

GUAM CODE ANNOTATED

TITLE 10

HEALTH AND SAFETY

**UPDATED THROUGH P.L. 33-220
(DECEMBER 17, 2016)**

TABLE OF CONTENTS

TITLE 10 HEALTH & SAFETY

DIVISION 1 PUBLIC HEALTH

- Chapter 1. Administration. §§ 1101-1103.
- Chapter 2. Division of Public Welfare.
 - Article 1. General Provisions. §§ 2101-2113.
 - Article 2. Specific Provisions Covering Public Assistance. §§ 2201-2209.
 - Article 3. Child Welfare Services: General Provisions. §§ 2301-2304.
 - Article 4. Child Welfare Services Act. §§ 2401-2416.
 - Article 5. [Repealed].
 - Article 6. General Assistance. §§ 2601-2604.
 - Article 7. Food Stamps Program. Program. §§ 2701-2704
 - Article 8. Enforcement of Support. (see 5 GCA, Ch. 34)
 - Article 9. Medically Indigent. §§ 2901-2920
 - Article 10. Adult Protective Services. §§ 21001-21061
 - Article 11. Guam Children's Health Insurance Program, Guam Medicaid Program and Medically Indigent Program §§ 21101-21107
 - Article 12. Recovery of Medicaid/MIP Payments from Third Party Payers. §§ 21201 - 21209
- Chapter 3. Public Health and Social Services.
 - Article 1. Division of Public Health. §§ 3101-3109.
 - Article 2. Vital Statistics. §§ 3201-3231.
 - Article 3. Disease Control. §§ 3301-3333.
 - Article 4. Maternal and Child Health and Children with Special Health Needs. §§ 3401.
 - Article 5. Maternal and Child Health Services. §§ 3501-3505.
 - Article 6. Services for Children with Special Health Needs. §§ 3601-3606.
 - Article 7. U.S. Public Health Services. §§ 3701-3706.
 - Article 8. Community Health Centers Program. §§ 3801-3817.
 - Article 9. Guam Early Learning Council. §§ 3901-3903.
 - Article 10. Guam Council on Child Death Review and Prevention (CCDRP). §§ 31001-31007.
- Chapter 4. Universal Newborn Hearing Screening and Intervention Act (UNHSIA) of 2004. §§ 4101-4111.
- Chapter 4A. Dead Bodies. §§ 4A101-4A110.

- Chapter 5. The Medicine Bank Act of 2004. §§ 5101-5107.
- Chapter 6. Guam Medical Assistance Plan. §§ 6101-6105.
- Chapter 7. Nursing Homes. §§ 7101-7123.
- Chapter 8. Senior Citizens. §§ 8101-8116.
- Chapter 9. Consumer Health Protection Act.
 - Article 1. General Provisions. §§ 9101-9102.
 - Article 2. Administration. §§ 9201-9202.
 - Article 3. Standards of Participation. §§ 9301-9316.
 - Article 4. Benefits. §§ 9401-9402.
 - Article 5. Consumer Health Protection Premium. §§ 9501-9506.
 - Article 6. Maternal and Child Health Crippled Children. [Repealed].
 - Article 7. Maternal and Child Health Services. [Repealed].
 - Article 8. Services for Crippled Children. [Repealed].
 - Article 9. Health Care Prompt Payment Act of 2000. §§ 9901-9908.
- Chapter 10. Medical Malpractice. Mandatory Arbitration. §§ 10100-10147.
- Chapter 11. Medical Malpractice Reform Act of 1975. §§ 11101-11112.
- Chapter 12. Medical Practices. Part 1.
 - Article 1. Commission on the Healing Arts of Guam. §§ 12101-12107.
 - Article 2. Physicians Practice Act. §§ 12201-12217.
 - Article 3. Nurse Practice Act. §§ 12300-12332.
 - Article 4. Dental Practice Act. §§ 12400-12480.
 - Article 5. Optometry. §§ 12500-12514.
 - Article 6. Guam Pharmacy Practice Act. §§ 12601-12631.
 - Article 7. Occupational Therapists and Occupational Therapist Assistants. §§ 12700-12701.
 - Article 8. Allied Health Practice Act. §§ 12801-12827.
 - Article 9. Acupuncture. §§ 12901-12905.
 - Article 10. Audiology. §§ 121001-121004.

Medical Practices. Part 2.

