



LOURDES A. LEON GUERRERO
MAGA'HĀGAN GUĀHAN
GOVERNOR OF GUAM

JOSHUA F. TENORIO
SEGUNDO MAGA'LĀHEN GUĀHAN
LT. GOVERNOR OF GUAM

GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



THERESA C. ARRIOLA, MBA
ACTING DIRECTOR

PETERJOHN D. CAMACHO, MPH
DEPUTY DIRECTOR

TERRY G. AGUON
DEPUTY DIRECTOR

August 8, 2024

Honorable Lourdes Leon Guerrero

Governor of Guam
Executive Chambers
P.O. Box 2950
Hagåtña, Guam 96932

Honorable Therese Terlaje

Speaker, 37th Guam Legislature
163 Chalan Santa Papa
Hagåtña, Guam 96910

Re: Guam Board of Allied Health Examiners Board Meeting for February 3, 2023

Dear Governor Leon Guerrero and Speaker Terlaje:

As required by 5 GCA § 8113.1, please find attached the electronic copies for the following:

1. Agenda
2. Attendance Sheet
3. Approved Minutes
4. Publications

Should you have any questions, please call (671) 735-7409 or email me at:
rosemary.carman@dphss.guam.gov

Respectfully,

Rosemary Carman
Word Processing Secretary II

Attachments



Guam Board of Allied Health Examiners

194 Hernan Cortez Avenue
Terlaje Professional Building, Suite 213
Hagåtña, Guam 96910-5052

REGULAR VIRTUAL BOARD MEETING

Friday, February 3, 2023 at 12PM

Join Zoom Meeting

<https://us06web.zoom.us/j/83611739981?pwd=QkNwV3RSWG13NVp0UmQ2OVJ5ckkwUT09>

Meeting ID: 836 1173 9981

Passcode: 080227

AGENDA

- I. Call to Order
- II. Proof of Publication – January 27 and February 1, 2023
- III. Roll Call
- IV. Adoption of Agenda
- V. Approval of Minutes – January 13, 2023
- VI. Treasurer's Report
- VII. Administrator's Report
- VIII. Legal Counsel Report
- IX. GBAHE Complaints:
 - a) GBAHE-CO-15-04 Veterinarian Received 9/4/15 Referred to Procured Attorney
 - b) GBAHE-CO-15-06 Veterinarian Received 11/30/15 Referred to Procured Attorney
 - c) GBAHE-CO-17-02 Veterinarian Received 6/16/17 Referred to Procured Attorney
 - d) GBAHE-CO-19-02 Veterinarian Received 8/22/19 Referred to Procured Attorney
 - e) GBAHE-CO-19-03 Veterinarian Received 11/7/19 Referred to Procured Attorney
 - f) GBAHE-CO-19-04 Veterinarian Received 11/7/19 Referred to Procured Attorney
 - g) GBAHE-CO-20-01 Veterinarian Received 5/4/20 Referred to Procured Attorney
 - h) GBAHE-CO-20-02 Veterinarian Received 3/13/20 Referred to Procured Attorney
 - i) GBAHE-CO-20-03 Veterinarian Received 3/13/20 Referred to Procured Attorney
 - j) GBAHE-CO-20-04 Veterinarian Received 3/13/20 Referred to Procured Attorney
 - k) GBAHE-CO-20-05 Veterinarian Received 3/13/20 Referred to Procured Attorney
 - l) GBAHE-CO-20-06 Veterinarian Received 1/31/20 Referred to Procured Attorney
 - m) GBAHE-CO-20-07 Veterinarian Received 1/31/20 Referred to Procured Attorney
 - n) GBAHE-CO-20-08 Respiratory Therapist Rec'd 9/20/20 S. Melville
 - o) GBAHE-CO-20-09 Respiratory Therapist Rec'd 9/20/20 Referred to Off-Island Consultant
 - p) GBAHE-CO-20-10 Respiratory Therapist Rec'd 9/20/20 Referred to Off-Island Consultant
 - q) GBAHE-CO-21-01 Chiropractor Received 4/13/21 G. Miller
 - r) GBAHE-CO-21-02 Chiropractor Received 6/4/21 G. Miller
 - s) GBAHE-CO-21-03 Acupuncturist Received 7/6/21 M. Balajadia (Atty. V. Williams)
 - t) GBAHE-CO-21-04 Audiologist Received 9/7/21 S. Crisostomo/D. Triolo
 - u) GBAHE-CO-21-05 Acupuncturist Received 9/17/21 M. Balajadia (Atty. V. Williams)
 - v) GBAHE-CO-21-07 Veterinarian Received 11/22/21 P. Pomes
 - w) GBAHE-CO-21-08 Veterinarian Received 11/22/21 Referred to Procured Attorney
 - x) GBAHE-CO-22-02 Acupuncturist Received 2/11/22 M. Balajadia
 - y) GBAHE-CO-22-03 MF Therapist Received 2/21/22 Referred to Procured Attorney
 - z) GBAHE-CO-22-05 Non-Licensed Chiro. Rec'd 9/27/22 Referred to Procured Attorney
 - aa) GBAHE-CO-22-06 Non-Licensed Chiro. Rec'd 10/21/22 Referred to Procured Attorney
 - bb) GBAHE-CO-22-07 Non-Licensed Chiro. Rec'd 10/21/22 Referred to Procured Attorney
 - cc) GBAHE-CO-22-08 Non-Licensed Chiro. Rec'd 10/21/22 Referred to Procured Attorney
 - dd) GBAHE-CO-22-09 Non-Licensed Chiro. Rec'd 10/21/22 Referred to Procured Attorney

