



GOVERNMENT OF GUAM

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



LOURDES A. LEON GUERRERO
GOVERNOR, MAGA'HAGA'

JOSHUA F. TENORIO
LT. GOVERNOR, SIGUNDO MAGA'LAMA

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ACTING DIRECTOR

LAURENT SF DUENAS, MPH, BSN, RN
DEPUTY DIRECTOR

TERRY G. AGUON
DEPUTY DIRECTOR

April 13, 2021

Honorable Lourdes Leon Guerrero
Governor of Guam
Executive Chambers
PO Box 2950
Hagåtña, Guam 96932

Honorable Therese M. Terlaje
Speaker, 36th Guam Legislature
163 Chalan Santa Papa
Hagåtña, Guam 96910

Re: **Guam Board of Medical Examiners Virtual Board Meeting for February 17, 2021.**

Dear Governor Leon Guerrero and Speaker Terlaje,

As required by 5 GCA § 8113.1, attached please find electronic copies of the agenda, approved minutes, and other attachments.

Should you have any questions, please call us at (671) 735-7404-11

Respectfully,

Clara D. Galindo
Word Processing Secretary I

Cc: Michael Weakley, Governor's Legal Office

Attachments: Agenda, Minutes and Announcements

GUAM BOARD OF MEDICAL EXAMINERS
Department of Public Health and Social Services 194
Hernan Cortez Ave. Suite 213, Hagatna

RECONVENE VIRTUAL BOARD MEETING

**Please join my meeting from your computer, tablet
or smartphone.**

<https://global.gotomeeting.com/join/322850061>

You can also dial in using your phone.

United States: [+1 \(408\) 650-3123](tel:+14086503123)

Access Code: 322-850-061

Wednesday, February 17, 2021 4:00 P.M.

AGENDA

- I. CALL TO ORDER: _____
 - (a) Roll Call
 - (b) Confirmation of Public Notice AG & DOA's website
- II. Adoption of Agenda
- III. Review and Approval of Minutes – January 13, 2021.
- IV. Treasurer Report – Philip Flores
- V. HPLO Administrator's Report
- VI. Chairperson's Report
 - (a) Emergency Licenses Issued – 5
 - (1) Warren S. Krackov – GRC
 - (2) Daniel A. Cousin – GRC
 - (3) Tammy M. Allen – GRMC
 - (4) Thomas K. Murray - GMH
 - (5) Adelaida M. Miro – GMH
- VII. OLD BUSINESS:
 - (1) GBME-CO-19-010 - on-going
 - (2) GBME-CO-20-01 – on-going
 - (3) GBME-CO-20-02 – on-going
 - (4) GBME-CO-20-04 – on-going
 - (5) GBME-CO-20-05 – on-going
 - (6) GBME-CO-20-06 – on-going
 - (7) GBME-CO-20-07 – on-going
 - (8) GBME-CO-20-08 – on-going
 - (9) GBME-CO-20-09 – on-going
 - (10) GBME-CO-19-012 – on-going
 - (11) GBME-CO-19-013 – on-going
 - (12) GBME-CO-19-014 – on-going
 - (13) GBME-CO-19-015 – on-going
 - (14) GBME-CO-19-016 – on-going
 - (15) GBME-CO-19-017 – on-going
- (16) REINSTATEMENT LICENSE:
 - Abner P. Pasatiempo – Psychiatry – On-going
- (17) GBME-AP-2020-001 – On-going

VIII. NEW BUSINESS:

- (a) GBME-CO-21-01
- (b) GBME-CO-21-02

(c) FULL LICENSE:

- (1) David T. Meadows (*Uniformed application submission*)
- (2) Sherryl J. Tomboulian (*Uniformed application submission*)
- (3) Jami D. Feltner (*Uniformed application submission*)
- (4) Nita Vivatrat (*Uniformed application submission*)
- (5) Mammen Maliakkal – GMH
- (6) Konstantina A. Papatomas (*Uniformed application submission*)
- (7) Augusta N. Uwah – GMH
- (8) Sabari L. Sundarraj (*Uniformed application submission*)
- (9) Rachel H. Root – (*Uniformed application submission*)

(d) TEMPORARY LICENSE:

Carlindo Pereira – SDA

(e) REINSTATEMENT LICENSE:

Akua Agyeman – GMH

(f) IMLC:

- (1) Salman Kazim – Psychiatry – Spokane, WA
- (2) Scott Rennie – Washington

IX. OTHER BUSINESS:

- (a) BILL No. 6-36 – 36th Guam Legislature
- (b) Mandated reporting by malpractice insurance companies – Office of Senator Therese Terlaje
- (c) Next regular schedule meeting – Wednesday, March 10, 2021 at 4:00 pm in the HPLO Board, Suite 213, Terlaje Professional Bldg. Hagatna.

ADJOURNMENT: _____

GUAM BOARD OF MEDICAL EXAMINERS

Virtual Board Meeting Attendance Sheet


Health Professional Licensing Office (HPLO) Suite 213
194 Hernan Cortez Ave. Terlaje Professional Building, Hagatna, Guam 96910

Date of Meeting: February 17, 2021 Virtual Regular Meeting Special Meeting

Meeting Call to Order: 4:02 pm Time of Adjournment: 5:48 pm Quorum No Quorum

| BOARD MEMBERS | POSITION | SIGNATURE |
|----------------------|--------------------------|-------------------|
| Nathaniel Berg, MD | Chairperson | PRESENT |
| Philip Flores | Vice Chair/Public Member | PRESENT VIRTUALLY |
| Annie Bordallo, MD | Member/Medical Director | PRESENT VIRTUALLY |
| Arania Adolphson, MD | Member | PRESENT VIRTUALLY |
| Annette David, MD | Member | PRESENT VIRTUALLY |
| Scott R. Shay, MD | Member | PRESENT VIRTUALLY |
| Luis Cruz, MD | Member | PRESENT VIRTUALLY |
| | | |
| | | |

OTHERS PRESENT

| PRINT NAME | AGENCY | SIGNATURE |
|----------------------------------|----------------------------|---|
| Robert Weinberg, Legal Counsel | AG's Office | PRESENT VIRTUALLY |
| Zennia C. Pecina | HPLO/EMS | PRESENT |
| Ciana D. Galindo | HPLO/EMS |  |
| Deborah Borja | HPLO/EMS | PRESENT VIRTUALLY |
| Eddy Reyes | Plumetree | PRESENT VIRTUALLY |
| Charity Bentz | Plumetree | PRESENT VIRTUALLY |
| Jerrick Sablan | Public, Pacific Daily News | PRESENT VIRTUALLY |
| Curtis Vanderveld / Amer Pacific | Public | PRESENT VIRTUALLY |
| Ramin Ventura | UDG | PRESENT VIRTUALLY |

