



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

SEP 30 1997

Refer to
Legislative Secretary

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

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>Toni Amata</u>
Time	<u>3 p.m.</u>
Date	<u>9-30-97</u>

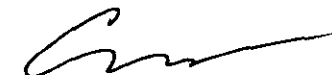
Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 21 (COR), "AN ACT TO REPEAL AND REENACT §2303 OF ARTICLE 3, CHAPTER 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES' DIRECTOR TO PROVIDE SUBSIDIZED IN-HOUSE DENTAL CARE FOR ECONOMICALLY INDIGENT CHILDREN UNDER THE AGE OF SIXTEEN (16).", which I have signed into law today as Public Law No. 24-67.

This legislation reasserts the intent of the original law on the subject of providing free dental care to children of our island. The intent of the original law was to provide free basic dental care to our children in order to halt the spread of dental problems faced by Guam when dental services were few and not readily available. In more recent years, Guam has experienced a growth in the dental profession, and there are a number of dentists available to offer services. At the same time, there are new, complicated, and costly dental services available for those who can afford them.

This legislation directs the limited resources of the Department of Public Health to offering direct dental service to children who otherwise would not have ready access to dental care, and concentrates the free dental service to basic care to eliminate diseases and other conditions. At the same time, it preserves the role of public health in providing information to the general public in the prevention of dental diseases and conditions.

Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

Attachment 00442

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

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 09/30/97
Time: 1300
Rec'd by: [Signature]
Print Name: Charlene Duena

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

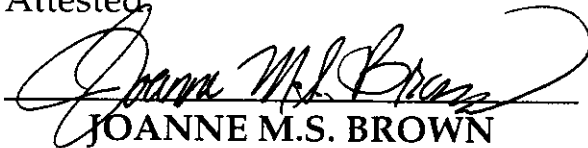
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 21 (COR), "AN ACT TO REPEAL AND RE-ENACT §2303 OF ARTICLE 3, CHAPTER 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES' DIRECTOR TO PROVIDE SUBSIDIZED IN-HOUSE DENTAL CARE FOR ECONMICALLY INDIGENT CHILDREN UNDER THE AGE OF SIXTEEN (16)," was on the 12th day of September, 1997, duly and regularly passed.



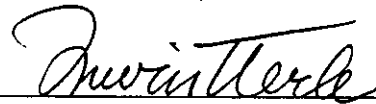
ANTHONY C. BLAZ
Acting Speaker

Attested:



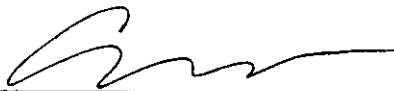
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 25th day of September, 1997, at
4:30 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 9-30-97

Public Law No. 24-67

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 21 (COR)

As substituted by the Author and the
Committee on Health and Human Services,
and as amended on the Floor.

Introduced by:

Felix P. Camacho
E. J. Cruz
J. C. Salas
T. C. Ada
F. B. Aguon, Jr.
E. Barrett-Anderson
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. Leon Guerrero
V. C. Pangelinan
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

**AN ACT TO REPEAL AND RE-ENACT §2303 OF
ARTICLE 3, CHAPTER 2 OF TITLE 10 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
REQUIRING THE DEPARTMENT OF PUBLIC
HEALTH AND SOCIAL SERVICES' DIRECTOR TO
PROVIDE SUBSIDIZED IN-HOUSE DENTAL**

**CARE FOR ECONMICALLY INDIGENT
CHILDREN UNDER THE AGE OF SIXTEEN (16).**

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

2 **Section 1. Legislative Statement.** The Guam Legislature finds that
3 under Guam’s current law any and all children on Guam through the age of
4 sixteen (16) can receive “free” dental care at the Department of Public Health
5 and Social Services (“DPH&SS”). Furthermore, the Guam Legislature finds
6 that the DPH&SS Dental Division has established specific guidelines to
7 require that recipients show an economic need in order to receive the “free”
8 dental service; however, abuse is still possible given the broad scope of §2303
9 of Title 10, Guam Code Annotated. The Guam Legislature also finds that the
10 words “free dental care” encompasses an expansive range of dental services,
11 many of which the DPH&SS Dental Division is not capable of providing.
12 According to the Dental Division, only basic services are provided in that the
13 scope of in-house dental care services available is limited.