- ee) GBAHE-CO-22-10 Non-Licensed Chiro. Rec'd 10/21/22 Referred to Procured Attorney
- ff) GBAHE-CO-22-11 Non-Licensed Chiro. Rec'd 10/21/22 Referred to Procured Attorney
- gg) GBAHE-CO-22-12 Non-Licensed Chiro. Rec'd 11/17/22 G. Miller

X. **New Business**

- a) **Initial/New Applications:**
 - 1) Alan Butler *for Clinical Psychologist* (M. Balajadia)
 - 2) Gorniewicz, Ashley *for Occupational Therapist* (G. Cruz)
 - 3) Hong, Dae *for Physician Assistant* (R. Tajalle)
 - 4) Padayao, Arkee D. *for Veterinarian* (P. Pomes)
 - 5) Siderko, Alison C. *for Dietitian/Nutritionist* (C. San Nicolas)
 - 6) Stickney, Megan K. *for Licensed Professional Counselor* (V. Pereda)
- b) **Collaborative Practice Agreement**
 - 1) Hong, Dae *for Physician Assistant* (R. Tajalle)
- c) **Renewals**
 - 1) Finger, Mia *for Dietitian/Nutritionist* (C. San Nicolas)
- d) **Title of Doctor in Acupuncture**
- e) **Items in Bill 356-36 without Board's Approval forwarded to the 36th Guam Legislature**

XI. **Announcements – Next Meeting - Friday, March 3, 2023 at 12:00 p.m.**

XII. **Adjournment_____**

GUAM BOARD OF ALLIED HEALTH EXAMINERS

Board Meeting Attendance Sheet

194 Hernan Cortez Ave, Hagatna, GU 96910

Health Professional Licensing Office Room 213

Date of Meeting February 3, 2023 Regular Meeting Special Meeting

Meeting Call to Order 12:04 PM Time of Adjournment 1:00 PM Quorum No Quorum

VIRTUAL

BOARD MEMBERS	POSITION	SIGNATURE
Balajadia, Mamie	Clinical Psychologist Member, Chairperson	<i>M. Balajadia</i>
Pereda, Vincent	LPC/LMHC Member, Vice Chairperson	<i>V. Pereda</i>
San Nicolas, Catherine	Clinical Dietitian/Nutritionist Member, Treasurer/Secretary	Virtual
Cepeda, Nadine	LPC/MFT/LMHC Member	ABSENT
Chong, Richard	Acupuncturist Member	Virtual
Claros, Ryan	Physical Therapist Member	Virtual
Crisostomo, Sibyl	Speech Language Pathologist Member	<i>S. Crisostomo</i>
Cruz, Greg	Respiratory Therapist Member	ABSENT <i>Greg Cruz</i>
Miller, Greg	Chiropractic Member	Virtual
Ogo, Alesia	Occupational Therapist Member	Virtual
Pomes, Paul	Veterinarian Member	ABSENT
Tajalle, Ray	Physician Asst. Member	ABSENT
Triolo, Dennis	Audiologist Member	Virtual
Vacant	Podiatrist Member	Vacant

OTHERS PRESENT

PRINT NAME	AGENCY	SIGNATURE
Robert Weinberg	Asst. AG/OAG	VIRTUAL
Zennia Pecina	DPHSS/HPLO <i>le</i>	
Rosemary Carman	DPHSS/HPLO	<i>R. Carman</i>
Eddy Reyes	Flame Tree	Virtual
Mc Jason De Luna		Virtual
Jessica Smith		Virtual

Guam Board of Allied Health Examiners

REGULAR VIRTUAL BOARD MEETING
Friday, January 13, 2023 at 12PM

Join Zoom Meeting: <https://us06web.zoom.us/j/82980606880?pwd=M0ZlNzS9SaG83RXcvakQ1SEJTSndDUT09>
Meeting ID: 829 8060 6880; Passcode: 989823