GUAM BOARD OF MEDICAL EXAMINERS
 Department of Public Health and Social Services
 Health Professional Licensing/EMS
Wednesday, January 13, 2021 4:00 P.M.
VIRTUAL – REGULAR BOARD MEETING
MINUTES

MEMBERS PRESENT:

- Dr. Nathaniel Berg, Chairperson
- Mr. Philip Flores, Vice Chairperson & Public Member
- Dr. Annie Bordallo, Member
- Dr. Arania Adolphson, Member
- Dr. Annette David, Member
- Dr. Scott R. Shay, Member
- Dr. Luis Cruz, Member

OTHERS PRESENT:

- Robert Weinberg, Assistant Attorney General
- Zennia Pecina, HPLO Administrator
- Myrna Leon Guerrero
- Ciana Galindo, HPLO Board Secretary
- Natasha Charfauros, Sen. Therese Terlaje representative
- Jim Mansfield, Public
- Jerick Sablan, Public – Pacific Daily News
- Chantay Benitez, FLAME TREE Freedom Center
- Eddy Reyes, FLAME TREE Freedom Center
- Dawn Reyes, FLAME TREE Freedom Center

| TOPIC | | DECISION(S) / ACTION(S) MADE | RESPONSIBLE PARTY | REPORTING TIMEFRAME | STATUS |
|-------|---------------------------------------|---|--|---------------------|-----------|
| I. | CALL TO ORDER | CALLED TO ORDER: 4:10 PM by Vice-Chairman. NOTE: Upon arrival, Dr. Berg assumed the his role as Chairman a. Roll Call b. Confirmation of Public Notice AG & DOA’S website | CHAIR | | Confirmed |
| II. | ADOPTION OF AGENDA | Adoption of Agenda | GBME | | Adopted |
| III. | REVIEW AND APPROVAL OF MINUTES | Approved minutes as amended dated November 18, 2020 (Reconvene) Motion: Dr. Adolphson; 2 nd : Dr. Berg - Approved amendment, proposed by Dr. David to delete “however will have more time to decide” | GBME | | Approved |
| IV. | TREASURER REPORT | - Agreed with the V-Chairman’s suggestion to set up a virtual meeting with HPLO Admin, GBME Attorney Weinberg, Allied Health, Nursing, and GBME to | Phillip Flores, Vice Chairperson & | | Noted |

| | | | | | |
|-----|------------------------------------|---|---------------|--|-------------------------------|
| | | <p>discuss a consolidated approach in helping HPLO Boards address their budget needs to better facilitate the process and standardizing budget requests to help meet their mandates.</p> <ul style="list-style-type: none"> - Task Cianna Galindo to establish and coordinate meeting date with the HPLO Administrator | Public Member | | |
| V. | HPLO ADMINISTRATOR'S REPORT | <ul style="list-style-type: none"> - Deferred, no significant issues to report - Noted, GBME website, guamlicensing.com, is down and the HPLO Administrator is working on a funding request to get it operational | HPLO Admin | | Noted |
| VI. | CHAIRPERSON'S REPORT | <p><u>TABLED:</u></p> <ol style="list-style-type: none"> 1. Frances Lagattuta – <i>(Citation Order received 10.30.20 – Sacramento, CA)</i> - Noted, Citation for “simple failure to comply with records/document appropriately” in 2013. <p><u>NEW BUSINESS:</u></p> <ol style="list-style-type: none"> 2. Emergency Licenses Issued – 13 <ul style="list-style-type: none"> - Noted, Chairman and HPLO Administrator reviewed and approved all 13 licenses a. Oleg Odin - GRMC <ul style="list-style-type: none"> i. Noted, Dr. David also reviewed and found no issues b. Jonathan Kim – GRMC c. Darren J. Sommer – GMH <i>(Pending start date)</i> d. Richard H. Woerndle – GMH <i>(Pending start date)</i> e. Lisa K. Carney – GRMC f. Junsung Rho – GRC <i>(Pending start date)</i> <ul style="list-style-type: none"> i. Noted, V-Chairman also reviewed g. Brenda Jacobson – GMH <ul style="list-style-type: none"> i. Noted, Dr. David also reviewed ii. Ranked below average to work with other hospital staff, however, no | Chairman | | <p>Tabled</p> <p>Approved</p> |

| | | | | | |
|--|--|---|--|--|--|
| | | <p>board action taken to be a significant concern</p> <ul style="list-style-type: none"> h. Syed Ahmed – GMH <ul style="list-style-type: none"> i. Dr. Berg to pass it on to Dr. Cruz and Dr. Shay to review ii. Noted, had one lawsuit where he was named in a group, otherwise, he has a very clean record i. Kelly Gray – GRMC j. Nicholas Norton – SDA (<i>Limited Temporary Emergency License</i>) k. Koji S. Iizuka – SDA l. Denise Taitano-Ritter – AMC (<i>Limited Temporary Emergency License</i>) m. Rachel A. Lange – Guam Medical Examiners Office <ul style="list-style-type: none"> - Noted, Dr. Bordallo inquired how to better facilitate and assist in the review of all the documents and noted that the Chairman would find a way to securely share information with the GBME - Noted, Dr. Adolphson inquired about the authorization to allow processing of emergency licenses to be quickly processed between GBME meetings without full review, and the Chairman provided clarification that, as long as there is a declared public state of emergency, this process could be used until we return to a normal state. - Noted, in reference to complaints, agreed with Dr. Bordallo’s suggestion to create a workflow process chart to ensure all future complaints before the GBME follow a standardized review process, which will be worked with the assistance of GBME Attorney Weinberg to ensure the GBME | | | |
|--|--|---|--|--|--|

| | | | | | |
|-------------|---------------------|---|------|--|--------|
| VII. | OLD BUSINESS | <p>1. GBME-CO-20-02 – Ongoing</p> <ul style="list-style-type: none"> - Noted, Chairman will forward case to GBME Attorney Weinberg for review - Noted, Dr. Adolphson recalled that she has yet to receive a signed medical consent from the patient, and Attorney Hemlani still has the physical file. Noted that the Chairman would be working to close this item this week | GBME | | Tabled |
| | | <p>2. GBME-CO-19-010 – On-going</p> | GBME | | Tabled |
| | | <p>3. GBME-CO-20-04 – On-going</p> <ul style="list-style-type: none"> - Noted, no ability for anyone on island to review, need to hire an off-island specialist | GBME | | Tabled |
| | | <p>4. GBME-CO-20-05– On-going</p> <ul style="list-style-type: none"> - Noted, need to hire an off-island specialist | GBME | | Tabled |
| | | <p>5. GBME-CO-20-06 – On-going</p> <ul style="list-style-type: none"> - Noted, need to hire an off-island specialist | GBME | | Tabled |
| | | <p>6. GBME-CO-20-07– On-going</p> <ul style="list-style-type: none"> - Noted, need to hire an off-island specialist | GBME | | Tabled |
| | | <p>7. GBME-CO-20-08 – On-going</p> <ul style="list-style-type: none"> - Noted, Dr. David notes the non-response as a response in itself and seeks pressure for response <ul style="list-style-type: none"> - Noted, GBME Attorney Weinberg will send a letter to demand a response for HPLO to serve. Noted the Chairman will inform the applicant beforehand that a letter will be forthcoming. - Noted, for penalty, GBME Attorney Weingerg agreed with Dr. Bordallo’s suggestion to create a matrix of offenses to spell-out the action that could be taken for each offense. - Assigned Dr. Annette to this case | GBME | | Tabled |

