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CH. 47 PRE-MEDICAL PROGRAMS AND FELLOWSHIPS

CHAPTER 47
PRE-MEDICAL PROGRAMS AND FELLOWSHIPS

SOURCE: This entire Chapter was added by P.L. 22-62:1.

2009 NOTE: P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. P.L. 30-050:2 (July 14, 2009) reverted the name of the Guam Public School System to the Department of Education. References to Guam Public School System have been changed to Department of Education pursuant to P.L. 30-050:3.

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§ 47101. Name of Chapter.

This chapter shall be referred to as the *Access to Medical Training and Education Act* or **AMTE**.

§ 47102. Legislative Findings.

The Legislature finds that there continues to be an urgent need for physicians to serve Guam and the region. The Guam Memorial Hospital and other health organizations on the island continue to find it very difficult to hire physicians to serve the health needs of the people of Guam. In order to meet the demands of health care for the island, the Legislature believes that it is most effective to identify potential physician candidates during their high school years so that the necessary support for the candidate's success in a pre-medical program and in the application to a school of medicine can be enhanced. Therefore, the Legislature herein establishes the following **AMTE** programs: a High School Pre-Medical Program at the Department of Education, a Pre-Medical Program at the University of Guam, and a Doctor of Medicine Fellowship at the University of Guam.

§ 47103. High School Pre-Medical Program.

(a) The Department of Education shall develop and implement a Pre-Medical Program curriculum for the island's public high schools. Such program shall include the following:

1. Identifying and recruiting students who show interest in science and health-related fields;
2. Granting educational credits for course work during the junior and senior years of high school;
3. Providing practicum experience for each student participating in such program not only during the school year but also in the summer months as a summer intern at Guam Memorial Hospital or at Public Health facilities;
4. Providing awareness of the health care needs of Guam and its neighbors; and

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5. Providing guidance and counseling so that the student is prepared to enroll in the Pre-Medical Program at the University of Guam.

(b) The Director of Education shall no later than three (3) months from the effective date of this chapter, provide a written report to the Chairperson of the Board of Education, the Governor of Guam, and the Speaker of the Legislature on such Program's curriculum which shall include a description of the curriculum, financial requirements, and the date of implementation of the Program within the public high schools of Guam. In no event, however, shall the implementation of the High School Pre-Medical Program in the high schools of Guam be later than academic year 1994-1995.

§ 47104.1. Pre-Medical Program at the University of Guam.

The University of Guam (the "University") shall develop and implement a Pre-Medical Program curriculum. The curriculum's objective shall be to prepare a student at the University to meet all the requirements necessary to apply to professional schools of medicine, to prepare for the standardized medical school aptitude test, and to provide opportunities for awareness of the health care needs of Guam and the region. The University shall work in coordination with the **AMTE** Council in developing and implementing such a Pre-Medical Program curriculum at the University, which curriculum shall be adopted by the University no later than academic year 1994-1995.

§ 47104.2 AMTE Fellowship Council.

There is hereby created the **AMTE** Fellowship Council (the "**AMTE** Council"), the general purpose of which shall be to plan, develop, implement and manage the Pre-Medical Programs and the Doctor of Medicine Fellowship program as provided in this chapter in order to attract, select, orient, and assist qualified high school and college students to become physicians in Guam. The **AMTE** Council shall convene within thirty (30) days of the enactment of this chapter to implement its provisions.

§ 47104.3. Members of AMTE Council.

The **AMTE** Council shall be composed of the following:

- (1) The Administrator of the Guam Memorial Hospital;
- (2) The Director of Public Health and Social Services;
- (3) The Chairman of the Board of Medical Examiners;

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- (4) The President of the Guam Medical Society;
- (5) The President of the University;
- (6) The Director of Mental Health and Substance Abuse; and
- (7) The Director of the Guam Health Planning and Development Agency.

§ 47104.4. Personnel.

The Office of the President of the University shall provide logistics and personnel necessary for the operation of the **AMTE** Council.

§ 47104.5. Administrator of the AMTE Council.

There is hereby established within the office of the President of the University the **AMTE** Fellowship Administrator, full- or part-time, if needed, who shall work in conjunction with the President of the University in the administration of the Pre-Medical Program at the University. The **AMTE** Administrator shall work under the President of the University and the **AMTE** Council to develop, organize, and administer the Pre-Medical Program and the Doctor of Medicine Fellowship Program at the University. The **AMTE** Fellowship Administrator shall work closely with the President, the administrators, and the deans of the University in the preparation of the curriculum, planning of schedules, and assuring adequate instruction in the Program. The **AMTE** Fellowship Administrator shall be entitled to government of Guam benefits and shall serve at the pleasure of the **AMTE** Council. The **AMTE** Council shall set the rate and term of pay of such administrator and may provide the same by contract.

§ 47104.6. Financial Assistance Eligibility.