MINUTES

Item	Discussion	Responsible Party	Reporting Timeframe	Status
I	Meeting Chaired by Dr. Balajadia	Chair	1207	Call to Order
II	January 6 and 11, 2023	Chair	1209	Confirmed
III	<p>GBAHE Members <u>Present at HPLO Conference:</u></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Dr. Mamie Balajadia, Clinical Psychology, Chair <input checked="" type="checkbox"/> Vince Pereda, Licensed Professional Counselor, Vice-Chair <input checked="" type="checkbox"/> Sibyl Crisostomo, Speech Language Pathology <p><u>Virtual Attendance:</u></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Nadine Cepeda, Marriage & Family Therapist, Secretary @1217 <input checked="" type="checkbox"/> Catherine San Nicolas, Clinical Dietician, Treasurer <input checked="" type="checkbox"/> Dr. Gregory Miller, Chiropractic Medicine <input checked="" type="checkbox"/> Dr. Richard Chong, Acupuncture <input checked="" type="checkbox"/> Dr. Paul Pomes, Veterinary Medicine <input type="checkbox"/> Alesia Ogo, Occupational Therapy <input checked="" type="checkbox"/> Dr. Ryan Claros, Physical Therapy <input checked="" type="checkbox"/> Dr. Dennis Triolo, Audiology <input type="checkbox"/> Raymond Tajalle, Physician Assistant <input type="checkbox"/> Gregory Cruz, Respiratory Therapy <p>Nominations for:</p> <ul style="list-style-type: none"> A. Chair: Dr. M. Balajadia nominated by: <i>V. Pereda; 2nd: Dr. Miller.</i> B. Vice-Chair: <i>V. Pereda</i> nominated by: <i>Dr. Chong; 2nd: Dr. Miller.</i> C. Secretary: <i>C. San Nicolas</i> nominated by: <i>Dr. Chong; 2nd: Dr. Miller.</i> D. Treasurer: <i>C. San Nicolas</i> nominated by: <i>Dr. Chong; 2nd: Dr. Pomes..</i> <p><i>Motion to adopt: S. Crisostomo; 2nd: Dr. Pomes.</i></p>	Chair	1210	Quorum Established
IV	<p>Other Attendees <u>Present at HPLO:</u></p> <ul style="list-style-type: none"> Rosemary Carman, HPLO Dr. Alan Butler Attorney J. Cook <p><u>Virtual Attendance:</u></p> <ul style="list-style-type: none"> Rob Weinberg, Asst Attorney General Dr. Mariana Turner Theresa Gutierrez Shania Nitaro 	GBAGE	1212	Unanimously Approved Nominations for GBAHE Officers
V	<p>Adoption of Agenda</p> <p><i>Motion to adopt: S. Crisostomo; 2nd: Dr. Pomes.</i></p>	GBAHE	1217	Unanimously Adopted Agenda
VI	<p>Approval of Minutes</p> <p>Minutes of December 2, 2022 and December 30, 2022. C. San Nicolas recommend two changes on Page 8, #125 enclose San Nicolas with a parenthesis, page 13,</p>	GBAHE	1217	Unanimously Approved. As

Item	Discussion	Responsible Party	Reporting Timeframe	Status
	#136: correct spelling to read: "Vande Berg" <i>Motion to approve, as amended: V. Pereda; 2nd: S. Crisostomo</i>			Amended
VII Treasurer's Report	C. San Nicolas provided an overview of the GBAHE finances with was emailed separately to the GBAHE Members. She reported: balance of \$29,296.67; Expenses: \$13,673.22; Supplies/Equipment/Miscellaneous (only a portion of the appropriation has been allocated for this line item). In addition, she stated that an increase in revenue will be expected due to the change in fees.	HPLO	1222	Noted
VIII Administrator's Report		HPLO	1222	No Report
IX Legal Counsel's Report	Asst AG Weinberg reported that the Lubofsky case is still under review by the Superior Court of Guam. In reference to Public Law 36-138, he stated that the wording of the Rules and Regulations differ from the version submitted by the GBAHE to the Legislature; therefore, recommended that the GBAHE review the Rules and Regulations, as some information was excluded such as the transfer of responsibility of Podiatry and Physician Assistants from the GBAHE to the GBME. He also suggested the GBAHE eventually approach the Speaker to address the open issues that have yet to be resolved.	Asst AG Weinberg	1222	GABHE to review final version of mandate Rules and Regulations
X GBAHE Complaints	<p>A. GBAHE-CO-15-04, Veterinarian, Received 9/4/15.</p> <p>B. GBAHE-CO-15-06, Veterinarian, Received 11/30/15.</p> <p>C. GBAHE-CO-17-02, Veterinarian, Received 6/6/17.</p> <p>D. GBAHE-CO-19-02, Veterinarian, Received 8/22/19.</p> <p>E. GBAHE-CO-19-03, Veterinarian, Received 11/7/19.</p> <p>F. GBAHE-CO-19-04, Veterinarian, Received 11/7/19.</p> <p>G. GBAHE-CO-20-01 Veterinarian, Received 5/4/20.</p> <p>H. GBAHE-CO-20-02 Veterinarian, Received 3/13/20.</p> <p>I. GBAHE-CO-20-03 Veterinarian, Received 3/13/20.</p> <p>J. GBAHE-CO-20-04 Veterinarian, Received 3/13/20.</p> <p>K. GBAHE-CO-20-05, Veterinarian, Received 3/13/20.</p> <p>L. GBAHE-CO-20-06, Veterinarian, Received 1/31/20.</p> <p>M. GBAHE-CO-20-07, Veterinarian, Received 1/31/20.</p> <p>N. GBAHE-CO-20-08 Respiratory Therapist, Received 9/20/20, S. Melville.</p> <p>O. GBAHE-CO-20-09 Respiratory Therapist, Received 9/20/20.</p> <p>P. GBAHE-CO-20-10 Respiratory Therapist, Received 9/20/20.</p> <p>Q. GBAHE-CO-21-01, Chiropractor, Received 4/13/21.</p> <p>Based on consultation with Asst AG Weinberg, Dr. Gates has been provided with stipulated remedies and would like to present a recommendation to the GBAHE. However, he expressed some reluctance since he has yet to communicate with and obtain Dr. Rodman's version of the allegations. Asst AG Weinberg stated that ignorance of the law does not justify an excuse; therefore, stated that there is nothing more that the Office of the Attorney General is able to do at this juncture. Therefore, Dr.</p>	GBAHE	1225	In Progress
		S. Melville		In Progress
		Referred to Off-Island Consultant		In Progress
		G. Miller		Dr. Miller to present a Recommendation at the next meeting