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|--|--|---|------|--|--------|
| | | 8. GBME-CO-20-09 – On-going - Noted, currently seeking an on-island specialist | GBME | | Tabled |
| | | 9. GBME-CO-19-012 – On-going - Noted, need to hire an off-island specialist | GBME | | Tabled |
| | | 10. GBME-CO-19-013 – On-going - Noted, need to hire an off-island specialist | GBME | | Tabled |
| | | 11. GBME-CO-19-014 – On-going - Noted, need to hire an off-island specialist | GBME | | Tabled |
| | | 12. GBME-CO-19-015 – On-going - Noted, need to hire an off-island specialist | GBME | | Tabled |
| | | 13. GBME-CO-19-016 – On-going | GBME | | Tabled |
| | | 14. GBME-CO-19-017 – On-going | GBME | | Tabled |
| | | 15. REINSTATEMENT LICENSE | | | |
| | | a. Abner P. Pasatiempo – Psychiatry - Noted, need to find an off-island specialist - Noted, Dr. Annette shares FSMB 2019 annual conference session recordings with the Board for useful information/reference | GBME | | Tabled |
| | | 16. FULL LICENSE | | | |
| | | a. Chi Chan Lee – GRMC (Work visa approved) | GBME | | Tabled |

| | | | | | |
|--------------|-----------------------|---|--|--|----------|
| VIII. | NEW BUSINESS | 1. GBME-AP-2020-001 | | | Noted |
| | | 2. GBME-CO-20-001 - Noted, Chairman and GBME Attorney Weinberg declined to license. Person had license revoked twice in New York. - Noted, Dr. Annette reviewed as well and agreed - Noted, Board needs to review the appeal | | | Noted |
| | | 3. FULL LICENSE | | | |
| | | a. Charmaine R. Gregory – GRMC b. Oleg Odin – GRMC c. Brenda Jacobson – GMH d. Satish S. Joshi e. Barbara A. Hum – GRC f. Azita Mesbah – Pacific Medical Group - Noted, Chairman and Dr. Annette reviewed and approved all licenses | | | Approved |
| | | 4. LIMITED LICENSE | | | |
| | | g. Joshua Smit – SDA h. Denise Taitano-Ritter - AMC - Noted, Chariman reviewed and approved both licenses | | | Approved |
| | | 5. IMLC | | | |
| | | i. Michael J. Mandzuik – Family Medicine – Washington j. Mark Mitchell – Emergency Medicine – Mississippi k. Megan Sturdy – Internal Medicine – Colorado l. Natalia I. Dipaola – Family Medicine – Michigan m. Adam R. Sasso – Family Medicine – Virginia - Noted, Chairman reviewed and approved all licenses | | | Approved |
| IX. | OTHER BUSINESS | Next regular scheduled meeting – Wednesday, February 10, 2021 at 4:00PM in the HPLO Board, Suite 213, Terlaje Professional Bldg. Hagatna, GU. | | | Noted |

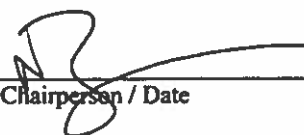
| | | | | |
|---|--|--|--|--|
| ADJOURNMENT: 6:36PM Motion: Dr. David 2nd: Mr. Flores | | | | |
|---|--|--|--|--|

Reviewed by:

Secretary / Date

Approved by:

Chairperson / Date

 4/7/2024

Minutes by: Chantay Benitez, FLAME TREE Freedom Center, Inc.

Ciana V. Galindo

From: Anita Arile
Sent: Thursday, February 11, 2021 1:53 PM
To: Ciana V. Galindo
Subject: RE: ADVERTISEMENT - RECONVENE The Guam Board of Medical Examiners - February 17, 2021 at 4PM.

Time: Thursday, February 11, 2021 - 01:54 PM

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Department of Public Works

[DPHSS - Board of Examiners for Optometry - Virtual Meeting 12-26-2020](#)

[DPHSS - Board of Barbering & Cosmetology - Virtual Meeting 02-01-2021](#)

[DPHSS - Board of Social Work - Virtual Meeting 02-04-2021](#)

[DPHSS - Board of Allied Health Examiners - Virtual Meeting 02-05-2021](#)

[DPHSS - Board of Nurse Examiner - Virtual Meeting 01-21-2021 *UPDATED 02-09-2020*](#)

[DPHSS - Board of Examiners for Dentistry - Virtual Meeting 02-17-2021 *UPDATED 02-10-2020*](#)

[DPHSS - Board of Medical Examiners - Reconvene Virtual Meeting 02-17-2021 *UPDATED 02-11-2020*](#)

[DPHSS - Board of Examiners for Pharmacy - Virtual Meeting 02-18-2021 *UPDATED 02-10-2020*](#)

Department of Public Works

From: Ciana V. Galindo
Sent: Thursday, February 11, 2021 1:41 PM
To: GovGU Meeting <govguammeetings@oagguam.org>; Anita Arile <Anita.Arile@doa.guam.gov>; Armilynn R. Lujan <Armilynn.Lujan@doa.guam.gov>; kespaldon@oagguam.org

(<http://oagguam.org/>)

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Government of Guam Meetings

This webpage has been established in accordance with Executive Order No. 2020-07. Information on this page is provided to the OAG by the respective government entity. For information about these meetings, please contact the entity directly. Government officials may email govguammeetings@oagguam.org to request a posting.

Friday, March 5, 2021

9:00 AM - Guam Housing Corporation Board of Directors

Guam Housing Corporation's Regular Board of Directors meeting will be held on Friday, March 5, 2021 at 9:00 a.m. at the GEDA conference room, 5th floor, ITC bldg. This meeting is open to the public via Zoom.

Join Zoom Meeting

[https://us02web.zoom.us/j/89583541587?](https://us02web.zoom.us/j/89583541587?pwd=UXNuZHNWdnZDSlBQUmEzTTJQWUZpUT09)

[pwd=UXNuZHNWdnZDSlBQUmEzTTJQWUZpUT09](https://us02web.zoom.us/j/89583541587?pwd=UXNuZHNWdnZDSlBQUmEzTTJQWUZpUT09)

([https://us02web.zoom.us/j/89583541587?](https://us02web.zoom.us/j/89583541587?pwd=UXNuZHNWdnZDSlBQUmEzTTJQWUZpUT09)

[pwd=UXNuZHNWdnZDSlBQUmEzTTJQWUZpUT09](https://us02web.zoom.us/j/89583541587?pwd=UXNuZHNWdnZDSlBQUmEzTTJQWUZpUT09))

Meeting ID: 895 8354 1587

Passcode: GHC

For more information or special accommodations, please contact Cassandra Santos or Arleen Ada at 647-4143.

