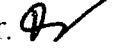











I MINA 'TRENTAI UNU LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 56-31 (cor)

Introduced By:

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Judith Paulette Guthertz, DPA 
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2011 JAN 27 PM 2:59

AN ACT RELATIVE TO POLICYMAKERS
PARTICIPATING IN THE GOVERNMENT OF
GUAM HEALTHCARE INSURANCE
NEGOTIATING TEAM, BY AMENDING §4302(c)
OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM
CODE ANNOTATED.

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

2 **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan* finds
3 that the recent passage of P.L. 30-227, known as the “Healthcare Insurance
4 Transparency Act of 2010”, was for the purpose of ensuring that the processes
5 pursuant to which the government of Guam acquires health insurance coverage for
6 its active employees and retirees are negotiated in a manner so as to ultimately
7 reflect the most economical and beneficial health plan possible. *I Liheslaturan*
8 *Guahan* further finds that although funding for the government of Guam’s annual
9 contribution to the health care insurance plan is dependant upon an appropriation
10 to be included in the upcoming Fiscal Year Budget act, the negotiation process is

1 completed prior to the budget process without Legislative input or knowledge. The
2 annual task of negotiating the upcoming fiscal year’s healthcare insurance plan is
3 conducted and completed without appropriate input and feedback from policy
4 makers responsible for appropriating the available funds of the people of Guam.

5 Therefore, it is the intent of *I Liheslaturan Guahan* to include at least two
6 key members of the Guam Legislature in the Government of Guam’s Health
7 Insurance Negotiating Team. The Chairpersons of both the Committee on Health
8 and the Committee on Appropriations will be integral members in ensuring any
9 health plan the government of Guam procures for its employees and retirees is the
10 most beneficial, while also being fiscally achievable and realistically reflective of
11 budgetary constraints. It is further, the intent of *I Liheslatura Guahan* to seek to
12 ensure that by the inclusion of two of its members who chair the Health and
13 Appropriations Committees in the Negotiating Team, it will better ensure the
14 government of Guam does not repeat the unconscionable and callous actions of
15 entering into a health insurance plan that is unanticipated and unaffordable by the
16 taxpayers of Guam.

17 **Section 2: Inclusion of Policymakers in the Government of Guam**
18 **Health Insurance Negotiating Team.** Subsection (c) of §4302 of Article 3,
19 Chapter 4, Title 4, Guam Code Annotated, is hereby *amended*, to read:

20 “(c) A Negotiating Team consisting of the Director of Administration, who
21 *shall* be Chairperson; the Administrator of the Department of Integrated Services
22 for Individuals with Disabilities (‘DISISD’), *or his or her* designee; the Director
23 of Bureau of Budget and Management Research, *or his or her* designee; an
24 employee representative from the Judicial Branch to be appointed by the Chief
25 Justice of the Supreme Court of Guam; the Chairperson of the Committee on
26 Health of *I Liheslaturan Guahan*, *or his or her* designee; the Chairperson of the

1 Committee on Appropriations of *I Liheslaturan Guahan*, or his or her designee;
2 an employee representative of the Legislative Branch to be appointed by the
3 Speaker of *I Liheslaturan Guahan*; the Superintendent of the Department of
4 Education, or his or her designee; the Director of the Government of Guam
5 Retirement Fund, or his or her designee; a retiree who is a member of the
6 Government of Guam Retirement Fund to be appointed by the Board of Trustees of
7 the Government of Guam Retirement Fund; and one (1) member of the general
8 public, appointed by *I Maga'lahaen Guahan*, shall examine the financial
9 information of the prepaid health insurance companies, health care providers or
10 other legal entities for the purpose of developing the most economical and
11 beneficial health plan for the Government of Guam employees and retirees. The
12 Negotiating Team may obtain technical support from other financial and health-
13 related agencies. The Negotiating Team shall develop its rules of procedure in
14 accordance with the Administrative Adjudication Law. The Negotiating Team with
15 the approval of *I Maga'lahi* is authorized to contract an actuary competent to
16 develop proposed health insurance rates or other recognized expert to train and/or
17 advise the Negotiating Team.”

18 **Section 3. Clarification of Applicability of Amendment pursuant to**
19 **Section 2 of this Act.** The amendment provided pursuant to Section 2 of this Act
20 shall only apply to the first paragraph of Subsection (c), and shall not affect or
21 change the existing accompanying Parts 1, 2, and 3 of Subsection (c) of §4302 of
22 Article 3, Chapter 4, Title 4, Guam Code Annotated, which shall remain unchanged
23 and in full force and effect.

24 **Section 4. Effective Date.** Notwithstanding any other provision of law, the
25 provisions of this Act shall be effective upon enactment.