. The Hospital is pleased to see this proposed bill enacted as statute and would like to request that the parameters of the bill be expanded to include the use of such miles for the medical escorts that may be required to accompany patients on their off-island referrals. The inclusion of these escorts will reduce the burden to families and patients in need of this service and will ensure that the escorts are funded to accompany patients as a primary concern to maintaining services to the patient during escort.

Your favorable consideration of this request will be greatly appreciated.

Teofila P. Cruz
Acting Hospital Administrator



COMMONWEALTH NOW!

PROVIDED BY: JUDITH K. ALDERTON
AND ON BEHALF OF RESOURCE REFERRAL SERVICE
A Non-Profit Organization

I am gratified that Senator E. J. Cruz and Senator J. C. Salas have introduced this legislation with the support of Senator E. Barrett-Anderson because it is responsive to a community need that has for far too long, gone unaddressed. These three personages, noted for compassionate comprehension, and intellects honed through specialized education along with great depths of personal exposure, are seeking a means of helping a faction of our community who are faced with problems not of their own making.

Bill 182 addresses the need to find the financial means to provide airfare to off-island hospitals in communities large enough to support the hugely costly equipment and the skills of specialists in medical disciplines Guam's population, by its size, could not support on a full-time basis. Yet our medical needs are certainly as crucial as any other community.

Today, during this hearing, we may experience a nearly empty room, occupied only by those who, by profession, support this excellent legislation. Yet the multitudes who could fill this room, the hallway, and the streets outside, may not be visible. These are the families who have dealt with tragedy and often, the death of a family member. These are those persons whose lives have been indelibly imprinted with pain; they are our commonly called 'grassroots,' those who are proud, reticent, yet carry pain profoundly, silently, stoically. Asking for help beyond which is within reach of family resources, can create feelings of failure, shame, and a sense of human humiliation.

Guam's culture, the heart of its culture, has been based upon family helping family. When the realization comes that even all pooled resources cannot cover costs of airfare to

medical facilities off-island for the severely ill, the family may feel inadequate, and acutely distressed.

The incapability can result in deep-seated feelings of helplessness, not congruent with faith or optimism. Yet how many of us have the means to support those needs which are not being currently considered by medical care insurance providers?

Hawaii is some four thousand miles east of Guam. California adds another three thousand miles to medical facilities carrying the capabilities of treatment of the kind of sophistication Guam cannot logically support. Once again, the seemingly overworked term of Guam being a 'unique' place by geographical and political placement, *demands* acknowledgement. Yet the burden of transporting the critically ill patient must now most often, be borne by the family. While those of very modest means are quickly assisted by the Medically Indigent Program of Guam's Department of Health and Social Services in cases of needed air transportation (which most often carries additional costs of an attendant nurse and medical equipment), those who exceed the mandatory financial limits, based upon U.S. federal criteria, cannot qualify. While MIP is an exceptional resource, they, too, face constraints and limitations.

Consequently, the desperation a family with a member stricken by a critical condition which cannot be rectified by treatment locally, is severely accentuated. This also applies to newborns with birth defects which, if quickly corrected, could result in a normal life. Yet, even if the parents possess medical insurance, that insurance currently does not cover the costs of medical evacuation, and consequently, the impaired newborn may either die or live with what could have been an operable life-enhancing and life prolonging procedure, without speedy transport

We talk of 'sub cultures' within societies—this terminology conjuring up such negatives as abuse in families, drug use, criminal activity, corruption, and the like, but Guam possesses another sub culture—the desperately ill who cannot afford the cost of transportation to specialized medical facilities. No, they may not come in great numbers to express their support today because of pride or because of pain or for lack of understanding the intent of this legislation--or unawareness of it-- but their numbers are awesome; Guam Memorial Hospital's Social Services Administrator reports that there are some twenty -five medical evacuations each month, which translates into 300 or more each year. Consequently, it is reasonable to assume that hardly a single family has not been touched by catastrophic medical illness.

Additionally, it is well-known that patients do much better when family and friends are close at hand. Yet this is a luxury few of us can afford, for it too, carries high price tags for airfare and lodging. However, should a critically ill loved one die while undergoing treatment in an off-island medical facility, how painful and guilt-producing it must be for those who must remain behind. However, the needs of the patient must be the highest of priorities.