Thursday, February 25, 2021

9:00 AM - Guam Parole Board

Guam Parole Board next regular schedule meeting for the month of February will be on Thursday February 25, 2021, at 9:00a.m., at the Parole Services Division Office along Aspinall Avenue (former GPD Hagatna Precinct) Hagatna, Guam.

For more information or those with special accommodations, please call the Parole Office at 735-4132/33.

9:30 AM - Guam Peace Officer Standards & Training Commission

Guam P.O.S.T. (Peace Officer Standards & Training) Commission Meeting Thursday, February 25, 2021 at 9:30 a.m.

Meeting will be held via Zoom. Please call 735-5638 for ID/passcode and Agenda or email bertha.guerrero@guamcc.edu.

INDIVIDUALS REQUIRING SPECIAL ACCOMMODATIONS, AUXILIARY AIDS, OR SERVICES SHOULD CONTACT 735-5597.

Wednesday, February 24, 2021

4:00 PM - Guam Soil and Water Conservation Districts Board

The Guam Soil and Water Conservation Districts will host a Guam Local Working Group Meeting on Feb 24, 2021, at 4 pm via Zoom Video Conference.

For registration information, please contact SGSWCD Programs Manager Erica Pangelinan at southernnguamswcd@gmail.com.

Friday, February 19, 2021

10:00 AM - Emergency Medical Services Board

TOPIC: Emergency Medical Services (EMS)

Date/Time: Friday, February 19, 2021 – 10:00 AM – 11:00 AM

Join GoToMeeting

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/418802637>
(<https://global.gotomeeting.com/join/418802637>)

You can also dial in using your phone.

United States: +1 (872) 240-3412

Access Code: 418-802-637

Thursday, February 18, 2021

7:30 AM - Guam Board of Examiners for Pharmacy

TOPIC: Guam Board of Examiners for Pharmacy (GBEP)

Date/Time: Thursday, February 18, 2021 – 7:30AM – 8:30 AM

Join GoToMeeting

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/490305365>
(<https://global.gotomeeting.com/join/490305365>)

You can also dial in using your phone.

United States: +1 (669) 224-3412

Access Code: 490-305-365

12:30 PM - Kumisión i Fino' CHamoru yan i Fina'nã'guen i Historia yan i Lina'la' i Taotao Tãno'

The Kumisión i Fino' CHamoru yan i Fina'nã'guen i Historia yan i Lina'la' i Taotao Tãno' (Commission on CHamoru Language and the Teaching of the History and Culture of the Indigenous People of Guam) will hold its second February monthly Virtual meeting on February 18, 2021, Thursday from 12:30 p.m. – 3:30 p.m. on a Zoom Link.

Please email Sinora Rosa Salas Palomo, Kumisión Board Secretary for Zoom Link Information, special accommodations and agenda at (kailee.rosapalomo@gmail.com) and/or Sinora AnnMarie B. Acreo, Administrator at (sainaguinifi@gmail.com). Si Yu'os ma'ase.

1:00 PM - CHamoru Land Trust Commission

CHamoru Land Trust Commission

MEETING DATE / TIME: Thursday, February 18, 2021/ 1:00 p.m.

MEETING PLACE: Suite 223, ITC Building 590 S. Marine Corps Dr. Tamuning

For a copy of the meeting agenda, you may email tina.tainatongo@cltc.guam.gov

Public comments can be made via Facebook or you may email cltc.admin@cltc.guam.gov To watch us live, please like us on the CHamoru Land Trust Commission Facebook page. Additional Information May Be Available At: <http://dml.guam.gov/announcements-2> (<http://dml.guam.gov/announcements-2>)

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact Tina Rose Tainatongo, 649-5263 x815; tina.tainatongo@cltc.guam.gov

1:30 PM - Guam Economic Development Authority Board of Directors

The Guam Economic Development Authority (GEDA), a public corporation, will be holding its Regular Board of Directors meeting on Thursday, February 18, 2021 at 1:30PM via Zoom and in the GEDA conference room located in Suite 511, 5th Floor, International Trade Center (ITC) Building, 590 South Marine Corps Drive, Tamuning, Guam.

For the link request or for persons requiring special accommodations, please contact GEDA's coordinator, Jennifer Calvo-Guzman, at 647-4332 or at jennifer.calvo@investguam.com by Wednesday, February 17, 2021.

4:30 PM - Consolidated Commission on Utilities

The Consolidated Commission on Utilities invites you to attend the WORK SESSION for Guam Power Authority. Agenda will follow with second media notification. Individuals requiring special accommodations, auxiliary aids or services, may contact Lou Sablan at 648-3002.

DATE: February 18, 2021

TIME: 4:30-6:30 PM (ChST)

VENUE: CCU Conference Room, 3rd Floor Gloria B. Nelson Public Service Bldg, Rte 15, Mangilao

VIRTUAL ATTENDANCE: Due to COVID-19 PCOR 1 gathering restrictions, those wishing to attend this meeting may do so electronically by clicking the link below.

GPA WORK SESSION

Thu, Feb 18, 2021 4:30 PM - 6:30 PM (ChST)

OPTION 1 – GOTO MEETING LINK [TO ACTIVELY PARTICIPATE IN MEETING]

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/LouSablan/gpa-work-session-3>
(<https://www.gotomeet.me/LouSablan/gpa-work-session-3>)

You can also dial in using your phone.

United States: +1 (872) 240-3311

Access Code: 465-946-653

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<https://global.gotomeeting.com/install/465946653>
(<https://global.gotomeeting.com/install/465946653>)

OPTION 2 – CCU YOUTUBE CHANNEL [TO VIEW ONLY]

<https://youtube.com/channel/UC8vmfIBiNtxeeRy1zuG4sFQ>
(<https://youtube.com/channel/UC8vmfIBiNtxeeRy1zuG4sFQ>)

5:30 PM - University of Guam Board of Regents

The regular meeting of the University of Guam Board of Regents (UOG BOR) will be held via registered zoom on Thursday, February 18, 2021 at 5:30 p.m. A Working Session will be held via registered zoom prior to the regular meeting at 4:30 p.m. The meeting will be publicly accessible by registering for zoom access at <https://zoom.us/s/91281619736> (<https://zoom.us/s/91281619736>).

For security purposes, registration for the public is required for attendance.

