



OFFICE OF THE GOVERNOR  
HAGÁTÑA, GUAHAN  
U. S. A.

EXECUTIVE ORDER NO. 2010-09

**RELATIVE TO DECLARING A CONTINUING STATE OF EMERGENCY TO EXTEND THE PANDEMIC (H1N1) 2009 INFLUENZA AND REGULAR SEASONAL FLU VACCINE CAMPAIGNS THROUGH MARCH 2010 AND MEASURES TO ASSIST AND SUPPORT THE GUAHAN PANDEMIC PLANNING TASK FORCE ON PROGRESSIVE PLANNING AND RESPONSE EFFORTS FOR THE UPCOMING DEPLOYMENT AND ADMINISTRATION OF VACCINES TO PROTECT ISLAND RESIDENTS FROM THE IMMINENT THREAT OF THE PANDEMIC (H1N1) INFLUENZA AND REGULAR SEASONAL FLU DURING THE PLANNED "SECOND WAVE" IN OUR COMMUNITY.**

**WHEREAS**, Pandemic (H1N1) 2009 influenza is a respiratory disease, which presents the sudden onset of fever, cough, sore throat, body aches, headache, chills and fatigue; and

**WHEREAS**, those affected with Pandemic (H1N1) 2009 influenza infection while they are symptomatic, for up to seven (7) days following onset of illness and that children might be potentially contagious for longer periods; and

**WHEREAS**, on April 1, 2005, President George W. Bush added to the National Notifiable Disease List "influenza caused by novel or re-emergent influenza viruses that are causing, or have the potential to cause, a pandemic"; and

**WHEREAS**, in late April and early May 2009, cases of human infection with the Pandemic (H1N1) 2009 influenza were first reported by the Centers of Disease Control in the State of California and Texas, and other states have confirmed reports of Pandemic (H1N1) 2009 influenza infection in humans and cases have also been reported internationally; and

**WHEREAS**, on April 27, 2009, Janet Napolitano, Secretary of Department of Homeland Security declared a Public Health emergency in the United States; and



**WHEREAS**, on June 11, 2009, the Director-General of the World Health Organization, (WHO), Dr. Margaret Chan, raised the WHO pandemic alert phase to its highest level of 6. "The world is now at the start of the 2009 Influenza Pandemic".

**WHEREAS**, on July 1, 2009, Guahan health officials reported its first confirmed case of the Pandemic (H1N1) 2009 influenza virus in the community and increasing cases of flu like symptoms and confirmed laboratory results are expected to rise with the H1N1 virus; and

**WHEREAS**, the Pandemic (H1N1) 2009 influenza virus poses an imminent public health threat to the people of Guahan due to confirmed widespread human to human transmission in the community and the world; and

**WHEREAS**, the Guahan Pandemic Influenza Plan has been activated to provide planning and guidance in response to the Pandemic (H1N1) 2009 influenza and that the Guahan Department of Public Health & Social Services and Guahan Homeland Security/Office of Civil Defense have advised the people of Guahan, all government agencies and instrumentalities, ports of entry, medical community, schools, businesses, non-profit groups and visitor industry through on-going health education outreaches in the community, professional group presentations, press conferences, press releases, media interviews, department web-sites about the Pandemic (H1N1) 2009 influenza virus and updated guidance from the Centers for Disease Control and Prevention; and

**WHEREAS**, the National H1N1 Health Summit and the 2009 Guahan H1N1 Summit, "*Shared Responsibility – Preparing Partners*", emphasized the need to strengthen our plans and preparedness efforts to mitigate the impact in our communities through the priorities of surveillance, community mitigation, and vaccination; and

**WHEREAS**, the United States Government, through the U.S. Department of Health & Human Services has initiated the development of Pandemic (H1N1) 2009 influenza vaccine to combat the pandemic influenza virus and has recently released plans to distribute the vaccine to all states and territories; and

**WHEREAS**, Guahan joins national and international communities to plan and respond for the anticipation of a more severe "second" wave, due to the co-occurrence of the Pandemic (H1N1) 2009 influenza and regular seasonal flu, and the planned vaccine deployment, for late October 2009.