Bill 182 is a firm, sound, and rational beginning towards resolution of a problem uniquely nasty in nature which has simply grown insiduously over time. Those government employees who might possibly object to forfeiting their personal accumulation of frequent flyer travel privileges, may pose objections simply because 'choice' would no longer be theirs. But it would be a strange likelihood that any government employee who is a recipient of frequent flyer passes, would lack the compassion to give up gladly a gift that could lengthen a life.

Thank you for the opportunity to express these views in support of Bill 182

RESOURCE REFERRAL SERVICE

P.O. BOX 22254
GUAMMAIN FACILITY
GUAM 96921
Phone and Fax: 649-0694

Testimony on Bill No. 182 Follows

Resource Referral Service incorporated as a non-profit organization in order to address the problems encountered by those suffering from catastrophic illness seeking assistance. It came about as a direct result of casework services rendered to a couple where the spouse was suffering from terminal cancer.

For the seven months duration of his illness until the gentleman's death last summer, the wife and caseworker worked together in attempts to secure assistance for multiple needs. The first issue, which was resolved with commendable speed by MIP at the Department of Public Health and Social Services, was medivacking the patient to a hospital in Honolulu. For while possessing health care coverage, the patient had no funds to enable airfare for himself, a nurse and oxygen in order to receive treatment which could prolong his life.

It was a protracted period of gaining help from certain agencies, individuals and other entities, but required huge amounts of time, hopes lifted but to be dashed, phone calls left unreturned--a battle with the various bureaucracies--and the acute realization that no cohesion existed to direct requests for help to the appropriate places--and appropriate people. Finally, near the end of the man's life, a desperate visit was made to the *Pacific Daily News*, seeking help from the paper's "Lend a Hand" program.

Some financial assistance was quickly forthcoming, but at the same time, the observation was made that what Guam needed was a single source of information for those suffering from catastrophic illness--as opposed to the fragmented, catch-as-catch-can lack of a system which currently exists. Mr. Lee Webber, CEO of the local Gannett Foundation, encouraged the submission of a grant application to request initial assistance with setting up a computerized data bank of information. Thus, *Resource Referral Service* incorporated for that purpose, and subsequently, a grant award was given.

The project will be in place in the fall, and an office will be housed in the new Science Building at the University of Guam. Space has been contributed by the Community Resources Development program under the auspices of Dr. Randall Workman. Here, families and advocates of those suffering catastrophic illness, will be able to immediately access sources of assistance, thus sparing them both wasted time and the acute distress of depending upon blind leads and word-of-mouth suggestions.

Consequently, there is a very valid relationship between the objective of RRS and the objective of Bill 182, which seeks to create a Medical Referral Mileage Bank from frequent flyer passes provided to Government of Guam employees. Both are components of addressing long overdue needs of those with medical problems so severe, they, through no fault of their own, are compelled to seek medical assistance in facilities away from Guam.

Both efforts can combine to create a beginning for infinitely more professional and compassionate assistance to those in our community who should have no concern other than recovering. And should all medical and emotional assistance fail to ensure recovery,

then the quest must be undertaken to create a hospice for those facing death, allowing them to do so with dignity, physical and spiritual comfort, and absence of pain.

GOV GUAM MEDIVAC CHARITY ACCOUNT
FREQUENT FLYER

(as the term is used by each Airline)

RELEASE FORM

I, _____, traveling on a 100%
Government of Guam funded trip on TA No. _____
do hereby authorize _____ to transfer
(Airlines)

airline travel mileage to the Gov Guam Medivac Charity Account. This
account is to be used consistent with the criteria established by Executive
Order No. 95-23.

(Signature of Frequent Flyer Member)

(Member's Account Number)

(Date)

GOV GUAM MEDIVAC CHARITY ACCOUNT

Instruction to Travel or Ticket Agent:

Please remit air travel mileage only to the Gov Guam Medivac Charity
Account for the following Airlines:

- * Continental Micronesia Airline (Asia/Pacific Route Only)
- * Northwest Airlines (All Destinations)
- * United Airlines (All Destinations)



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM 96910
U.S.A.