This complies with the Governor's Executive Order No. 2020-07, dated March 28, 2020, paragraph 4 related to Open Government and Participation in Meetings via Teleconferencing during the emergency declaration period.

UOG complies with Guam Public Law 24-109 with reference to the provisions and requirements of the Americans with Disabilities Act. For special accommodations, please contact the ADA Coordinator at 735-2244 or (TTY) 735-2243. Live Closed Captioning is available through a website link provided within the online meeting.

Wednesday, February 17, 2021

3:00 PM - Guam Board of Examiners for Dentistry

Guam Board of Examiners for Dentistry Regular Virtual Board Meeting

Wednesday, February 17, 2021 at 3:00 pm

<https://global.gotomeeting.com/join/719553757>

(<https://global.gotomeeting.com/join/719553757>)

Use your microphone and speakers (VoIP) - a headset is recommended. Or, call in using your telephone.

Dial +1 (786) 535-3211

Access Code: 719-553-757

Audio PIN: Shown after joining the meeting

Meeting ID: 719553757

For more information, please contact the Board office at 735-7408 or 735-7413

From 8:00 am to 4:00 pm

3:30 PM - Guam Public Library System Board of Directors

Guam Public Library System Special Meeting of the Board of Directors

Wednesday, February 17, 2021 at 3:30 pm

Meeting will be held via Zoom. Please call GPLS a ID and passcode.

Agenda: Interviews for Director Position

Please call June Aflague at GPLS, for ID and passcode.

4:00 PM - Guam Board of Medical Examiners

TOPIC: RECONVENE Guam Board of Medical Examiners (GBME)

Date/Time: Wednesday, February 17, 2021 – 4:00 PM – 5:00 PM

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4:00 PM - Guam Northern Soil and Water Conservation District Board

The Northern Soil and Water Conservation District Board will hold its regular February monthly Virtual meeting on - Wednesday, February 17, 2021 on a Zoom Link.

Please email Chairwoman Hope A. Cristobal (hcristobalmom@gmail.com) for the Zoom Link Information, special accommodations and Agenda.

9:30 PM - Guam Southern Soil and Water Conservation District Board

The Guam Soil and Water Conservation Districts will host a Guam Local Working Group Meeting on Feb 17, 2021, at 9:30 pm and on Feb 24, 2021, at 4 pm via Zoom Video Conference.

For registration information, please contact SGSWCD Programs Manager Erica Pangelinan at southernnguamswcd@gmail.com.

Tuesday, February 16, 2021

4:30 PM - Consolidated Commission on Utilities

The Consolidated Commission on Utilities invites you to attend the WORK SESSION for Guam Waterworks Authority. Agenda to follow with Media Advisory #2. Individuals requiring special accommodations, auxiliary aids or services, may contact Lou Sablan at 648-3002.

DATE: February 16, 2021

TIME: 4:30-6:30 PM (ChST)

VENUE: CCU Conference Room, 3rd Floor Gloria B. Nelson Public Service Bldg, Rte 15, Mangilao

VIRTUAL ATTENDANCE: Due to COVID-19 PCOR 1 gathering restrictions, those wishing to attend this meeting may do so electronically by clicking the link below.

Ciana V. Galindo

From: frogcandles@gmail.com
Sent: Sunday, January 24, 2021 10:22 AM
To: Ciana V. Galindo
Cc: Zennia Pecina; nberg@guamradiology.com
Subject: Opiate bill
Attachments: Bill No. 6-36 (COR).pdf; ATT00001.txt

Dear Ciana,

Please ask the GBME chair person and HPLO secretary if This introduced bill can be added to the February 2021 GBME monthly meeting agenda for discussion. The GBME is mentioned on page 10 and 16 of the bill.

Thanks,
Arania Adolphson

[http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%206-36%20\(COR\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%206-36%20(COR).pdf)

I Mina'trentai, Sa'ot Va Likeslaturan Guahan
BILL STATUS

| BILL NO | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES | NOTES |
|------------|--------------------|--|----------------------|---------------|---------------|---------------------|-----------------------------|--------------|-------|
| 6-36 (COR) | Telena Cruz Nelson | AN ACT TO ADD §§ 41806.1, §§ 41817.1, §§ 41823, AND §§ 41823.1, AMEND §§ 41806(b)(3), §§ 41809(a), §§ 41810(a)(d), OF ARTICLE 18, CHAPTER 4, DIVISION, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATION, AMEND §§ 67.101, §§ 67.304(a)(5)(6)(7)(8), ADD §§ 67.308.1(j)(k) AND §§ 67.308.3 OF CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE REQUIRED REGISTRATION OF PRESCRIBERS TO THE GUAM PRESCRIPTION DRUG MONITORING PROGRAM (PDMP), THE IMPLEMENTATION OF PRACTITIONER PRESCRIPTION REPORT CARDS, MANDATORY USE OF PDMP DATABASE FOR PRESCRIBERS AND DISPENSERS PRIOR TO PRESCRIBING INITIAL PRESCRIPTIONS, LIMIT ON PRESCRIBING OPIOID CONTROLLED SUBSTANCE TO SEVEN DAYS FOR NON CHRONIC PAIN, ENFORCEMENT OF THE PATIENT UTILIZATION REPORT, THE REQUIRED DISCUSSION OF POTENTIAL RISKS TO PROVIDE AN OPTION TO FILL FOR AN ALTERNATIVE NON-OPIOID OPTION OR A LOWER QUANTITY PRESCRIPTION, AND THE ESTABLISHMENT OF A PRESCRIBER PATIENT AGREEMENT. | 1/4/21 11:39 a.m. | | | | | | |

**I MINA'TRENTAI SAIS NA LIHESLATURAN GUÁHAN
2021 (FIRST) Regular Session**

Bill No. 6 -36 (COR)

Introduced by:

Telena Cruz Nelson 

AN ACT TO ADD §§ 41806.1, §§ 41817.1, §§ 41823, AND §§ 41823.1, AMEND §§ 41806(b)(3), §§ 41809(a), §§ 41810(a)(d), OF ARTICLE 18, CHAPTER 4, DIVISION, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATION, AMEND §§ 67.101, §§ 67.304(a)(5)(6)(7)(8), ADD §§ 67.308.1(j)(k) AND §§ 67.308.3 OF CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE REQUIRED REGISTRATION OF PRESCRIBERS TO THE GUAM PRESCRIPTION DRUG MONITORING PROGRAM (PDMP), THE IMPLEMENTATION OF PRACTITIONER PRESCRIPTION REPORT CARDS, MANDATORY USE OF PDMP DATABASE FOR PRESCRIBERS AND DISPENSERS PRIOR TO PRESCRIBING INITIAL PRESCRIPTIONS, LIMIT ON PRESCRIBING OPIOID CONTROLLED SUBSTANCE TO SEVEN DAYS FOR NON CHRONIC PAIN, ENFORCEMENT OF THE PATIENT UTILIZATION REPORT, THE REQUIRED DISCUSSION OF POTENTIAL RISKS TO PROVIDE AN OPTION TO FILL FOR AN ALTERNATIVE NON-OPIOID OPTION OR A LOWER QUANTITY PRESCRIPTION, AND THE ESTABLISHMENT OF A PRESCRIBER PATIENT AGREEMENT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