**NOW, THEREFORE, I, MICHAEL W. CRUZ, MD, *I Maga'lahren Guåhan para pa'go***, Acting Governor of Guahan, by virtue of the authority vested in me by the Organic Act of Guahan, as amended, and the laws of Guahan, do hereby order as follows:

1. The 2009 Guam H1N1 and Regular Seasonal Flu Vaccine Campaign is extended for the Island of Guahan through March 2010;
2. Pandemic (H1N1) 2009 influenza virus is declared an imminent threat to the people of Guahan pursuant to Title 10 GCA 19104 (m) and 19402. This Declaration shall apply to the entire island of Guahan and shall continue for an additional **(30)** days hereafter unless renewed pursuant to 10 GCA 19405(b). The Department of Public Health and Social Services shall be the primary public health authority to respond to the Flu Vaccine Campaign so as to combat the co-occurrence of this imminent threat of the Pandemic (H1N1) 2009 influenza virus and seasonal flu in our community;
3. The Director of the Department of Public Health and Social Services has been ordered to add Pandemic (H1N1) 2009 influenza as a communicable disease dangerous to the public health under Title 10 Guam Code Annotated, Section 3301(a). The function of the Governor under §1421g(a) of the Organic Act of Guam relative to the promulgation of quarantine and sanitary regulations for the protection of Guahan against the importation and spread of disease are assigned to the Director of the Department of Public Health and Social Services;
4. The Department of Public Health and Social Services, in cooperation with members of the Guahan Pandemic Influenza Task Force, shall pursue and undertake all necessary measures to meet the planned and response activities for the Pandemic (H1N1) 2009 influenza and regular seasonal flu vaccination campaign and continue the activation of key components of the Guahan Pandemic Influenza Plan, such as emergency community health outreach (ECHO), community mitigation, surveillance and vaccine delivery plan for the distribution and administration of vaccines to combat the Pandemic (H1N1) 2009 influenza and regular seasonal flu;
5. The Director of the Department of Public Health and Social Services shall convene the Guahan Pandemic Influenza Task Force.
6. The Director of the Department of Public Health and Social Services shall continue to ensure that open lines of communication are established with the U.S. Department of Homeland Security, the U.S. Secretary of Health and



Human Services, the U.S. Surgeon General, the World Health Organization, to coordinate the establishment, implementation or enforcement of all applicable plans, programs, rules, regulations;

7. The Director of Public Health and Social Services shall exercise the authority granted to him pursuant to Chapter 19 of Title 10 of Guam Code Annotated;
8. The Department of Public Health and Social Services shall continue to coordinate all pandemic and response efforts and activate components of the Guahan Pandemic Influenza Plan as necessary. The Guahan Homeland Security/Office of Civil Defense will continue to provide and facilitate technical assistance to the access of critical infrastructure and key resources relating to the Plan;
9. Pursuant to 10GCA, Article 6, Section 19608, the Chairs of the Guam Board of Medical Examiners and Guam Board on Nurse Examiners and Guam Board of Pharmacy Examiners are authorized to take appropriate measures respective to their Board to relax current standards and laws to allow for a wider scope of professionals in their respective practice to assist as vaccinators in direct response to the Pandemic (H1N1) 2009 influenza and regular seasonal flu campaigns. This includes, I Gobietnon Guahan Department of Defense and National Guard medical professionals/para-professionals (e. g. doctors, nurses, medics/corpsmen, and emergency medical services (EMS) personnel.)