Item	Discussion	Responsible Party	Reporting Timeframe	Status
	Miller stated that he would present a recommendation to the GBAHE at the next meeting.			
	R. GBAHE-CO-21-02, Chiropractor, Received 6/4/21. See agenda item X.Q., above.	G. Miller		In progress
	S. GBAHE-CO-21-03, Acupuncturist (Atty. V. Williams), Received 7/6/21. The Chair reported that she received a call from the assigned attorney and will provide an update at the next meeting.	M. Balajadia		In progress
	T. GBAHE-CO-21-04, Audiologist, Received 9/7/21. S. Crisostomo reported that a letter of complaint was submitted to ROSS, indicating that it had employed an unlicensed individual. She stated that she would discuss the issue with Asst AG Weinberg before providing a recommendation to the GBAHE.	S. Crisostomo D. Triolo		In progress
	U. GBAHE-CO-21-05, Acupuncturist (Atty. V. Williams), Received 9/17/21.	Referred to Off-Island Consultant		In progress
	V. GBAHE-CO-21-07, Veterinarian, Received: 11/22/21.			In Progress
	W. GBAHE-CO-21-08, Veterinarian, Received: 11/22/21.	Referred to Procured Attorney		In progress
	X. GBAHE-CO-22-02, Acupuncturist, Received 2/11/22. The Chair reported that this complaint has been forwarded to the procured attorney.	M. Balajadia		In progress
	Y. GBAHE-CO-22-03, MF Therapist, Received 2/21/22.	Referred to Procured Attorney		In progress
	<i>NOTE: In reference to the complaints below, Dr. Miller stated that Attorney Visosky has decided to handle the complaints, below, as a group, and is considering an injunctive relief. Attorney Visosky has suggested that the complaints below be addressed in an Executive Session. Asst AG Weinberg stated that, under the current process for the GBAHE, an Executive Session would not be allowed; therefore, the attorney will have to provide a disposition to the GBAHE, which would have to be addressed in a public forum.</i>			
	Z. GBAHE-CO-22-05 Non-Licensed Chiro. Rec'd 9/27/22.	Referred to Procured Attorney		In progress
	AA. GBAHE-CO-22-06 Non-Licensed Chiro. Rec'd 10/21/22			
	BB. GBAHE-CO-22-07 Non-Licensed Chiro. Rec'd 10/21/22			
	CC. GBAHE-CO-22-08 Non-Licensed Chiro. Rec'd 10/21/22			
	DD. GBAHE-CO-22-09 Non-Licensed Chiro. Rec'd 10/21/22			
	EE. GBAHE-CO-22-10 Non-Licensed Chiro. Rec'd 10/21/22			
	FF. GBAHE-CO-22-11 Non-Licensed Chiro. Rec'd 10/21/22			
	GG. GBAHE-CO-22-12 Non-Licensed Chiro. Rec'd 11/17/22			
XI	A. Initial/New Applications: 1. Barksdale, George for Licensed Professional Counselor (V. Pereda) <i>Motion to approve: Dr. Pomes; 2nd, S. Crisostomo.</i> 2. Beltran, Michael Ben S. for Registered Respiratory Therapist (G. Cruz)	G. Miller GBAHE	1232	Unanimously Approved Unanimously Approved

Item	Discussion	Responsible Party	Reporting Timeframe	Status
	<i>Motion to approve: Dr. Pomes; 2nd: S. Crisostomo.</i>			Unanimously Approved
	3. Blake, Amanda Ann for Dietitian/Nutritionist/Clinical (C. San Nicolas) <i>Motion to approve: Dr. Pomes; 2nd: S. Crisostomo.</i>			Unanimously Approved
	4. Frank, Crista J. for Podiatry (S. Crisostomo) <i>Motion to approve: Dr. Pomes; 2nd: S. Crisostomo.</i>			Unanimously Approved
	5. Haderer, Allison for Physician Assistant (R. Tajalle) <i>Motion to approve: Dr. Pomes; 2nd: S. Crisostomo.</i>			Unanimously Approved
	6. Ikeanyionwu, Charles C. for Registered Respiratory Therapist (G. Cruz) <i>Motion to approve: Dr. Pomes; 2nd: S. Crisostomo.</i>			Unanimously Approved
	7. Ituralde, Venus Leah P. for Licensed Professional Counselor (V. Pereda) <i>Motion to approve: Dr. Pomes; 2nd: S. Crisostomo.</i>			Unanimously Approved
	8. Lee, Justin B. for Clinical Psychologist (M. Balajadia) <i>Motion to approve: Dr. Pomes; 2nd: S. Crisostomo.</i>			Unanimously Approved
	9. Masse, Tonye M. for Physician Assistant (R. Tajalle) <i>Motion to approve: Dr. Pomes; 2nd: S. Crisostomo.</i>			Unanimously Approved
	10. McGrath, Colleen for Speech Language Pathologist (S. Crisostomo) <i>Motion to approve: Dr. Pomes; 2nd: S. Crisostomo.</i>			Unanimously Approved
	11. Mount, Marla K. for Licensed Mental Health Counselor (V. Pereda) <i>Motion to approve: Dr. Pomes; 2nd: S. Crisostomo.</i>			Unanimously Approved
	B. Collaborative Practice Agreement Applications:	GBAHE	1235	Unanimously Approved
	1. Haderer, Allison for Physician Assistant (R. Tajalle) <i>Motion to approve: S. Crisostomo; 2nd: Dr Miller</i>			Unanimously Approved
	2. Masse, Tonye M. for Physician Assistant (R. Tajalle) <i>Motion to approve: S. Crisostomo; 2nd: Dr Miller</i>			Unanimously Approved
	C. Renewals. Motion to approve: N. Cepeda; 2nd: Dr. Pomes	GBAHE	1236	Unanimously Approved
	1. Camacho, Christine for Licensed Professional Counselor (V. Pereda)			
	2. Fernandez, Chris J. for Physical Therapist (S. Crisostomo)			
	3. Palmquist, Roland A. for Podiatry (S. Crisostomo)			
	4. Shimahara, Lilly for Podiatry (S. Crisostomo)			
	5. Tolentino, Doris L.G. for Marriage & Family Therapist (V. Pereda)			
	D. Euthanasia Technician Certifications. <i>Motion to approve: Dr. Miller; 2nd: N. Cepeda.</i>	GBAHE	1238	Unanimously Approved
	1. Nori, Tanishia			
	2. Santos, Franchesca			
	3. DeCastro, Arleen			
	4. Erickson, Tina			
	5. Amo, Clariza			
	6. Blas II, Paul			
	E. Visiting Volunteer Veterinarians for Spay and Neuter SNIP Outreach 2/13-16/23 and 2/21-	GBAHE	1240	Noted the