I Liheslaturan Guåhan finds that Schedule II, Schedule III, or Schedule IV substances and other controlled substances are widely prescribed in the medical field, but these medications may also be misused, abused, or diverted for nonmedical purposes. The Guam Prescription Drug Monitoring Program (PDMP) was established to ensure the integrity in the health care community by providing prescribers and pharmacies information of their patients to assure legitimate use of controlled substances. The Department of Public Health and Social Services (DPHSS) has the authority to adopt rules relating to the control of the manufacture, distribution, prescribing, and dispensing of controlled substances in Guam, and such rules implement the monitoring of pharmaceutical controlled substances. Prescribers in 42 states are currently required to check their respective state PDMP prior to prescribing controlled substances. As of December 2020, Guam currently has a total of 364 unique physicians with a controlled substance registration, however only 37 are registered to the PDMP database. Only 22 percent of all prescriptions on Guam have reports generated from the PDMP database by a pharmacist or physician. The mandated use and review of the database within the PDMP is intended to help reduce misuse, abuse, and diversion of controlled substances.

Several states have implemented various systems that can be integrated within the PDMP database to reduce the incidence of opioid use disorder, which include updating the reporting requirements for dispensers and the utilization of a prescriber report card. Currently the reporting requirements for dispensers to report prescription activity to the PDMP in Guam is for every 15th and last day of each month, which causes delayed access to data information. Starting on January 1, 2021 in California, the dispensing of a controlled substance must be reported within one working day after the medication is released to the patient. The

previous deadline to report was seven days after dispensing. Enabling such legislation will provide access to live data which will enable better utilization of the PDMP system, alongside the use of a practitioner report card. Many states including the District of Columbia use their state PDMP's to send doctors individualized report cards that show how their prescribing of opioid controlled substances compared with their peers. A practitioner report card is intended to provide an opportunity for the practitioner to examine their prescribing behaviors in the context of improving the quality of their patient's care. The state of Tennessee for example, analyzes the top prescribers of controlled substances and releases to prescribers a report card identifying those individuals prescribing controlled substances at a high rate. In Minnesota, practitioner report cards show that the number of annual opioid prescriptions for patients dropped by at least 30%, according to new data from the Minnesota Department of Human Health Services. Some physicians have found that informing doctors about their prescribing levels was an important step in reducing the number of opioid prescriptions.

Prescription opioids are powerful pain-reducing medications that have both benefits as well as potential serious risks. Nearly 2 million Americans ages 12 and older have a substance abuse disorder involving prescription opioids. The medications can also provide as a gateway to other drugs such as heroin, according to the National Institute of Drug Abuse, which reported that nearly half of young heroin users have stated the misuse of prescription opioids first. The Center for Disease Control and Prevention (CDC) finds that the likelihood of long-term opioid use increases based on the length of initial prescriptions, increasing sharply after taking the third and fifth days of a prescription. The CDC's "Guidelines for Prescribing Opioids for Chronic Pain" suggest that before starting and periodically

during opioid therapy, practitioners shall discuss with patients the risks or benefits of opioid therapy and the responsibilities of both parties for managing therapy. It is also recommended that prior to prescribing to a patient, the practitioner shall assess pain to consider if non-opioid therapies are appropriate, talk to patients about a treatment plan (considering such forms as a Practitioner Patient agreement), and evaluate the risk of harm or misuse (through the review of the patient's utilization report in the PDMP).

In efforts of curbing the nation's opioid crisis, many states promote laws which aim to restrict the duration or total dosage, as a way to prevent overly generous prescribing that might lead to an opioid addiction. As recommended in the CDC's Guideline for Prescribing Opioids for Chronic Pain, a practitioner or delegate who is authorized to prescribe an opioid drug shall not issue a prescription for more than a seven-day supply. Several states have developed limitations to a seven-day supply following the guidelines including Connecticut, Delaware, Massachusetts, New Hampshire, New York, Pennsylvania, Utah, and District of Columbia. New Jersey has placed further restriction on prescriptions to no more than a five-day supply, while Florida limits to a three-day supply. Other states like Maine, Rhode Island, and Vermont place restrictions based on the total MME (morphine milligram equivalent) dosage per day. CDC recommends that the lowest effective dose of opioid should be prescribed when opioids are used for acute pain, in no greater quantity than needed for the expected duration of pain. The study found that the greater amount of early exposure to opioids significantly increases risk of physical dependence without adding benefits. Clinicians should also carefully reassess evidence of individual benefits and risks of continued therapy with patients. If benefits do not outweigh harms of continued opioid therapy, clinicians should optimize therapies and work with patients to taper opioid to lower

doses or to taper and discontinue opioids. Clinicians should review the patient's history of controlled substance prescriptions using the PDMP at least every 3 months to determine whether the patient is receiving unnecessary opioid dosages or dangerous combinations that may put the patient at high risk for overdose.

In 2012 the US Food and Drug Administration (FDA), through the Safe Use Initiative Opioid Patient-Prescriber Agreement Working Group, convened to develop a model Opioid Patient-Prescriber Agreement (PPA) and test is for acceptability as an educational and shared decision-making tool in therapy. The purpose of a PPA is to be used as a decision-making tool before an opioid is prescribed and to inform patients about their responsibilities and expected behaviors regarding drugs with high risk to potential dependence. Additionally, the PPA shall provide an opportunity for the practitioner to discuss with the patient the risks of addiction, the amount to be prescribed, an option to fill in a lesser amount, or non-opioid treatment options available, if applicable. The PPA is perceived by both patients and prescribers as helpful in deciding a course of treatment and unbiased in terms of presentation of the risks and benefits of opioid therapy. Since the inception of these guidelines, various states have adopted the enforcement of opioid agreement laws, including in New Hampshire, Massachusetts, Pennsylvania, Ohio, Oklahoma, and New Jersey. Similarly, Guam shall allow the DPHSS the authority to adopt rules and regulations based on recommendations of local medical boards and federal guidelines.

