

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN  
OFFICE OF THE GOVERNOR OF GUAM

**Transmitted via email to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)**

July 12, 2023

**HONORABLE THERESE M. TERLAJE, Speaker**

*I Mina'trentai Siette Na Liheslaturan Guåhan*

37<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

**Re: Bill No. 73-37 (LS) - AN ACT TO ADD NEW §§ 16115, 16116, 16117, 16118, 16119, AND 16120 TO CHAPTER 16, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO FURTHER EXPANDING ACCESS TO OPIOID ANTAGONISTS BY ESTABLISHING AN EMERGENCY OPIOID ACCESS BYSTANDER PROGRAM AND REQUIRING CO-PRESCRIPTION OF OPIOID ANTAGONISTS**

*Håfa Adai* Madame Speaker,

On March 20, 2023, I signed The Guam Opioid Overdose Prevention Act of 2023 into law as P.L. 37-2. The Act provided Guam's first responders and community service providers with the tools they need to save the lives of individuals experiencing an opioid overdose.

Bill No. 73-37 (LS) provides additional safeguards to protect the community from opioid overdoses by authorizing expedient provision and distribution of opioid antagonists to the community, expanded testing for Fentanyl, and preventing higher life insurance rates for individuals rehabilitating from opioid addiction.

While we are fortunate that the destructive force of opioid addiction has not impacted our community to the extent it has ravaged others, the severity of its effects across the nation serves as an important warning that we must prepare for the likelihood that it will ultimately arrive on our shores. As with any approaching typhoon, we must take steps to protect and mitigate against its potential impact on our island, and prepare our communities and families to address it when it comes. Bill No 73-37 will help prepare our island for widespread opioid abuse by providing opioid antagonists to more people and in more places, which will bolster our community's preparedness and, ultimately, save more lives. For these reasons, I am signing Bill No. 73-37 into law as *Public Law 37-27*.

*Senseramente,*

**LOURDES A. LEON GUERRERO**

*Maga'hågan Guåhan*  
Governor of Guam

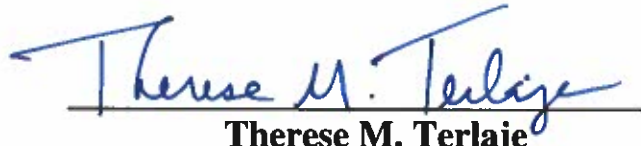
Enclosure: Bill No. 73-37 (LS) nka P.L. 37-27

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam  
Compiler of Laws

**I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN**  
**2023 (FIRST) Regular Session**

**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN**

This is to certify that **Bill No. 73-37 (LS)**, "AN ACT TO ADD NEW §§ 16115, 16116, 16117, 16118, 16119, AND 16120 TO CHAPTER 16, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO FURTHER EXPANDING ACCESS TO OPIOID ANTAGONISTS BY ESTABLISHING AN EMERGENCY OPIOID ACCESS BYSTANDER PROGRAM AND REQUIRING CO-PRESCRIPTION OF OPIOID ANTAGONISTS," was on the 30<sup>th</sup> day of June 2023, duly and regularly passed.



**Therese M. Terlaje**  
**Speaker**

Attested:



**Amanda L. Shelton**  
**Legislative Secretary**

This Act was received by *I Maga'hågan Guåhan* this 30<sup>TH</sup> day of JUNE, 2023, at 6:57 o'clock P.M.



**Assistant Staff Officer**  
**Maga'håga's Office**

APPROVED:



**Lourdes A. Leon Guerrero**  
***I Maga'hågan Guåhan***

Date: 7/12/2023

Public Law No. 37-27

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2023-19470

Jessica Dydasco

**I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN**  
**2023 (FIRST) Regular Session**

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**Bill No. 73-37 (LS)**

As amended by the Committee on  
Health, Land, Justice, and Culture; and  
further amended on the Floor.

Introduced by:

Therese M. Terlaje  
Chris Barnett  
Telo T. Taitague  
Joanne Brown  
Frank Blas, Jr.  
Christopher M. Dueñas  
Thomas J. Fisher  
Jesse A. Lujan  
Tina Rose Muña Barnes  
William A. Parkinson  
Sabina Flores Perez  
Roy A. B. Quinata  
Joe S. San Agustin  
Dwayne T. D. San Nicolas  
Amanda L. Shelton

**AN ACT TO ADD NEW §§ 16115, 16116, 16117, 16118, 16119, AND 16120 TO CHAPTER 16, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO FURTHER EXPANDING ACCESS TO OPIOID ANTAGONISTS BY ESTABLISHING AN EMERGENCY OPIOID ACCESS BYSTANDER PROGRAM AND REQUIRING CO-PRESCRIPTION OF OPIOID ANTAGONISTS.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** New §§ 16115, 16116, 16117, 16118, 16119, and 16120 are  
3 hereby *added* to Chapter 16, Division 1, Title 10, Guam Code Annotated, to read:

1           **“§ 16115. Co-Prescribing May Be Required.**

2           (a) In General. Any prescriber issuing an initial or renewal  
3 prescription to an individual for an opioid analgesic on Guam shall co-  
4 prescribe an emergency opioid antagonist.