14 **Section 2.** Section 2303 of Article 3, Chapter 2 of Title 10 of the Guam
15 Code Annotated is hereby repealed and re-enacted to read:

16 **“Section 2303. Subsidized Dental Care.** (a) The Department of
17 Public Health and Social Services shall provide subsidized in-house
18 dental care to all pre-school age children in Guam through age sixteen
19 (16) who demonstrate an economic need and qualify in a manner
20 determined by the Director.

21 (b) The Director of the Department of Public Health and Social
22 Services shall promulgate rules and regulations through the

1 Administrative Adjudication Law within sixty (60) days upon
2 enactment."

PL24-67



**Committee on Health and Human Services
Twenty-Fourth Guam Legislature**

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

September 8, 1997

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

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

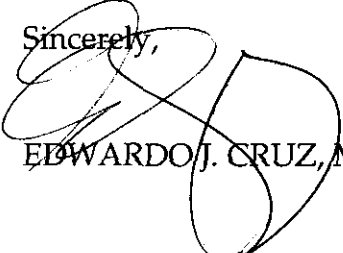
Dear Mr. Speaker:

The Committee on Health and Human Services to which was referred Bill No. 21, "AN ACT TO REPEAL AND REENACT SECTION 2303 OF TITLE 10, GUAM CODE ANNOTATED, TO REQUIRE THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES DIRECTOR TO PROVIDE SUBSIDIZED IN HOUSE DENTAL CARE FOR ECONOMICALLY INDIGENT CHILDREN UNDER THE AGE OF SIXTEEN (16)," has had the same under consideration and wishes to report back the same, with the recommendation to do pass as substituted by the Committee.

The Committee Votes are as follows:

TO DO PASS: (11) ✓
NOT TO PASS: _____
ABSTAIN: _____
INACTIVE FILE: _____

A copy of the Committee Report and other pertinent documents are enclosed for your review.

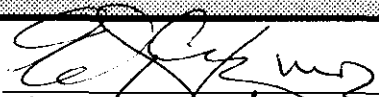
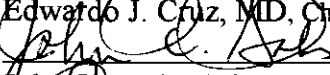
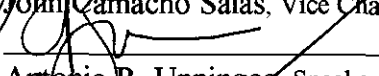
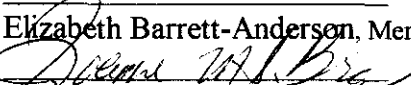
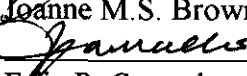
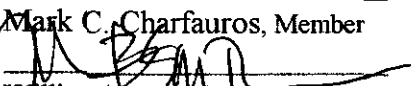

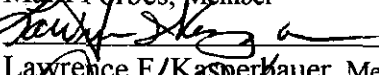
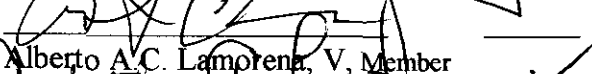
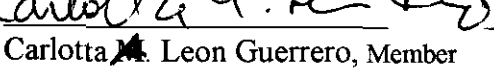
Sincerely,

EDUARDO J. CRUZ, MD

Enclosure:

Committee Health and Human Services

Vote Sheet on Substitute Bill No. 21

AN ACT TO REPEAL AND REENACT §2303 OF TITLE 10, GUAM CODE ANNOTATED, TO REQUIRE THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES DIRECTOR TO PROVIDE SUBSIDIZED IN HOUSE DENTAL CARE FOR ECONMICALLY INDIGENT CHILDREN UNDER THE AGE OF SIXTEEN (16).

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
 Eduardo 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	X			
 Alberto A.C. Lamorena, V, Member	✓			
 Carlotta Leon Guerrero, Member				
Lou A. Leon Guerrero, Member				
Francis E. Santos, Member				

Profile on Substitute Bill No. 21

- Brief Title:** "Subsidized Dental Care for Economically Indigent Children."
- Dated Introduced:** Submitted to the Legislature for introduction on January 10, 1997 and officially ratified during the first Legislative session.
- Main Sponsor:** Senator Felix P. Camacho.
- Committee Referral:** Referred by the Committee on Rules to the Committee on Health and Human Services.
- Public Hearing:** Tuesday, February 25, 1997.
- Official Title:** AN ACT TO REPEAL AND REENACT §2303 OF TITLE 10, GUAM CODE ANNOTATED, TO REQUIRE THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES DIRECTOR TO PROVIDE SUBSIDIZED IN HOUSE DENTAL CARE FOR ECONMICALLY INDIGENT CHILDREN UNDER THE AGE OF SIXTEEN (16).
- Mark up Meeting:** Tuesday, March 4, 1997.
- Co-Sponsors:** Committee recommends that the Committee and other members be allowed to co-sponsor Bill No. 21, as amended, if they so desire.
- Recommendation:** To pass as substituted.