It is therefore the intent of *I Liheslaturan Guåhan* to require any practitioner on Guam who engages in the practice of dispensing, prescribing, or administering of a controlled substance to be registered in the Guam PDMP. Dispensers and prescribers shall be required to utilize the PDMP and obtain any prescription information insofar as the information relates to the patient under the purview of

the dispenser or prescriber. A practitioner shall review a patient's utilization report at least every three (3) months to determine if the opioid treatment is necessary and review other substances being prescribed to the patient. In order to utilize the PDMP more effectively, the reporting requirements for dispensers shall be updated to require the report within one (1) working day after the medication is released to the patient. DPHSS shall integrate the PDMP database to produce Practitioner Prescription Report Cards that provide comparative data and notifications based on data which would be useful to practitioners. DPHSS may contract with another government agency or with a private vendor to ensure the proper implementation and utilization of the report cards. A patient's initial opioid prescription must not exceed a seven (7)-day supply for acute and postoperative pain patients, with exceptions as listed in § 67.308.1(k)(1)(a)(b)(c). If further treatment is required, the practitioner shall review the patient utilization report initially and at least once every three (3) months to establish if the drug is necessary for any further treatments. A written consent from the patient will be required after initial discussions conducted with the physician and will be stored in the patient's medical record along with the PPA. The Practitioner Patient Agreement shall be utilized as a tool for patients undergoing long-term pain treatment, to discuss and exchange information prior to providing consent to be prescribed an opioid controlled substance. DPHSS shall carry the authority to adopt rules and regulations relative to the PPA based on collaborative recommendations from local medical boards and federal guidelines. Failure to obtain and review the patient's utilization report, to discuss risks associated to the controlled substance, review and sign a Practitioner Patient Agreement (PPA), and the unauthorized use of confidential information may be grounds for potential suspension or revocation of a controlled substance registration.

Section 2. § 41806.1 of Article 18, Division 1, Chapter 4, Title 26, Guam Administrative Rules and Regulations, is hereby *added* to read:

“§ 41806.1. Registration Requirement.

Any person or practitioner on Guam who intends to engage in the practice of dispensing, prescribing, or administering of a controlled substance within Guam shall be registered in the Guam Prescription Drug Monitoring Program.

Section 3. § 41806 of Article 18, Division 1, Chapter 4, Title 26, Guam Administrative Rules and Regulations, is hereby *amended* to read:

“§ 41806. Reporting Requirements for Dispensers.

(b) Each dispenser shall submit the reported information as follows, unless a waiver is granted by the Department:

- (1) Electronically;
- (2) In the format required by the Department; and
- ~~(3) In the frequency and schedule determined by the Department~~
- (3) Within one (1) working day after the medication is released to the patient.

Section 4. § 41809 (a) of Article 18, Division 1, Chapter 4, Title 26, Guam Administrative Rules and Regulations, is hereby *amended* to read:

“§ 41809. Access to Prescription Monitoring Information by Dispensers.

(a) A dispenser, or a licensed pharmacy technician authorized by a supervising pharmacist, ~~may~~ shall obtain any prescription monitoring information insofar as the information relates to a customer of the dispenser seeking to have a prescription filled. The information shall be provided in a format established by the Department, which may include, but is not limited to delivery by electronic means, facsimile transmission, or telephonic communication. The information shall be provided within twenty-four (24) business hours of the prescriber’s request.

Section 5. § 41810 (a)(d) of Article 18, Division 1, Chapter 4, Title 26, Guam Administrative Rules and Regulations, is hereby *amended* to read:

“§ 41810. Access to Prescription Monitoring Information by Prescribers.

(a) A prescriber, or licensed health care practitioner duly authorized by a prescriber, ~~may~~ shall obtain any prescription monitoring information insofar as the information relates to a patient under the prescriber’s care. The information shall be provided in a format established by the Department, which may include, but is not limited to delivery by electronic means, facsimile transmission, or telephonic communication. The information shall be provided within twenty-four (24) business hours of the prescriber’s request.

(b) A prescriber, or licensed health care practitioner duly authorized by a prescriber, who seeks access to the information described above shall register with the Department in a manner specified, and shall be issued an authorization code. If the authorization code issued by the Department is lost or compromised, the prescriber shall notify the Department by telephone and in writing as soon as reasonably possible. Information regarding more than one patient may be submitted in a single request. Requests shall be in a format established by the Department and shall contain at least, but not limited to, the following elements for each patient:

- (1) The name and date of birth of the patient; and
- (2) The time period for which information is being requested.

(c) The Department shall take reasonable steps to verify each registration, such as, but not limited to, making a telephone call to the prescriber or to an agent of the prescriber at a telephone number known to belong to the prescriber’s place of business.

(d) A prescriber, or licensed health care practitioner duly authorized by a prescriber, shall, before writing a prescription for a controlled substance listed in Schedule II, III, IV, or V for a patient, obtain a patient utilization report regarding the patient for the preceding twelve (12) months from the computerized program established by the Department pursuant to § 67.301(a) of Title 9 Guam Code Annotated, Chapter 67; ~~if the prescriber has a reasonable belief that the patient may be seeking the controlled substance, in whole or in part, for any reason other than the treatment of an existing medical condition and:~~

(1) The patient is a new patient of the prescriber, or

(2) The patient has not received any prescription for a controlled substance from the prescriber in the preceding twelve (12) months.

The prescriber shall review the patient utilization report to assess whether the prescription for the controlled substance is medically necessary.

Section 6. § 41823 of Article 18, Division 1, Chapter 4, Title 26, Guam Administrative Rules and Regulations, is hereby *added* to read:

“§ 41823 Practitioner Prescription Report Cards.

(a) The Department shall develop and maintain as part of the Guam Prescription Monitoring Program a system to provide prescription report cards to practitioners to inform the practitioners about certain prescribing trends. The report card must provide, at a minimum:

(1) A comparison of the practitioner’s number of prescriptions issued per month by class code or by specific substances to peer averages by specialty;

(2) A comparison of the practitioner’s number of milligrams prescribed per month by class code or by specific substances to peer averages by specialty;

(3) The total number of patients receiving ninety morphine milligram equivalents (MME's) or more a day;

(4) The total number of patients receiving opioid medications for thirty days or more;

(5) The total number of patients receiving opioids and benzodiazepines medications at the same time;

(6) The total number of patients issued prescriptions from three or more practitioners;

(7) The total number of patients filling prescriptions at three or more pharmacies;

(8) The total number of patients with controlled substance prescriptions whose dispensing dates overlap;

(9) The total number of patients obtaining refills on their prescriptions more than one week early; and

(10) The total number of prescription drug monitoring program queries made by the practitioner and a ratio of the queries to the number of patients or prescriptions issued.

The report card shall also provide data on the number of practitioners registered against which the comparisons of section (a) and (b) are being made and any other demographic data relating to the pool of practitioners and may include regional or nationwide prescribing comparison data that would be useful to the practitioner. Prescription report cards, data, documents, records, and any other information accessed or compiled in preparing prescription report cards, are confidential and not subject to discovery, subpoena, or introduction into evidence in any civil action, unless confidentiality is waived by the practitioner.

(b) The Department shall coordinate with the Guam Board of Medical Examiners and other professional boards as part of the development and

implementation of a prescription report card program. The department may contract with another agency or with a private vendor, as necessary, to ensure effective operation of the report card program, as provided in §§ 41823.1, and may apply for public or private grants or other funding to develop, implement, and maintain the program.