5           (b) Patient Education. Upon issuing an initial prescription for an  
6 opioid analgesic, and at least once every six (6) months thereafter as long as  
7 such opioid analgesic remains a part of patient care, the prescriber shall  
8 provide educational materials to the patient, in writing, or other accessible  
9 instructional materials for an individual with a disability, regarding:

10                   (1) the importance of emergency opioid antagonists in  
11 preventing deaths from opioid overdoses;

12                   (2) how to recognize the signs and symptoms of a drug  
13 overdose;

14                   (3) the essential steps in responding to a drug overdose,  
15 including:

16                           (A) evaluate for signs of an opioid overdose;

17                           (B) call 911 for help;

18                           (C) administer an emergency opioid antagonist;

19                           (D) support the person’s breathing; and

20                           (E) monitor the person’s response;

21                   (4) where to obtain emergency opioid antagonists throughout  
22 Guam;

23                   (5) de-stigmatizing the possession of an emergency opioid  
24 antagonist; and

25                   (6) Guam laws limiting a person’s civil and criminal liability  
26 for prescribing, dispensing, distributing, or administering emergency  
27 opioid antagonists.

1           **§ 16116. Prohibition of Discrimination By Life Insurance Companies.**

2           (a) Limitations on Coverage. Any company engaged in the business  
3 of providing life insurance that is authorized to do business within Guam shall  
4 not limit coverage, or refuse to issue or renew coverage, for an individual  
5 under any policy due to the fact that the individual:

6                   (1) has or had a prescription for an emergency opioid  
7 antagonist; or

8                   (2) purchased or otherwise possessed an emergency opioid  
9 antagonist.

10          (b) Rates. Any company engaged in the business of providing life  
11 insurance that is authorized to do business within Guam shall not, when  
12 determining the premium rate for coverage of an individual under a policy  
13 issued or renewed by the company, use the fact that the individual:

14                   (1) has or had a prescription for an emergency opioid  
15 antagonists; or

16                   (2) purchased or otherwise possessed an emergency opioid  
17 antagonist.

18          (c) Other Discrimination. Any company engaged in the business of  
19 providing life insurance that is authorized to do business within Guam shall  
20 not otherwise discriminate in the offering, issuance, cancellation, amount of  
21 coverage, premium, or any other condition of an insurance policy issued by  
22 the company based solely upon the fact that an individual:

23                   (1) has, or had, a prescription for an emergency opioid  
24 antagonist; or

25                   (2) purchased, or otherwise possessed an emergency opioid  
26 antagonist.

27           **§ 16117. Emergency Opioid Antagonist Access Bystander Program.**

1           The Guam Behavioral Health & Wellness Center shall establish the  
2 emergency opioid antagonist access bystander program, which shall involve:

3           (a)    establishing one (1) or more publicly accessible emergency  
4 opioid antagonist locations within the island;

5           (b)    determining the potential location or locations of publicly  
6 accessible emergency opioid antagonists;

7           (c)    monitoring the use of such publicly accessible emergency opioid  
8 antagonist locations;

9           (d)    creating and distributing opioid overdose response toolkits,  
10 including an emergency opioid antagonist for distribution to participating  
11 private businesses to be kept on-site; and

12           (e)    researching and applying for additional funding through the  
13 federal government or private entities, or both.

14           **§ 16118.    Opioid Recovery Advisory Council Distribution of Opioid**  
15 **Antagonists.**

16           The Opioid Recovery Advisory Council may distribute naloxone made  
17 available through settlements to pharmacies and to the emergency opioid antagonist  
18 access locations established by the Bystander Program in §16117 of this Chapter, to  
19 distribute as necessary.

20           **§ 16119.    Fentanyl Testing Strips.**

21           Notwithstanding any other law, the distribution or possession of a narcotic-  
22 drug-testing product that is used solely to determine whether a controlled substance  
23 contains fentanyl shall be lawful on Guam and may be distributed through the  
24 bystander program or wherever opioid antagonists are distributed.

25           **§ 16120.    Severability.** The provisions outlined in this Act are declared to  
26 be separate and severable. The invalidity of any clause, sentence, paragraph,  
27 subdivision, section or portion of this statute, or the invalidity of the application

1 thereof to any person or circumstance shall not affect the validity of the remainder  
2 of this statute or the validity of its application to other persons or circumstances.”