Item	Discussion	Responsible Party	Reporting Timeframe	Status
	<p>24/23.</p> <p>Dr. Turner stated that two licensed veterinarians from WA and TX will be on Guam to conduct this service. Dr. Smith would be in attendance full-time, while she will be on-call.</p>			Outreach Schedule
	<p>F. Alan Butler to Discuss the Examination for Professional Practice of Psychology (EPPP Part 2).</p>	GBAHE	1242	Alan Butler Application for Licensure. Clinical Psychologist, to be placed on Agenda for Next Meeting
	<p>1. Dr. Butler stated that he sent a letter to the GBAHE, dated 5 December 2022, requesting that the Board decide on his license application since he had completed all license application requirements to include passing the EPPP written examination in October 2022. During the April 2022 GBAHE, Dr. Balajadia confirmed that his application was complete and the Board approved Dr. Butler to proceed with the EPPP examination. After repeated attempts to schedule a date to take the EPPP1 examination with the Board, he contacted and scheduled the examination with the Association of State and Provincial Psychology Boards (ASPPB) and subsequently passed the exam in October 2022. Although he attempted to schedule the EPPP2 with the ASPPB, he was informed that the EPPP2 was not required by Guam at this time, as Guam was not one of the early adopters of the EPPP2. After repeated written requests to the Board in October and November 2022, to include in-person queries, he has yet to receive a response from the Board clarifying the EPPP2 requirement licensure. Dr. Butler stated that P.L. 36-138 now specifies that the EPPP2 is now a requirement and that during the 2 December 2022 meeting, Asst AG Weinberg had stated the he would not be required to take the EPPP2 examination since this requirement would not take effect until July 2023; however, it appears that GBAHE Chair is acting against the legal advice of the Board's legal counsel. In summary, Dr. Butler made a plea to the Board to provide direction and help in resolving this issue, so that he could eventually obtain a Clinical Psychologist license.</p> <p>2. Attorney Jeff Cook, who represents Dr. Butler stated that, 10 GCA § 121202, for Qualifications for Licensure, the applicant must have successfully completed the Examination for Professional Practice in Psychology (EPPP) administered by a state, territory or district of the United States. Therefore, any applicant could have pass an EPPP examination elsewhere (other than Guam) and they would qualify for licensure. He stated that at the time of Dr. Butler's application, the mandated requirement for licensure was the written examination (EPPP1) and the EPPP2 did not become a mandated requirement until P.L. 36-138 became effective in December 2022. Furthermore, he stated that, when the GBAHE approved the EPPP2 examination requirement in 2019: the EPPP2 had not yet been finalized by the ASPPB and only 3 states were requiring the EPPP2; the application for licensure had not updated to include the EPPP2 requirement and is still has not been updated; and, most important, the statute did not change to reflect the EPPP2 requirement. And it was only with the recent amendment that EPPP2 became a mandated requirement, now reflecting the 2019 decision. In addition, during the GBAHE December 2022 meeting, the Board's attorney stated that the version of the Rules and Regulations submitted to the Legislature specified that the EPPP2 requirement would become effective in July 2023; however, upon review of the legislative record and the final version of P.L. 36-138 the reference to the July 2023 date was deleted and no longer exist. Although the Board approved to require</p>			

