

OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NO. 76-5

REPEAL OF EXECUTIVE ORDER NO. 75-32
AND 74-20

WHEREAS, U.S. Public Law 93-641, The National Health Planning and Resources Development Act of 1974, amends the Public Health Service Act to the effect that Regional Medical Programs, Comprehensive Health Planning and Hill-Burton authorities are revised and expanded and such agencies will be replaced by, (in the case of Guam [sec. 1536 ff.], a State Health Agency and a Statewide Health Coordinating Council; and

WHEREAS, the intent of Public Law 93-641 is to facilitate the development of recommendations for a national health planning policy, to augment State planning for health services, manpower, and facilities, and to authorize financial assistance for the development of resources to further this intent; and

WHEREAS, it is reasonable, desirable and acceptable that an agency of state government be designated to carry out the purposes and intent of P.L. 93-641; and

WHEREAS, the State Agency cannot function until an agreement has been signed with the Secretary of Health Education and Welfare; and

WHEREAS, no agreement can be signed until the State has submitted a State Administrative program and has made appropriate assurances as to resources and authority to administer the program; and

WHEREAS, the functions of the State Agency shall be to:

1. Conduct the Health Planning and Resources Development activities of the State,
2. Prepare and review a State Health plan,
3. Develop the State medical facilities plan,
4. Serve as the Designated planning agency of the State for the purposes of section 1122 of the Social Security Act and administer a State certificate of need program relative to new institutional health services,
5. Review on a periodic basis all institutional health services and make public its findings; and

WHEREAS, a cooperative effort is necessary between the former planning authorities replaced by the new law in order to develop a State program satisfactory to the Secretary;

NOW THEREFORE, I Ricardo J. Bordallo, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do hereby order as follows:

1. The Department of Public Health and Social Services is hereby designated as the State Health Planning and Resources Development Agency.

2. Executive Orders 74-20 and 75-32 are hereby repealed, with the exception that; in order to effectuate a smooth transition from the former authorities established by the Public Health Service Act prior to enactment of U.S. Public Law 93-641 (e.g. Hill-Burton, Comprehensive Health Planning) the Territorial Health Planning Council shall continue to function until the State-wide Health Coordinating Council and the State Health Agency are established by agreement with the Secretary of Health, Education and Welfare and by local legislation.

3. The Office of Comprehensive Health Planning and The Regional Medical Program are hereby transferred to Department of Public Health and Social Services and combine with the Hill-Burton State Agency as a staff office of the Department of Public Health and Social Services.

DATED AT AGANA, GUAM, this 27th day of January, 1976.



RICARDO J. BORDALLO
Governor of Guam

COUNTERSIGNED:



RUDOLPH G. SABLAN
Lieutenant Governor