Financial assistance may be awarded by the **AMTE** Council to eligible students enrolled in the Pre-Medical Program at the University who are:

- (a) **Bona fide** residents of Guam for at least ten (10) years;
- (b) Citizens or permanent residents of the United States;
- (c) Seniors or graduates of an accredited high school with an overall grade point average of not less than 3.0 on a 4.0 scale;
- (d) Admitted to the University of Guam in accordance with its admission policies, including advance placement for high school students;

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(e) Agreed and bound to return to Guam to practice medicine or work in a health service field after successfully completing his or her medical training.

§ 47104.6.1. Continued Eligibility.

To be eligible to continue to receive financial assistance under such program, the student must remain in good academic standing for each academic year given assistance under such program.

§ 47104.7. Obligations.

(a) A student who for any reason is terminated from the Pre-Medical Program shall repay to the AMTE Medical Fund as established in this chapter an amount equal to the total financial assistance received by the student within five (5) years of such termination from the Program with interest at the rate of twelve (12%) percent per annum.

(b) A student who does complete the Pre-Medical Program but is not selected for the Doctor of Medicine Fellowship Program as established therein or does not pursue for any reason application into the Doctor of Medicine Fellowship Program shall repay to the AMTE Medical Fund an amount equal to the total financial assistance received by the student. In the alternative, in lieu of monetary repayment, a student may satisfy his financial obligations herein by employment with the government of Guam at the rate of one (1) year of employment for each academic year or fraction thereof that the student received financial assistance.

§ 47104.8. Financial Assistance.

(a) Students in the Pre-Medical School Program at the University must complete an application form provided by the AMTE Council and satisfy all the requirements set out in § 47103.6 of this chapter.

(b) Students enrolled in the Pre-Medical School Program and selected for financial assistance by the AMTE Council shall be entitled to the following benefits:

(1) All costs of tuition, fees and books for a period of not more than four (4) academic years;

(2) A monthly stipend according to the following schedule: Freshmen, two hundred dollars (\$200) per month; sophomores, three hundred dollars (\$300) per month; juniors, four hundred dollars (\$400) per month; and seniors, five hundred dollars (\$500) per month.

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(c) As a condition for continuing full entitlement to the benefits provided in this section, the recipient must maintain full-time enrollment with a minimum of twelve (12) semester credits per semester, not including the summer session, and good academic standing with an overall grade point average of 3.0 or better for each academic year. No student may receive benefits beyond four (4) academic years.

§ 47105. Doctor of Medicine Fellowship Program.

There is hereby established a Doctor of Medicine Fellowship Program under the AMTE Council for the following purposes:

(1) To provide physicians for Guam Memorial Hospital, the Department of Public Health and Social Services, the Department of Mental Health and Substance Abuse, and other health organizations in Guam and in the region;

(2) To develop local medical personnel who are sensitive to Guam's cultural diversity.

§ 47105.1. Administration.

The Fellowship Program shall be administered by the AMTE Council, and all such fellowships shall be granted by the AMTE Council.

§ 47105.2. Fund.

There is hereby established a Physicians Fellowship Fund, hereinafter referred to as the *AMTE Fellowship Fund* from which fellowships and financial assistance granted pursuant to this chapter as well as the cost for administering the Programs shall be funded. The AMTE Fellowship Fund shall be kept separate and apart from any other fund and shall be administered by the AMTE Council, which is authorized to accept gifts, devises, bequests, donations, and all other kinds of contributions for the use of the **AMTE** Fellowship Fund. The AMTE Fellowship Fund shall be funded by annual appropriations by the Legislature to the extent made necessary by the financial assistance and fellowships granted pursuant to this chapter. The funds shall be administered by the **AMTE** Council and all monies appropriated for financial assistance and fellowships pursuant to this chapter and all repayment of such financial assistance and fellowships given under this chapter shall be paid directly to the **AMTE** Fellowship Fund. Within one hundred twenty (120) days after the close of its fiscal year, the **AMTE** Council shall transmit to the Governor, the Speaker of the Legislature, and the President of the University an annual report of the

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expenditures of the **AMTE** Fellowship Fund, including, but not limited to, a balance sheet, a statement of receipts and expenses, a general description of the income sources and the expenses of the **AMTE** Fellowship Fund.

§ 47105.2.1. Investment.

Reserves of the **AMTE** Fellowship Fund in excess of requirements for current operations may be invested and reinvested by the **AMTE** Council. At its discretion, the **AMTE** Council may designate its Chairman or an investment committee consisting of two (2) or more **AMTE** Council members to supervise this function. The **AMTE** Council shall have full power to manage the investments as in its considered judgment seems most appropriate to the requirements and objectives of the Fund. All proceeds and income from investments, of whatever nature, shall be credited to the account of the **AMTE** Fellowship Fund.

§ 47105.3. Regulations.

The **AMTE** Council, **subject** to the provisions of the Administrative Adjudication Law, shall promulgate regulations pursuant to and not inconsistent with the provisions of this chapter.

§ 47105.4. Submission of Names.

The names of all students granted fellowships under this chapter shall be submitted to the Governor, the Speaker of the Legislature, and the President of the University no later than January 15th of each calendar year.

§ 47105.5. Application Forms and Notices.

The **AMTE** Council shall prescribe by regulation necessary application forms and procedures for all financial assistance fellowships authorized by this chapter.

§ 47105.6. Prohibition.