GENERAL OVERVIEW AND INTENT:

The Legislature finds that under Guam's current law all children through the age of sixteen (16) can receive dental care at the Department of Public Health and Social Services ("DPH&SS"). To accomplish the program, specific guidelines were

established by the Director to ensure that program applicants demonstrated an economic need.

However, inasmuch as the Dental Division of DPH&SS wanted to accommodate the applicants, only basic in-house dental care services were provided. Through the course of the program, the Dental Division of DPH&SS found that the term “free dental care” encompassed an expansive range of dental services, many of which the Department is not capable of providing.

SECTION ANALYSIS:

Section 1. Legislative Findings. This section simply states that the Department of Public Health and Social Services has encountered problems in its efforts to comply with the “free dental care” statute.

Section 2. Repeals and reenacts §2303 of Title 10, Guam Code Annotated. This new section allows the Department of Public Health and Social Services to provide “subsidized dental care” to all pre-school and school age children through 16 years. To effectuate the program, the Director must promulgate rules and regulations to govern the program and the scope of dental care to be provided.

**Committee on Health and Human Services
Report on
Substitute Bill No. 21**

**AN ACT TO REPEAL AND REENACT §2303 OF TITLE
10, GUAM CODE ANNOTATED, TO REQUIRE THE
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL
SERVICES DIRECTOR TO PROVIDE SUBSIDIZED IN
HOUSE DENTAL CARE FOR ECONMICALLY
INDIGENT CHILDREN UNDER THE AGE OF SIXTEEN
(16). [Attachment 1]**

**Introduced by
Senator Felix P. Camacho**

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. 21, "An act to repeal and reenact §2303 of Title 10, Guam Code Annotated, to require the Department of Public Health and Social Services to provide subsidized dental care for economically indigent children under sixteen (16) years of age." The public hearing was held in the Guam Legislature Public Hearing Room. [Attachment 2]

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. Kasperbasuer and
Alberto C. Lamorena, V.**

Also in attendance were:

Frank B. Aguon Jr. and
Vicente C. Pangelinan.

TESTIMONY:

Although no witness registered to testify, Senator Felix P. Camacho, the author of Bill 21 informed the Committee that similar legislation was introduced in the Twenty Third Guam Legislature. He also stated that representatives of the Department of Public Health and Social Services fully support the passage and enactment of Bill No. 21. [Attachment 3]

FINDINGS:

The Committee finds that:

- * Guam's current statute currently provides that all children under the age of 16 years are eligible to receive free dental care at the Department of Public Health and Social Services.
- * The term "free dental care" encompasses an expansive range of dental services, many of which the DPH&SS Dental Division is not capable of providing.
- * Representatives of the Department of Public Health and Social Services, on two occasions submitted written testimony supporting the passage and enactment Bill No. 21.
- * The basic services, such as sealant and health education will always be available to the children of Guam.

RECOMMENDATION:

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

That all Committee members and other members desiring to become co-sponsors shall be allowed to do so.

That Bill No. 21, AN ACT TO REPEAL AND REENACT §2303 OF TITLE 10, GUAM CODE ANNOTATED, TO REQUIRE THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES DIRECTOR TO PROVIDE SUBSIDIZED IN HOUSE DENTAL CARE FOR ECONMICALLY INDIGENT CHILDREN UNDER THE AGE OF SIXTEEN (16).be passed as substituted.

Comments on Bill No. 21

Bill 21 will have a positive impact on the Department's present financial condition. Current mandates supply free dental care to all pre-school and school age children in Guam through age 16. Under the proposed bill, the PHSS Director will be mandated to provide free dental care to only economically indigent children under 16 years of age. Quantifiable savings to be realized or additional cost to the program as a result of the proposed bill has yet to be determined and are unavailable at this time.

