



Guam Board of Allied Health Examiners

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September 26, 2022

TO: *Maga'håga Guåhan* (the Governor)

I Liheslaturan Guåhan (the Guam Legislature)

All Persons Licensed by and Seek to be Licensed by the Guam Board of Allied Health Examiners

All Persons Interested in the Practice of Allied Health Professions

FROM: Chair, Guam Board of Allied Health Examiners

RE: Executive Summary – Proposed Legislation and Draft Administrative Rules and Regulations for the Guam Board of Allied Health Examiners

The Guam Board of Allied Health Examiners (“GBAHE”) presents for public review and comment the product of an endeavor it has been working on since before 2016, a comprehensive overhaul of the GBAHE’s administrative rules and regulations and proposed legislation designed to strengthen and modernize the Allied Health Practice Act and the rules and regulations that govern the practice of allied health professions. Here is *I Liheslaturan Guåhan*’s mandate to the Guam Board of Allied Health Examiners and to those who come before it, as a person who holds or who seeks a license to practice one of the healing arts, and to those seek its protection:

The practice of allied health is a privilege granted by the people acting through their elected representatives. It is not a natural right of individuals. In the interests of public health, safety and welfare, and to protect the public from the unprofessional, improper, incompetent, unlawful, fraudulent and/or deceptive practice of allied health professions, it is necessary to provide laws and regulations to govern the granting and subsequent use of the privilege to practice allied health professions. The primary responsibility and obligation of the Guam Board of Allied Health Examiners is to protect the people of Guam.

10 GCA § 12801(c). The allied health professions subject to the jurisdiction of the GBAHE include acupuncture; audiology; chiropractic; clinical psychology, licensed professional counseling, licensed mental health counseling, marriage and family therapy; nursing; nursing home administration; nutrition and dietetics; occupational therapy; physical therapy; respiratory therapy; speech-language pathology; and veterinary medicine. It also includes at present podiatry, and physician assistants although it is anticipated that those

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two professions will in the future be subject to the jurisdiction of the Guam Board of Medical Examiners.

The draft rules and regulations and proposed legislation are addressed to the following:

Proposed Legislation to include the repeal, reenactment, and amendments to the Allied Health Practice Act located at Title 10 Chapter 12, Guam Code Annotated, Articles 1, and 8-12 including, but not limited to amendments to:

- The Composition of the Board of Allied Health Examiners to Include Two (2) Public Members;
- The Definition and Scope of Practice of the Healing Arts, and the Professions of:
 - Acupuncture and Oriental Medicine;
 - Chiropractic; and
 - Dietetics and Nutrition;
- Prescriptive Authority for Clinical Psychologists and Other Allied Health Professions;
- The GBAHE's Fee Schedule, Budget and Revolving Fund;
- Continuing Education;
- The Practice of Veterinary Medicine;

And:

- To Repeal All Prior Administrative Rules and Regulations; and
- to Approve Comprehensive New Administrative Rules and Regulations.

Draft Administrative Rules and Regulations Governing the Practice of Allied Health Professions including but not limited to:

- Operations of the Board, Duties and Responsibilities of its Members;
- The Scope of Practice of Various Professions Licensed by the Board to the Extent Not Otherwise Already Provided for by Law;
- Rules Governing the Practice of Specific Allied Health Professions including:
 - Acupuncture and Oriental Medicine,
 - Chiropractic,
 - Dietician and Nutrition,
 - Psychology Associate,
 - Speech-Language Pathologist, and
 - Veterinary Medicine;
- Procedures Governing:
 - Applications for Licensure;
 - Prescriptive Authority for Clinical Psychologists;
 - Renewal and Reinstatement of Licenses;

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- Continuing Education; and
- Fees;
- Processes and Procedures Governing the Denial of Initial License Applications or Refusal to Renew Licenses;
- Processes and Procedures Governing
 - Complaints,
 - Investigation, and
 - Discipline;
- Advertising; and
- Mandatory/Compulsory Reporting.

Copies of the proposed administrative rules, regulations, and proposed legislation are available for review by visiting the HPLO office located at 194 Hernan Cortez Avenue, Suite 209 Terlaje Professional Building, Hagåtña, Guam 96910; and may also be downloaded from the HPLO's website at www.guamhplo.org, and the GBAHE's at www.guamhplo.org/gbahe.

The GBAHE will be holding three public hearings on the proposed legislation and draft rules and regulations, including fee schedule, and will continue to accept comments up until its next regularly scheduled (virtual and in-person) Board meeting scheduled for Friday October 21, 2022 at 12:00 p.m. at which time the Board will discuss the comments received, and vote on proposed legislation to be forwarded to the Guam Legislature and the adoption of administrative rules and regulation and fee schedule.

We very much look forward to hearing from you.

Dangkulu na si Yu'us ma'åse'



Mamie C. Balajadia, Ed.D.

Chair, Guam Board of Allied Health Examiners