No money may be expended for awards under this chapter **unless** such awards are authorized by the **AMTE** Council by resolution. Any person who disburses or certifies any expenditure from the **AMTE** Fellowship Fund without such authorization shall be personally liable for the restitution of such expenditure to the **AMTE** Fellowship Fund.

§ 47105.7. Discharge of Fellowship Obligations Upon Death or Disability.

The **AMTE** Council may, upon the death or disability of a student who has received any financial assistance under the provisions of this chapter,

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discharge in full or in part all such student's obligations for the repayment of such assistance.

§ 47105.8. Award of Physician Fellowship: Selection.

The AMTE Council may select up to five (5) applicants per academic year for fellowship awards. The names shall be submitted to the Governor, the Speaker of the Legislature, and President of the University no later than January 15th of each year. With the submission of the names to the Legislature, the AMTE Council shall also request the necessary appropriation to fully fund the fellowships granted for the academic year.

§ 47105.8.1. Physician Fellowship Eligibility.

An applicant for a fellowship must:

- (a) Be a bona fide resident of Guam for at least ten (10) years;
- (b) Be a citizen of the United States or a permanent resident;
- (c) Provide proof of acceptance into a school of medicine at an accredited institution of higher education in the United States;

An applicant need not have gone through the High School Pre-Medical Program or the Pre-Medical Program as provided in this chapter to be eligible for a physician fellowship; **provided**, however, that a student who has enrolled in and successfully completed the High School Pre-Medical Program or Pre-Medical Program or both shall be given preference over other applicants.

§ 47105.8.2. Physician Fellowship Benefits.

Students awarded a physician fellowship pursuant to this chapter shall receive the following benefits:

- (a) All costs of tuition, fees, and books for a period of not more than four (4) academic years;
- (b) A monthly stipend of up to Two Thousand Dollars (\$2,000) as determined by the Council for a period of not more than four (4) academic years;
- (c) Transportation from Guam to the student's school of medicine, Return transportation to Guam will be paid for the student after the successful completion of the student's medical training.

§ 47105.9. Physician Fellowship Obligations:

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(a) A fellow who attends medical school under the physician fellowship program shall agree to return to work for the government of Guam within three (3) months after the completion of the course of studies for which the fellowship was granted; **provided**, however, that if the fellow continues in a residency or internship program or in an area of specialty, then the **AMTE** Council may defer the fellow's obligations until three (3) months after said residency, internship, or specialty training is completed.

(b) A fellow will lose entitlement to the fellowship if he or she fails to maintain good standing as a full time student in the approved medical school.

(c) A fellow who does not successfully complete his or her medical education within four (4) academic years shall pay back all monies expended on his or her behalf to the Physicians Medical Fund with interest at twelve percent (12%) per annum within five (5) years of his or her termination from the medical program.

(d) Upon the successful completion of medical school and any area of specialty training as approved by the **AMTE** Council, fellows are required to return to Guam within three (3) months of completion of said medical training and are required to provide two (2) years of service to the government of Guam for each year of fellowship. This obligation shall be in addition to any other obligations under the Pre-Medical Program.

§ 47105.10. Obligations of the Government of Guam.

The government of Guam shall make available a position at the Guam Memorial Hospital, the Department of Public Health and Social Service, or any other government health-related facility to a returning fellow within three (3) months of the completion of his or her medical training as determined by the **AMTE** Council. The Administrator of the **AMTE** Council shall be responsible for coordinating the availability of returning fellows and openings within the government of Guam in the area of the returning fellow's medical training for placement in the government of Guam. The failure of the government of Guam to make available a medical position within the government of Guam to a returning fellow shall relieve the fellow of any and all financial obligations and service commitment to the government of Guam.

§ 47105.11. Budget and Compensation.

The budget for financial assistance, salaries, stipend, travel and operational requirements of the **AMTE** Council as provided in this chapter

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shall be submitted for the Fiscal Year 1994 and annually thereafter by the AMTE Council for approval by the Legislature. The Legislature shall appropriate funds to the AMTE Council which shall disburse them pursuant to its directives and policies. Unexpended funds shall be maintained in a continuing budget appropriation for use by the AMTE Council in succeeding budget cycles.

§ 47106. Service on Guam After Employment with the Government of Guam.

In meeting the obligation to repay the financial assistance given in the Pre-Medical and Fellowship Programs established in this chapter, the following rules shall apply: For each year of the Pre-Medical Program, one (1) year's service on Guam; for each year of the Fellowship Program, two (2) years' service on Guam. Repayment by service on Guam shall require that the first two (2) years shall be with the government of Guam and thereafter may be in another medical facility or activity on Guam.

§ 47107. Definition of Physician.

For purposes of this chapter, *physician* means the holder of a doctor of medicine (M.D.) degree.

§ 47108. Reevaluation.

The AMTE Council shall reevaluate the continued need for the provisions of this chapter within ten (10) years of the date of its enactment and shall report in writing its findings and recommendations to the Legislature.

§ 47109. Severability.

If any provision of this chapter is found to be illegal or invalid, said finding shall be severable and shall not affect the validity of the remaining provisions of this chapter.