 - Article 11. Chiropractic. §§ 121101-121107.
 - Article 12. Clinical Psychology. §§ 121201-121205.
 - Article 13. Individual, Marriage and Family Therapy. 121301-121305.
 - Article 14. Occupational Therapy. §§ 121401-121410.
 - Article 15. Physical Therapy. §§ 121501-121506.
 - Article 16. Physician Assistant. §§ 121601-121609.
 - Article 17. Podiatric Medicine. §§ 121701-121707.
 - Article 18. Speech Language Pathology. §§ 121801-121804.
 - Article 19. Veterinary Medicine. §§ 121901-121906.

- Article 20. Respiratory Therapy. §§ 122001-122005.
- Article 21. Nutritionist/Clinical Dietitian. §§ 122101-122106.
- Article 22. Nursing Home Administrator. §§ 122201-122209.
- Article 23. Social Work Practice Act. §§ 122301-122331.
- Article 24. Anesthesiologist Assistant Act. §§ 122401-122418.
- Article 25. The Joaquin (KC) Concepcion II Compassionate Cannabis Use Act of 2013. §§ 122501 - 122529.

Chapter 15. Nursing Home Administrators. §§ 15101-15107.

Chapter 16. Public Health Services. [Repealed].

Chapter 17. Assistance to the Homeless. §§ 17101-17105.

Chapter 18. Barbering and Cosmetology Act of 2000. §§ 18101-18136.

Chapter 19. Emergency Health Powers.

Article 1. Title, Findings, Purposes and Definitions. §§ 19101-19104.

Article 2. Planning for a Public Health Emergency. §§ 19201-19202.

Article 3. Measures to Detect and Track Public Health Emergencies. §§ 19301-19303.

Article 4. Declaring a State of Public Health Emergency. §§ 19401-19405.

Article 5. Special Powers during a State of Public Health Emergency: Management of Property. §§ 19501-19507.

Article 6. Special Powers during a State of Public Health Emergency: Protection of Persons. §§ 19601-19608.

Article 7. Public Information Regarding Public Health Emergency. §§ 19701-19702.

Article 8. Miscellaneous. §§ 19801-19809.

DIVISION 2 ENVIRONMENTAL HEALTH

Chapter 20. General Provisions. §§ 20101-20119.

Chapter 21. Sanitation. §§ 21101-21117.

Chapter 22. Health Certificates. §§ 22101-22109.

Chapter 23. Eating & Drinking Establishments. §§ 23101-23109.

Chapter 24. Food Establishment. §§ 24101-24107.

Chapter 25. Institutional Facilities. §§ 25101-25105.

Chapter 26. Hotel Sanitation. §§ 26101-26103.

Chapter 26A. Temporary Workforce Housing. §§ 26A101-26A108.

Chapter 27. Cosmetic Establishments. §§ 27101-27103.

- Chapter 28. Laundries and Dry Cleaning Establishments
§§ 28101-28102
- Chapter 29. Swimming Pools §§ 29101-29113.
- Chapter 30. Cemetery and Mortuary.
Article 1. Cemetery. §§ 30101-30108.
Article 2. Mortuary. §§ 30201-30207.
- Chapter 31. Radiological Health. §§ 31101-31111.
- Chapter 32. Hazardous Substances. §§ 32101-32120.
- Chapter 33. Solid Waste.
Article 1. Solid Waste. §§ 30101-30109.
Article 2. SWMF Health Monitoring and Compensation.
§§ 3201-33205.
- Chapter 34. Keeping Animals.
Article 1. Control and licensing of Pets. §§ 34101-34125.
Article 2. Humane Treatment of Animals. §§ 34201-34210.
Article 3. Quarantine. §§ 34301-34306.
- Chapter 35. Livestock and Poultry. §§ 35101-35105.
- Chapter 36. Mosquito Control. §§ 36101-36103.
- Chapter 37. Rodent Control Miscellaneous. §§ 37101-37106.
- Chapter 38. Miscellaneous. §§ 38101-38104.
- Chapter 39. Wastewater and Toilets. §§ 39101-39110.
- Chapter 40. Guam Food, Drug and Cosmetic Act. §§ 40101-40129.
- Chapter 41. Toxic Substances Exposure Compensation Act.
§§ 41101-41107.
- Chapter 44. Guam Beverage Container Recycling Act of 2010.
§§ 44101-44119
- Chapter 45. Guam Environmental Protection Agency Act.
Article 1. Guam Environmental Protection Agency. §§ 45101-45111.
Article 2. Guam Environmental Trust Fund. §§ 45200-45203.
- Chapter 45A. Plug-in Electric Vehicle Rebate Program Act.
[Recodified to 16 GCA, Chapter 3, Article 9]
- Chapter 46. Water Resources Conservation Act. §§ 46101-46115.
- Chapter 47. Water Pollution Control. §§ 47101-47112.
- Chapter 48. Toilet Facilities and Sewage Disposal. §§ 48101-48126.