Joseph E. Rivera
Acting

per 3/21/97

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

BBMR-F7

Bill Number: 21
 Amendatory Bill: Yes

Date Received: 3/12/97
 Date Reviewed: 3/18/97

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 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(16).

Change in Law: Repeals and Re-enact Section 2303, Article 3, Chapter 2, Title 10, GCA.

Bill's Impact on Present Program Funding:
 Increase XX Decrease _____ Reallocation _____ No Change _____
 Bill is for:
 Operations XX Capital Improvement _____ Other _____

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? 1/ -- IF NO, ADD'L AMOUNT REQUIRED \$
 AGENCY/PERSON/DATE CONTACTED: DPHSS / Peter John Camacho / 3/18/97

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

ANALYST Stephen Guerrero DATE MAR 20 1997 DIRECTOR Joseph Rivera
 DATE 3/18/97 Joseph E. Rivera, Acting

FOOTNOTES: See attached.

ms 3/21/97

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 10CHAPTER 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.

originals

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

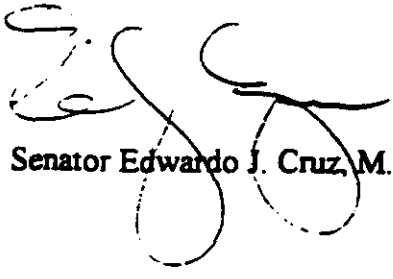
Date: February 19, 1997

Subject: Public Hearing on February 25, 1997

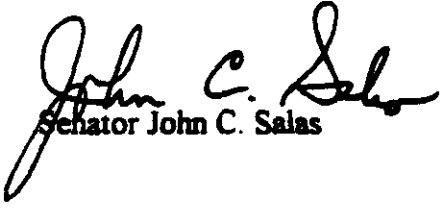
The Committee on Health and Human Services is scheduled to conduct a Public Hearing on Tuesday, February 25, 1997 at The Public Hearing Room from 9:00 am to 12:00 noon. The Agenda and the Bills to be heard are enclosed for your review.

You are requested to be present at this hearing.

Thank You,



Senator Eduardo J. Cruz, M. D.



Senator John C. Salas



DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
GOVERNMENT OF GUAM
P.O. BOX 2816
AGANA, GUAM 96910



MAR 07 1997

Testimony on Bill No. 21: "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"

Dear Mr. Chairperson and members of the Committee on Health and Human Services, the following is testimony on Bill 21:

The Department supports Bill 21 which it believes will enable our Dental Section to focus its limited resources on those children who do not have any other means of accessing dental care. In addition, by allowing the Department to determine the scope of services it will provide, we will better focus our efforts towards those services which have the greatest impact for the community.

The Dental Section provides two distinct types of services. It provides community preventive services such as dental sealants/health education through the schools, and it provides clinical care for individual patients. The school sealant and education programs have been very successful community preventive measures that are provided to all children regardless of their economic status. The success of these types of community programs depends on reaching the vast majority of children. We are concerned that the wording of this bill would force clients participating in these community type programs to pass a needs test. Therefore, we would like to recommend for your consideration and incorporation into the bill language that would exempt clients from proving economic need while they participate in community preventive programs like the school dental sealant/education program.

Further, the Department would like to omit the word "free" from the language of the bill in order to give the Department the option of creating a sliding fee scale or billing federal sources for dental services at some future date.

Thank you for the opportunity to provide testimony on this bill.

Sincerely,



DENNIS G. RODRIGUEZ



Office of
Senator Edwardo J. Cruz, M. D.
 Committee on Health and Human Services
 297-C West O'Brien Drive
 Agana, Guam 96910
 Tel: 472-3581 Fax: 477-1208

Public Hearing Date: 2/25/97
 Testimony

Print Name	Signature Name	Address	Contact No.	Written	Oral
* DANIELLE MANGLONA		UOG Student			
Jim [unclear]		← MATHCOM	Multi-Course (Morgan's) 889	✓	
Michael Cruz	W Cruz	GMH	137		✓
JAMES MOELLER	Jim Moeller	GMH	137		✓
Richard Weiss	RL Weiss	FHP/Pacific Care	647-3478	✓	✓
TEO CRUZ	[unclear]	GMH	137	1	✓
→ Rose Yameshita		GMH	137		
u Ron Nagel	Ron Nagel	DPH & SS	21	✓ will submit	✓ w/ revisions

* Does not want to testify