The Director of the Department of Administration issued Circular authorizing the implementation of a flexible work schedule and options (i.e. Tele-work, data entry work) to allow for government employees who are sick or employees who need to take care of a family member who is sick with flu like symptoms, to stay home in accordance with the recommend days as issued by the guidance from the Department of Public Health and Social Services. (Medical clearance upon returning to work or school is hereby suspended for a period of no more than 30 days upon promulgation of this Executive Order);

10. All department and agency heads of I Gobietnon Guahan are hereby directed to ensure that all CDC guidance and updates issued by the Department of Public Health and Social Services relative to workplace protection are posted in visible areas in the agency and strictly adhered to in order to mitigate the spread of Pandemic (H1N1) 2009 influenza virus in the workplace.

The Department of Public Health and Social Services shall issue continued CDC guidance, updates and assistance on school mitigation activities and convene meetings with school officials (I Gobietnon Guahan and Department



of Defense) concerning coordination response activities; activation of school personnel with a recognized Licensed Practical Nurse (LPN) or Registered Nurse (RN) professional license designation to perform as vaccinators and; other activities directly related to the Pandemic (H1N1) 2009 influenza and regular flu vaccine campaigns;

11. Pursuant to §5215 of Title 5, Guam Code Annotated, authorizing emergency procurement upon executive order, and pursuant to 5 G.C.A. 22402, authorizing the Governor to utilize no more than Two Hundred Fifty Thousand Dollars (\$250,000.00) from General Fund appropriations for the Executive Branch for expenses related to the Pandemic (H1N1) 2009 influenza response.

The Director of Bureau of Budget Management Research (BBMR) is authorized to transfer funds to the Department of Public Health and Social Services and/or to the Guahan Homeland Security/Office of Civil Defense an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) from outstanding appropriations within the General Fund for funding this Executive Order.

The Department of Public Health and Social Services and/or the Guahan Homeland Security/Office of Civil Defense shall provide a written report of the expenditures of such funds to BBMR for the Governor to provide such report to include the source of funding to I Liheslaturan Guahan and the Public Auditor within five (5) days of such transactions.

Emergency procurement and expenses shall be for equipment and transportation rental, media services, supplies and materials, medical and pharmaceutical supplies, vaccine points of distribution operations (PODS), vaccine storage, hazardous material disposal, and other related expenses.

Emergency procurement and expenses shall take effect immediately and continue for 30 days after the promulgation this Executive Order;

12. This Executive Order shall authorize overtime, to employees, including exempt employees, of I Gobietnon Guahan agencies, line and autonomous, inclusive of the Mayor's Council, designated planning, recovery and response activities to Pandemic (H1N1) 2009 influenza and regular flu campaign. The certification and authorization of such overtime shall be coordinated by the Director of DPHSS and the Homeland Security Advisor for the operations of their respective Emergency Operating Centers (EOC) and Public Health Incident



Command Center. Overtime costs shall be authorized upon execution of this Executive Order for approval of up to 30 days;

13. This Executive Order shall authorize the Director of Public Health & Social Services, the Guahan Homeland Security Advisor, Director of Budget and Management Resources, and the Director of Administration to take all measures which are necessary to expedite the process for the hiring of limited term employees to the Department of Public Health & Social Services and Guahan Homeland Security/Office of Civil Defense in order to directly assist in the finance, operations, planning and logistics support functions for the Pandemic (H1N1) 2009 influenza and regular flu vaccine campaigns and community mitigation efforts. The period of limited term appointments shall not exceed (90) days from the effective date of hire; and
14. The Department of Public Health and Social Services and Guahan Homeland Security/Office of Civil Defense are hereby instructed to maintain appropriate documentation relative to their respective agency expenses pursuant to this Executive Order for inspection by the Executive and Legislative Branches and by the Public Auditor of Guam.

**SIGNED AND PROMULGATED** at Hagatna, Guahan this 11<sup>th</sup> day of March, 2010.

**MICHAEL W. CRUZ, MD**

*I Maga' lahen Guahan para pa'go*  
Acting Governor of Guahan

**COUNTERSIGNED:**

**JUDITH T. WON PAT, Ed.D**

*I Segundu Maga'lahen Guahan para pa'go*  
Acting Lieutenant Governor of Guahan