- Chapter 49. Air Pollution Control Act. §§ 49101-49119.
- Chapter 50. Guam Pesticides Act. §§ 50101-50121.
- Chapter 51. Solid Waste Management and Litter Control.
 - Article 1. Solid Waste Management. §§ 51101-51120.
 - Article 2. Litter Control. §§ 51201-51208.
 - Article 3. Recycling Revolving Fund. §§ 51301-51308.
 - Article 4. Host Community Benefits. §§ 51401-51409.
 - Article 5. [Vacant.]
 - Article 6. Municipal Recycling. [Repealed.]
 - Article 7. Recycling Enterprise Zone. [Repealed.]
 - Article 8. Solid Waste Management System Bonds. [Repealed.]
 - Article 9. Solid Waste Management System Lease Financing. [Repealed.]
- Chapter 51A. Guam Solid Waste Authority.
 - Article 1. General Provisions. §§ 51A101-51A117
 - Article 2. Guam Solid Waste Authority Revenue Bonds. §§ 51A201-51A205
 - Article 3. Solid Waste Operations Fund. § 51A301
 - Article 4. Annual Contract for Scrap Removal. §§ 51A401-51A405
 - Article 5. Contract for Collection of Recyclable Paper. §§ 51A501-51A504
 - Article 6. Municipal Recycling Program. §§ 51A601-51A604
 - Article 7. Recycling Enterprise Zone. §§ 51A701-51A703
 - Article 8. Solid Waste Management System Bonds. §§ 51A801-51A843
 - Article 9. Solid Waste Management System Lease Financing. §§ 51A901-51A915
- Chapter 52. Water and Waste Water Operator's Mandatory Certification Act. §§ 52101-52117.
- Chapter 53. Safe Drinking Water Act. §§ 53101-53117.
- Chapter 53A. Guam Lead Ban Act. §§ 53300-53308.
- Chapter 54. Environmental Pollution Control. §§ 54101-54109.
- Chapter 54A. Guam Oil Spill Responder Act. §§ 54A301-54A303.

**DIVISION 3
PUBLIC SAFETY**

- Chapter 55. General Provisions. §§ 55100-55103.
- Chapter 56. Automobiles. §§ 56100-56102.
- Chapter 57. Certificate of Identification. §§ 57100-57106.

- Chapter 58. Fire Prevention. §§ 58100-58112.
- Chapter 58A. Burglary and Robbery Alarms. §§ 58201-58213.
- Chapter 60. Firearms. §§ 60100-60129.
- Chapter 61. Explosives. §§ 60100-61111.
- Chapter 62. Karate and Judo Experts. §§ 62100-62106.
- Chapter 63. Guam National Guard.
 - Article 1. General Provisions. §§ 63100-63106.
 - Article 2. Organization, Powers and Responsibilities. §§ 63200-63206.
 - Article 3. Commissioned and Warrant Officers. §§ 63300-63306.
 - Article 4. Enlisted Personnel. §§ 63400-63403.
 - Article 5. Territorial Duty. §§ 63500-63506.
 - Article 6. National Guard Facilities. §§ 63600-63603.
 - Article 7. Military Justice. §§ 63700-63724.15
- Chapter 64. Guam Militia. §§ 64100-64115.
- Chapter 65. Civil Defense. §§ 65100-65120.
- Chapter 65A. The Disaster Recovery Relief Act of 2002. §§ 64A001-65A111.
- Chapter 66. Civilian Volunteer Police Reserve. §§ 66100-66106.
- Chapter 66A. Neighborhood Patrol. §§ 66125.
- Chapter 67. Office of Veterans Affairs. §§ 67100-67110.
- Chapter 68. Veterans Bonuses.
 - Article 1. Veterans Bonuses. §§ 68100-68102.
 - Article 2. Bonus for Veterans of Guam Combat Patrol. §§ 68200-68201.
 - Article 3. Bonus for Wake Island Guamanian Workers. §§ 68300-68301.
 - Article 4. Bonus for Civilian Scouts. §§ 68400-68403.
- Chapter 69. Boating.
 - Article 1. Territorial Boating Act. §§ 69100-69130.
 - Article 2. Offenses Involving Alcohol and Controlled Substances. §§ 69200-69212.
- Chapter 70. Lifeguards on Beach Front Property. §§ 70101-70104.
- Chapter 71. Private Security Organizations.
 - Article 1. Title, Purpose and Definitions. §§ 71101-71103.
 - Article 2. Firearms Training of Private Security Officers. §§ 71201-71202.
 - Article 3. Employment of Private Security Officers. §§ 71301.
 - Article 4. General Provisions. §§ 71401-71403.