Item	Discussion	Responsible Party	Reporting Timeframe	Status
	<p>the EPPP2 in 2019, the statute did not change; therefore, the EPPP2 requirement could not be effectuated. In his opinion, he completed the application process when he passed the EPPP1. Per case law, Attorney Cook stated that since Dr. Butler fulfilled the application requirements prior to the EPPP2 becoming a mandated requirement, the requirement for the EPPP2 does not apply; therefore, GBAHE should have approved his license application after he passed the EPPP1. On Dr. Butler's behalf, he requested that the Board approve his application for licensure.</p> <p>3. N. Cepeda stated that she had brought this issue up in the December 2022 GBAHE meeting, since she wanted clarification on the status of the Board's 2019 decision to require the EPPP2, as well as the July 2023 implementation date for the EPPP2. She subsequently learned that the July 2023 implementation date was removed. Attorney Cook stated that, although the Board made a decision to require the EPPP2 in 2019, it essentially did not have the authority, due to the existing mandate. It was also his understanding that EPPP2 did not exist when the Board decided in 2019. With respect to the July 2023 date, it does not apply in Dr. Butler's case since he should have been awarded his license in October 2002 upon the completion of the final requirement (i.e., the EPPP2 requirement was not yet mandated).</p> <p>4. V. Pereda inquired if Attorney Cook believed the 2019 Board decision was invalid, and Attorney Cook responded by stating that the Legislature, not the Board, has the authority to change the public policy. Furthermore, he stated that the change should have undergone the Administrative Adjudication Act (AAA) process, but he was not basing his position on that premise. In response to V. Pereda's clarification on implementation date, Attorney Cook stated that the July 2023 implementation date for the EPPP2 appears to have been removed, therefore, with P.L. 38-138, the requirement for the EPPP1 and EPPP2 appears to be effective now.</p> <p>5. The Chair stated that the Board approved the EPPP2 examination requirement in December 2019 GBAHE; however, this decision did not go through the AAA process since the ASPPB had yet to update its website. During Dr. Butler's discussion with ASPPB Examination Services Administrative Assistant in September 2022, he was informed that the EPPP2 was not required at that time. The Chair provided Attorney Cook with a copy of a website page that now lists Guam on the website requiring the EPPP2 examination. In addition, she provided a copy of a letter from the ASPPB Director of Examination Services which expressed concern with the chain of events, to include the impact of the implementation of EPPP2 due to the pandemic and the failure to update the website. In reference to the July 2023 implementation date for the EPPP2 examination, the Chair stated that this was a decision date determined by the Council, not the GBAHE. Therefore, she recommends that EPPP2 be required to mitigate the situation and concerns surrounding the effective date. She stated that the Board's decision to require the EPPP2 or the implementation thereof was not a mistake of the GBAHE, but was done in good faith to ensure the practitioners are competent to practice professional services. She stated that the ASPPB requires the EPPP2 for states and territories, including Canada. In conclusion, the Chair stated her position is that the EPPP2 examination would be required in Dr. Butler's case. In response to the Chair's comments, Attorney Cook stated that his client has no disagreement with</p>			

Item	Discussion	Responsible Party	Reporting Timeframe	Status
XII	<p>respect to the need to ensure competency. The letter provided by the Chair only informs the ASPPB that the GBAHE had adopted, however, at that time of notification, the Legislature had not legally adopted this requirement by changing the law. It was only with the passing of P.L. 36-138 is the requirement for both exams now in effect. Furthermore, he stated that the website shows only three (3) states, Guam, D.C. and some Canadian provinces that have adopted the EPPP2 requirement. However, he maintains the position that prior applicants or applicants that should have been licensed prior to the enactment of the new law should have been granted licensure.</p>			
XIII	<p>6. N. Cepeda that, since Dr. Butler's application was not on the agenda, the Board is unable to decide to approve the application at this time. V. Pereda supported the item being placed on next month's agenda. Z. Pecina stated that since Dr. Butler's issue was placed on today's agenda, the Board could decide on his licensure during this meeting. She stated that Asst AG Weinberg supported this action. N. Cepeda stated that this guidance appears to be inconsistent from previous guidance regarding decisions on matters not placed on the agenda; therefore, she requested that this issue be clarified. Attorney Cook requested that the Board reconsider Dr. Butler's application, however, his client is willing to wait a Board's decision at the February 2023 meeting. Dr Miller agreed that clarification be provided prior to the next meeting. V. Pereda stated that he was in favor of Dr. Butler's license being placed on the agenda</p>		1322	GBAHE to Review the Final Version of the Rules & Regulations and Address Open Issues
	<p>G. Public Law 36-138, 12/29/2022. Asst AG Weinberg stated that the Governor decided to let the bill lapse into law by not signing or vetoing the bill. He stated that the Governor did not sign the bill since she felt the Legislature did not follow the AAA process for the Rules and Regulations, which should have been approved by the Governor for policy and the Attorney General for legal form; however, in this case the Legislature delegated power to the Board to update the Rules and Regulations. Although the Rules and Regulations are now in effect, he advised the Board to conduct a thorough review since the final document differs from the version submitted by the Board. Furthermore, certain open items remain, such as the transfer of Podiatry and Physician Assistant to the GBME, dry needling issue, etc. He stated that he would support a working session to address required changes to forms, website, etc.</p>	GBAHE	1326	Set Date
	<p>Next Meeting - Friday, February 3, 2023 at 12:00 p.m. Motion to adjourn: V. Pereda; 2nd: G. Miller.</p>	GBAHE	1326	Unanimously Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 1/17/2023

Submitted by the GBAHE Secretary:

Cedric J.