EXECUTIVE ORDER NO. 95-23

RELATIVE TO ESTABLISHING A GOVERNMENT OF GUAM
MEDIVAC CHARITY ACCOUNT FOR MILEAGE CREDITS FOR
FREQUENT AIRLINE FLIGHTS, TO BE USED FOR MEDICAL
EMERGENCIES.

WHEREAS, Fiscal Year 1995 started with a \$185 million dollar deficit; and

WHEREAS, by January the deficit had grown to approximately \$190 million dollars; and

WHEREAS, if the government of Guam did not pursue any deficit elimination plans, such deficit would have grown to an insurmountable \$213 million dollars by the end of Fiscal Year 1995; and

WHEREAS, this Administration immediately instituted cost-cutting measures resulting in the savings of over \$20 million dollars in personnel cost alone; and

WHEREAS, this Administration instituted other cost containment measures such as the savings of fuel charges of over \$1 million dollars by requiring that government vehicles not be taken home; and

WHEREAS, the passage of Executive Order 95-11 ceased the incurring of overtime by executive, administrative and professional positions, thereby saving the government over \$3 million dollars; and

WHEREAS, this Administration successfully acquired a \$115 million dollar general obligation bond without compromising the government's triple B rating; and

WHEREAS, the government desires to continue employing cost-cutting measures in order to get the government of Guam out of its deficit condition by 1998; and

WHEREAS, many other cost containment measures are needed to be pursued in order to free the government of Guam from this deficit situation; and

WHEREAS, The Department of Public Health and Social Services, through its medically indigent program and medicaid program, spends over \$200 thousand dollars per year to provide transportation for patients and their escorts to medical facilities off-island; and

WHEREAS, such expenditures could be directed towards direct medical services thereby providing greater medical benefits to those that are in dire need of medical attention; and



WHEREAS, the government of Guam in Fiscal Year 1995 expended over \$3 million dollars in air travel; and

WHEREAS, persons traveling on government funds acquire mileage credit sometimes known as "frequent flyer miles" to their personal credit; and

WHEREAS, if these "frequent flyer miles" were to be placed into a government of Guam "Medivac Charity Account", it would greatly alleviate the additional cost to transport patients with medical needs off-island; and

NOW, THEREFORE, I, CARL T. C. GUTIERREZ, by the authority vested in me by the Organic Act of Guam, do hereby order the following:

(1) All government of Guam employees traveling on local funds shall, as a condition of receiving local money under a travel authorization (TA), sign a waiver donating accrued mileage credits, such as "frequent flyer mileage," on whatever airline, into an account known as "Medivac Charity Account".

(2) The Director of Administration shall establish the Medivac Charity Account into which such mileage credits shall be accounted for.

(3) Only mileage credits garnered as a direct result of flight on behalf of the government shall be placed into the Medivac Charity Account. All other mileage acquired through credit cards, bonuses, or outside of the direct flight, shall not be affected by the Medivac Charity Account waiver.

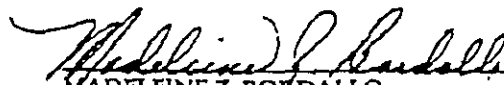
(4) Eligibility to benefit from the Medivac Charity Account shall be consistent with the Department of Public Health and Social Services' medically indigent program criteria or as otherwise authorized and approved by the Governor.

(5) The Medivac Charity Account shall only be used for destinations to Hawaii or the Philippines.

SIGNED AND PROMULGATED at Agaña, Guam this 18th day of October, 1995.


CARL T. C. GUTIERREZ
Governor of Guam

COUNTERSIGNED:


MADELEINE Z. BORDALLO
Lieutenant Governor of Guam

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

BBMR-F7

Bill Number: 182 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 Add A NEW SECTION TO TITLE 5 GUAM CODE ANNOTATED ESTABLISHING USE OF FREQUENT FLYER MILEAGE FOR OFF-ISLAND MEDICAL REFERRAL, AND TO CITE THE ACT AS THE "OFF-ISLAND MEDICAL REFERRAL MILEAGE BANK ACT".