- Article 5. Insurance. §§ 71501.
- Chapter 72. Guam Fire Department. §§ 72101-72109.
- Chapter 72A. Community Firefighter Reserve Program. §§ 72A101-72A104.
- Chapter 73. Fire Prevention. §§ 73101-73113.
- Chapter 74. Combustibles. §§ 74101-74104.
- Chapter 75. Drug Testing. §§ 75100-75106.
- Chapter 76. Underground Storage of Regulated Substances. §§ 76101-76124.
- Chapter 77. Guam Police Department.
 - Article 1. Guam Police Department. §§ 77101-77135.
 - Article 2. Guam Highway Patrol. §§ 77201-77203.
 - Article 3. Municipal Police. §§ 77301-77302.
- Chapter 78. Guam Community Police Review Commission. §§ 78101-78126.
- Chapter 79. Special Assets Forfeiture Fund. §§ 79101-79105.

**DIVISION 4
GUAM HEALTH ACT**

- Chapter 80. Guam Memorial Hospital Authority. §§ 80101-80122.
- Chapter 81. Post-Mortem Examination Act. §§ 81101-81112.
- Chapter 82. Mentally Ill Persons.
 - Article 1. Definitions. §§ 82101-82102.
 - Article 2. Involuntary Hospitalization. §§ 82201-82204.
 - Article 3. Certification for Intensive Treatment. §§ 82301-82307.
 - Article 4. Judicial Review. §§ 82401-82404.
 - Article 5. Post certification Procedures for Imminently Dangerous Persons. §§ 82501-82506.
 - Article 6. Legal and Civil Rights of Persons. §§ 82601-82610.
 - Article 7. Conservatorship for Gravely Disabled Persons. §§ 82701-82718.
 - Article 8. Voluntary Hospitalization. §§ 82801-82803.
- Chapter 82A. Assisted Outpatient Treatment .
 - Article 1. Legislative Findings and Intent. §§ 82A101-82A102.
 - Article 2. Definitions. § 82A201.
 - Article 3. Voluntary Treatment. §§ 82A301-82A302.
 - Article 4. Petition for Assisted Treatment. § 82A401.

- Article 5. Assisted Treatment Hearing Procedures. §§ 82A501-82A507.
- Article 6. Assisted Treatment Hearing Disposition. §§ 82A601-82A605.
- Article 7. Appeals. § 82A701.
- Article 8. Safeguards. §§ 82A801-82A804.
- Article 9. Assisted Outpatient Treatment. §§ 82A901-82A902.
- Article 10. Review of Status. §§ 82A1001-82A1002.
- Article 11. Renewals. §§ 82A1101-82A1102.
- Article 12. Procedures for Discharge. §§ 82A1201-82A1204.
- Article 13. Emergency Treatment/Observation - Certification. §§ 82A1301-82A1312.
- Article 14. Accountability. § 82A1401.
- Article 15. Patient Bill of Rights. § 82A1501.