Date:

1/17/2023

Approved by the GBAHE with or without changes

Date:

Certified by or Attested by the Chairperson:

Mamie Chelajadia Date: 02/13/2023

THE SCORE

Omenihu allowed to play despite arrest

SANTA CLARA, Calif. (AP) — San Francisco defensive lineman Charles Omenihu will be available to play in the NFC title game despite his arrest on a misdemeanor domestic violence allegation.

Coach Kyle Shanahan said Wednesday that the team will wait for the legal process to resolve after Omenihu was accused of pushing his girlfriend to the ground during an argument on Monday.

"If he's healthy, he'll play this week," Shanahan said.

"We've looked into it the last 48 hours, not necessarily myself but other people. We feel very good that the legal process will take care of itself. We don't feel we should kick him off our team at this time."

The NFL will review the matter under the league's personal conduct policy, but Omenihu is available until that is completed.

San Jose police said they were called to Omenihu's home on Monday afternoon to investigate a domestic violence incident.



AP FILE PHOTO
San Francisco 49ers defensive end Charles Omenihu (94) celebrates during the second half of an NFL wild card playoff football game against the Seattle Seahawks in Santa Clara, California, Jan. 14, 2023.

According to the police report, a woman who said she was Omenihu's girlfriend said he pushed her to the ground during an argument.

Officers did not observe any visible physical injuries, but the woman did complain of pain in her arm. She declined medical attention.

Omenihu was booked into the Santa Clara County Jail for misdemeanor

or domestic violence. He was freed after posting bail. The case will be submitted to the district attorney for possible charges.

Police said Omenihu was cooperative with officers and was served with an emergency protective restraining order.

The 25-year-old Omenihu is in his second season with the 49ers and part of their defensive line rotation.

He had a career-high 4 1/2 sacks in the regular season and added two sacks

and a forced fumble in a wild-card win over Seattle on Jan. 14.

Omenihu played 15 defensive snaps in a win Sunday over Dallas. He injured his oblique during the game, but was able to return. He was expected to be limited at practice on Wednesday.

The 49ers were without two key offensive players for practice with running backs Christian McCaffrey (calf) and Elijah Mitchell (groin) both sidelined. Receiver Deebo Samuel and backup cornerback Ambry Thomas were both limited with an ankle injury.

Guam Board of Allied Health Examiners Regular Board Meeting
Friday, February 3, 2023 at 12PM
https://zoom.us/j/83611739081
Meeting ID: 836 1173 9081
Passcode: 080227

AGENDA

- I. Call to Order
- II. Proof of Publication - January 27 and February 1, 2023
- III. Roll Call
- IV. Adoption of Agenda
- V. Approval of Minutes - January 13, 2023
- VI. Treasurer's Report
- VII. Administrator's Report
- VIII. Legal Counsel Report
- IX. GBANE Complaints
 - a. GBANE CO-15-04 to GBANE CO-15-06
 - b. GBANE CO-17-01 to GBANE CO-17-02
 - c. GBANE CO-19-02 to GBANE CO-19-03
 - d. GBANE CO-19-04 to GBANE CO-19-05
 - e. GBANE CO-20-01 to GBANE CO-20-02
 - f. GBANE CO-20-03 to GBANE CO-20-04
 - g. GBANE CO-20-05 to GBANE CO-20-06
 - h. GBANE CO-20-07 to GBANE CO-20-08
 - i. GBANE CO-20-09 to GBANE CO-20-10
 - j. GBANE CO-21-01 to GBANE CO-21-02
 - k. GBANE CO-21-03 to GBANE CO-21-04
 - l. GBANE CO-21-05 to GBANE CO-21-06
 - m. GBANE CO-21-07 to GBANE CO-21-08
 - n. GBANE CO-22-01 to GBANE CO-22-02
 - o. GBANE CO-22-03 to GBANE CO-22-04
 - p. GBANE CO-22-05 to GBANE CO-22-06
 - q. GBANE CO-22-07 to GBANE CO-22-08
 - r. GBANE CO-22-09 to GBANE CO-22-10
 - s. GBANE CO-22-11 to GBANE CO-22-12
- X. New Business
 - a. Initial New Applications to Collaborative Practice Agreement Applications
 - b. Renewals
 - c. Title to Doctor of Acupuncture
 - d. Items in Bill 356-28 without Board's Approval forwarded to the 36th Guam Legislature
- XI. Announcements
- XII. Adjournment

To view the full agenda, visit: <https://zoom.us/j/83611739081>
To view the LIVE Streaming link: <https://facebook.com/BAH/616060>
For more information, please contact the Board office at 671-735-7499-12. Persons needing a telecommunication device for the Hearing/Speech Impaired (TDD) may contact 475-4339.

Jeffrey Springs agree to \$31M, 4-year contract

ST. PETERSBURG, Fla. (AP) — Left-hander Jeffrey Springs became the first of the 33 players who exchanged proposed arbitration salaries with their teams to reach a deal, agreeing Wednesday to a \$31 million, four-year contract with the Tampa Bay Rays that

could be worth \$65.75 million over five seasons. The 30-year-old Springs was among seven Rays who swapped arbitration figures with the team on Jan. 13. He began last season in the bullpen, transitioned to the starting rotation in May and finished

9-5 with a 2.46 ERA in 33 appearances, including 25 starts. He is 1-1-6 with a 2.70 ERA in 76 outings — 51 of them in relief — since he was acquired from Boston in February 2021.