Section 7. § 41823.1 of Article 18, Division 1, Chapter 4, Title 26, Guam Administrative Rules and Regulations, is hereby *added* to read:

“§ 41823.1 Contract for Administration by Other Agency or Private Vendor.

DPHSS may contract with another agency or with a private vendor, as necessary, to ensure the effective operation of the prescription monitoring program. A contractor shall comply with the provisions regarding confidentiality of prescription information in §§ 41818.

Section 8. § 67.101 of Chapter 67, of Title 9, Guam Code Annotated is hereby *amended* to read:

(a) Acute Pain means a type of pain, whether resulting from disease, accidental, or intentional trauma, or other cause, that the practitioner reasonably expects to last only a short period of time.

(b) Chronic Pain means a type of pain being treated as a part of cancer care, hospice or other end-of-life care, or as part of palliative care practices, or pain that lasts beyond the time of normal tissue healing.

(c) Postoperative Pain means acute pain experienced immediately after surgical procedure.

(d) Patient Prescriber Agreement means a written contract or agreement that is executed between a practitioner and a patient, prior to the commencement of treatment for chronic pain using a controlled substance containing opioids, as a means to:

(1) Deter the patient from the possible development of physical or physiological dependence from the controlled substance;

(2) Document the understanding of both practitioner and the patient regarding the patient's pain management plan;

(3) Specify the measures the practitioner may employ to monitor the patient's compliance; and

(4) Describe the potential of terminating the agreement, including the consequences if the practitioner has reason to believe that the patient is not complying with the terms of the agreement.

Section 9. § 67.304 (a)(5)(6)(7)(8) of Chapter 67, of Title 9, Guam Code Annotated is hereby *amended* to read:

“(a) DPHSS may suspend or revoke a registration under § 67.303 to manufacture, distribute, ~~or~~ dispense, or prescribe a controlled substance upon finding that the registrant has:

(1) furnished false or fraudulent material information in an application filed under this Act;

(2) been convicted of a felony under state or Federal law relating to a controlled substance;

(3) had the registrant's Federal registration suspended or revoked and is no longer authorized by Federal law to manufacture, distribute or dispense controlled substances; ~~or~~

(4) committed an act that would render registration under § 67.303 inconsistent with the public interest as determined under that Section;

(5) failed to obtain and review a patient's utilization report prior to prescribing a controlled substance listed in Schedule II, III, IV, or V as required under GARR § 41810 (d);

(6) failed to advise and discuss with the patient of the risks associated with Schedule II and Schedule III controlled substances as required under 9 GCA § 67.308(k)(2);

(7) failed to review and sign a Practitioner Patient Agreement form as required under 9 GCA § 67.308(k)(3); or

(8) engaged in the unauthorized use or disclosure of the Practitioner Patient Agreement or other confidential prescription monitoring information.”

Section 10. § 67.308.1(j)(k) of Chapter 67, of the Title 9, Guam Code Annotated is hereby *added* to read:

“(j) Initial opioid prescriptions for acute pain management or postoperative pain management must not exceed a seven-day supply, except when clinically indicated for cancer pain, hospice care, palliative care, or a major surgery. Upon any subsequent consultation for the same pain, the practitioner may issue, in accordance with existing rules and regulations, any appropriate renewal, refill, or new prescription for an opioid.

(k) Before the prescriber issues to an individual the initial prescription order for a Schedule II through IV opiate controlled substance to the patient:

(1) The practitioner, or the practitioner’s authorized delegate, shall review the patient utilization report at least once every three (3) months thereafter for patients receiving an opiate for treatment of chronic pain. If an authorized delegate reviews a patient’s utilization report, the practitioner must consult with the authorized delegate regarding the prescription history before issuing a prescription for a Schedule II through IV controlled substance. The consultation must be documented in the patient’s medical record.

Exceptions to § 67.308.1(k)(1) shall apply if:

(a) The patient is receiving palliative care, or hospice or other end-of-life care;

(b) The patient is being treated for pain due to cancer or the treatment of cancer;

(c) The prescription order is for a number of doses that is intended to last the patient seven days or less and is not subject to a refill.

(2) Discuss with the individual:

(a) The risks of addiction and overdose associated with the controlled substance

(b) The amount to be prescribed and the option to fill the prescription in a lesser amount, if applicable.

(c) The increased risk of addiction to a controlled substance if the individual suffers from a mental disorder or substance use disorder.

(d) The nonopioid treatment options available, if applicable.

(3) Review and sign a Patient Prescriber Agreement (PPA) Form

(4) Obtain written consent for the prescription from the individual. The prescriber may utilize electronic methods to obtain the written consent of the individual.

(5) Consent obtained from the patient, as specified under § 67.301 (k)(4) must be recorded in the Patient Prescriber Agreement Form.

Section 11. § 67.308.3 of Chapter 67, of Title 9, Guam Code Annotated is hereby *added* to read:

“§ 67.308.3 Practitioner Patient Agreement.

(a) In the event that a practitioner recommends that an opioid be utilized during the course of long-term pain management, the practitioner registered under § 67.302 shall enter into a written Practitioner Patient Agreement (PPA) with the

patient. The prescribing practitioner shall review and sign the PPA form, which includes:

(1) The goals of the treatment

(2) The prescription drug prescribing policies of the prescriber, which include:

(a) A requirement that the individual take the medication as prescribed;

(b) A prohibition on sharing the prescribed medication with other individuals;

(c) A requirement that the individual inform the prescriber about any other controlled substances prescribed or taken by the individual;

(d) Any reason the opioid therapy may be changed or discontinued by the prescriber; and

(e) Appropriate disposal methods for opioids that are no longer being used by the individual.

(3) Conditions under which the Practitioner Patient Agreement may be terminated:

(a) Falsifying medical information/history;

(b) Failing to adhere to treatment plans; or

(c) Patient demand treatments/prescriptions that the physician is unwilling to provide

(b) The Practitioner Patient Agreement form under § 67.308.3(a) shall be maintained by the prescriber in the medical record of the individual and include:

(1) The brand name or generic name, quantity, and initial dose of the controlled substance containing an opioid being prescribed;

(2) A statement indicating that a controlled substance is a drug or other substance that the United States Drug Enforcement Administration has identified as having a potential for abuse;

(3) A statement certifying that the prescriber engaged in discussions with the patient as required under § 67.308.1(k)(2)(3)(4); and

(4) The signature of the individual and the date of signing. The prescriber may utilize electronic methods to obtain the signature of the individual and the date of signing.

(c) DPHSS shall adopt rules and regulations relative to the PPA based on recommendations from the Guam Board of Medical Examiners, Guam Board of Examiner for Pharmacy, and as recommended by federal guidelines set forth by the US Food and Drug Administration (FDA).

Section 12. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.