Change in Law: Adds a new Section 4 to Title 5, Guam Code Annotated.

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

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: PHHSS/ Dory Solidum/ 4/22/97

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

ANALYST Stephen L. Guerrero DATE 4/22/97 DIRECTOR Joseph E. Rivera DATE 4/22/97
Joseph E. Rivera, Acting

FOOTNOTES: See attached comments.

Comments on Bill No.182 (COR)

Bill No. 182 (COR) will have a "positive" impact on the Department's annual funding requirement for the both the Medically Indigent Program and Medicaid Program. These programs provide off-island medical referrals which are funded through both local and federally matched funds. If Bill 182 is passed into law, the cost savings of the Mileage Bank Act would reduce the off-island funding requirement of both programs. Quantifiable savings to be realized or additional cost to the program if any as a result of the proposed bill has yet to be determined and are unavailable at this time.

Joseph E. Rivera
Acting

GovGuam mileage may be used for medical trips

By Leo Babauta

Pacific Daily News

By this summer, people who can't afford emergency medical trips can get free trips through government-earned frequent flier miles, one senator said yesterday.

Meanwhile, government employees might be using the frequent flier miles, earned on taxpayer-funded trips, for personal travel.

"I'm pretty sure that's still going on," said Sen. Eduardo Cruz, R-

Toto. "Really, this is taxpayer's money. You shouldn't use (the frequent flier miles) for that."

Cruz's Bill 182, now more than a year old, would require all government of Guam employees and officials to donate frequent flier benefits they earn on official business to a central medical program.

People who can't afford necessary emergency medical trips could then use the frequent flier miles to get the trips for free.

Cruz said he's holding onto his

bill until Continental Micronesia and the Department of Administration negotiate a way to put the bonus miles into a central government bank. Cruz's bill would apply the program to all government of Guam employees, including Legislature and court employees.

But come this summer, Cruz said, he plans to try to get his bill passed whether the deal has been negotiated or not.

"No matter what happens, we're going to make it work by summer,"

he said.

Gov. Carl Gutierrez ordered in 1995 that all executive branch employees turn their bonus miles over to a central medical account. But the program hasn't gotten off the ground yet because of legal complications, said Michael Reidy, director of the Department of Administration.

Continental Micronesia wants to be freed of any liability for transporting the medical patients, Reidy said. A contract that frees the air-

line of that liability just needs approval from Continental Micronesia, the attorney general and Gutierrez, Reidy said yesterday.

As for how government employees are using their frequent flier miles now, Reidy said they can't be tracked yet because employees aren't legally required to give the government their personal account numbers.

"I have no idea how people are using their mileage," Reidy said.

Navy helps put out fire



Bill calls for nurse practitioners to write routine prescriptions

By Hiroshi Hiyama

Pacific Daily News

Nurses with advanced skills and training would be able to write routine prescriptions for minor illnesses under a bill discussed yesterday at a public hearing.

Bill 501, introduced by Sens. Lou Leon Guerrero and Tom Ada, would allow patients to receive prescription medications at lower costs in a shorter amount of time, supporters of the measure said at the hearing.

But a physicians' group representative opposed the bill yesterday in an interview, saying nurse practitioners are good assistants but not replacements for medical doctors who should

Public Health nurse practitioner.

When physicians are not immediately available, it can take a while for patients to get a prescription, she said.

Advanced registered nurses in at least 45 states were able to prescribe medication in 1994, according to Bill 501.

Agreements

The bill calls for written agreements with physicians on the authority of the nurse practitioners, Leon Guerrero said.

Also under the bill, medical professionals will form a committee to advise the board of nurse examiners of rules regarding the prescription authority of nurse practitioners, she said.

However, some physicians

They (nurse practitioners) need to be closely monitored not only by physicians but also by the whole system.

"The current system stands for a good reason," he said.

At yesterday's hearing, senators postponed discussion of Bill 598, which would make major changes in health care on Guam, including:

▲ Establishing minimum health benefit coverage for government employees.

▲ Contracting out the Medically Indigent Program to private insurance companies

▲ Giving health insurance discounts for non-smoking government employees.

Sen. Eduardo Cruz, chairman of the Committee on Health and