Rays president of baseball operations Erik Neander said the sides had been working toward an agreement for weeks and that Springs — drafted in the 30th round by the Texas Rangers in 2015 — has earned the opportunity to be a big part of Tampa Bay's future.

"Jeffrey's journey in baseball is a story of constant development and improvement. It's a heck of a story," Neander said, noting Springs was not drafted high and spent time with multiple organizations before



AP FILE PHOTO
Tampa Bay Rays starting pitcher Jeffrey Springs delivers against the Cleveland Guardians during the first inning of a baseball game Sept. 29, 2022, in Cleveland.

10 with a 3.57 ERA over parts of five seasons. Red Sox and Rays, gets \$4 million this year, \$5.25 million in 2024 and \$10.5 million in each of the following two seasons. Tampa Bay has a \$15 million option for 2027 with a \$750,000 buyout.

The 2025 and 2026 salaries can escalate by up to \$3.75 million each based on innings in 2023-24 combined: \$1.5 million for 300, \$1 million for 325, \$750,000 for 350 and \$500,000 for 375. The '25 and '26 salaries also can escalate based on finish in Cy Young Award voting in '23 and '24: \$2 million for finishing second through fifth and \$250,000 for finishing sixth through 10th.

landing with the Rays and becoming an important component of the team's success. "A big reason why we're here at this point is we see him continuing to do that moving forward," Neander said. "To have that opportunity, he's earned that and we're really excited that we're gonna keep him around here longer than we otherwise would have." Springs, who is 19-

The University Of Guam Solicits Applications To Establish A List Of Eligibles For The Following Position (Tenure Track Appointment, Full Time, Subject to the availability of funds):

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Dr. JOSEPH B. GUMATAUAO
Chief Human Resources Officer

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Guam Board of Allied Health Examiners Regular Board Meeting
 Friday, February 3, 2023 at 12PM
<https://us06web.zoom.us/j/836117399812?pwd=OklhVjR3RS9hNGl0bWp0aUJRCmZ6NjZlYUJUT0R>
 Meeting ID: 836 1173 9981
 Passcode: 680227

- Call to Order
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 - Roll Call
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 - Approval of Minutes - January 13, 2023
 - Treasurer's Report
 - Administrator's Report
 - Legal Counsel Report
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 - a) GBAHE-CO-15-04 b) GBAHE-CO-15-06 c) GBAHE-CO-17-02
 - d) GBAHE-CO-19-02 e) GBAHE-CO-19-03 f) GBAHE-CO-19-04
 - g) GBAHE-CO-20-01 h) GBAHE-CO-20-02 i) GBAHE-CO-20-03
 - j) GBAHE-CO-20-04 k) GBAHE-CO-20-05 l) GBAHE-CO-20-06
 - m) GBAHE-CO-20-07 n) GBAHE-CO-20-08 o) GBAHE-CO-20-09
 - p) GBAHE-CO-20-10 q) GBAHE-CO-21-01 r) GBAHE-CO-21-02
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 - v) GBAHE-CO-21-07 w) GBAHE-CO-21-08 x) GBAHE-CO-22-02
 - y) GBAHE-CO-22-03 z) GBAHE-CO-22-05 a) GBAHE-CO-22-06
 - b) GBAHE-CO-22-07 c) GBAHE-CO-22-08 d) GBAHE-CO-22-09
 - e) GBAHE-CO-22-10 f) GBAHE-CO-22-11 g) GBAHE-CO-22-12
 - New Business
 - a) Initial/New Applications
 - b) Collaborative Practice Agreement Applications
 - c) Renewals
 - d) Title in Doctor in Acupuncture
 - e) Items in Bill 356-36 without Board's Approval forwarded to the 36th Guam Legislature
 - Announcements
 - Adjournment
- To view the full agenda, visit: www.guamalliedhealth.org
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The Guam Board of Medical Examiners Regular Virtual Board Meeting,
 Wednesday, February 08, 2023 at 4:00 PM.
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Passcode: 679841

- Meeting Agenda:**
- Call to order: (a) Roll Call (b) Confirmation of Public Notice.
 - Adoption of Agenda.
 - Review and Approval of Minutes: Minutes of December 14, 2022.
 - Treasurer's Report.
 - HPLD Administrator's Report.
 - Chairperson's Report.
 - Old Business: (a) Complaints:
 - (1) GBAHE-CO-20-003
 - (2) GBAHE-CO-2021-011
 - (3) GBAHE-CO-2022-002
 - (4) GBAHE-CO-2022-003
 - (5) GBAHE-CO-2022-006
 - (6) GBAHE-CO-2022-010
 - New Business: (a) Complaint(s):
 - (1) GBAHE-CO-2022-015
 - (2) GBAHE-CO-2022-016
 - Application(s) for Full License; (c) Application(s) for Reinstatement; (d) Application(s) for Limited License; (e) Interstate Medical License Compact Commission (IMLCC); (f) Collaborative Practice Agreement (cp); Discussion of Telemedicine
 - Announcement: The next Guam Board of Medical Examiners Regular Virtual Meeting is scheduled for March 08, 2023 at 4:00 pm via ZOOM.
 - Adjournment:

To view the names of the applicants being considered, go to <https://guamhpld.org/home>
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