- Chapter 83. Guam Uniform Anatomical Gift Act. §§ 83101-83109.
- Chapter 83A. Guam Organ Donor Registry Program. §§ 83A101-83A107.
- Chapter 83B. Uniform Determination of Death (Cessation of Life). §§ 83B101-83B103.
- Chapter 83C. Medical Standard for Determination of Cerebral Death (Brain Dead). §§ 83C101-83C102.
- Chapter 84. Emergency Medical Services. §§ 84101-84220.
- Chapter 85. Guam Memorial Health Plan.
 - Article 1. Management of the Plan. §§ 85101-85114.
 - Article 2. Termination of Government Service. §§ 85201-85204.
- Chapter 86. Guam Behavioral Health and Wellness Center. §§ 86101-86111.
- Chapter 87. Occupational Safety and Health Code. §§ 87101-87128.
- Chapter 88. Child Protective Act. Omitted.
- Chapter 89. [Left Blank Intentionally]
- Chapter 90. Natasha Protection Act of 2005. §§ 90100-90113.
- Chapter 90A. Importation and Sale of Ingestible Tobacco. §§ 90A101-90A104
- Chapter 91. Natural Death Act. §§ 91100-91117.
- Chapter 91A. The Partial-Birth Abortion Ban Act of 2008. §§ 91A101-91A111
- Chapter 92. Maternity Stay Act. §§ 92100-92112.
- Chapter 92A. *Nana Yan Patgon Act*. §§ 92B101-92B113.

- Chapter 93. Guam System of Care Council for Children with Serious Emotional Disturbance. §§ 93100-93104.
- Chapter 95. Coordination of Benefits. §§ 95100-95104.
- Chapter 96. The Public Access to Automated External Defibrillation Act of 2000. §§ 96101-96105.
- Chapter 97. GMHA Healthcare Trust and Development Fund. §§ 97101-97104.

**10 GCA HEALTH AND SAFETY
CH. 1. ADMINISTRATION**

**TITLE 10
HEALTH AND SAFETY**

NOTE: The word *Title* as it appeared in the statutes compiled here has been changed to *Division*. The word *Act* has been changed to either *Article*, or *Chapter*, as is appropriate. Finally, *Island Court* has been changed to *Superior Court*.

- Division 1. Public Health.
- Division 2. Environmental Health.
- Division 3. Public Safety.
- Division 4. Guam Health Act.

**DIVISION 1
PUBLIC HEALTH**

- Chapter 1. Administration.
- Chapter 2. Division of Public Welfare.
- Chapter 3. Public Health & Social Services
- Chapter 4. [Repealed]
- Chapter 5. Guam Health Planning and Development Agency.
- Chapter 6. Guam Medical Assistance Plan.
- Chapter 7. Nursing Homes.
- Chapter 8. Senior Citizens.
- Chapter 9. Consumer Health Protection Act.
- Chapter 10. Medical Malpractice Claims Mandatory Screening and Mandatory Arbitration Act.
- Chapter 11. Medical Malpractice Reform Act of 1975.
- Chapter 12. Medical Practices.
- Chapter 13. [Repealed].
- Chapter 14. [Repealed].
- Chapter 15. Nursing Home Administrators.
- Chapter 16. [Repealed]
- Chapter 17. Assistance to the Homeless.
- Chapter 18. Licensing of Cosmetology, Hairdressing & Beauty Shops.

**10 GCA HEALTH AND SAFETY
CH. 1. ADMINISTRATION**

**CHAPTER 1
ADMINISTRATION**

- § 1101. Department of Public Health and Social Services.
- § 1102. Duties.
- § 1103. Medical Referral Assistance Offices.

§ 1101. Department of Public Health and Social Services.

[See 5 GCA § 3111].

SOURCE: GC § 9000.

2014 NOTE: A prior publication of the GCA included the following:

COMMENT: This section contained the original creation of the Department and appointment of its Director. However, a section having an identical purpose and very similar language is found in 5 GCA §3111 (in Chapter 3, the Chapter in which all line agencies are listed), and that latter section is of more recent amendment than this section. Therefore, the Compiler is treating this section as having been repealed by implication.

§ 1102. Duties.

The Department shall have cognizance of all Public Health and Social Services functions set forth in this Division and as otherwise provided by law, rule or regulation.

SOURCE: GC § 9001.

§ 1103. Medical Referral Assistance Offices.

There are created Medical Referral Assistance Offices in Honolulu, Hawaii, in Los Angeles, California, and in Metro Manila, Philippines, which shall be within the responsibility of the Office of the Governor. The Offices shall assist in coordinating appropriate medical appointments, as well as coordinating temporary housing and transportation.

SOURCE: Added by P.L. 19-43:1; Repealed and reenacted by P.L. 21-136:IV:2 and P.L. 21-137:12
