

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

Via Hand Delivery
and E-mail: speaker@guamlegislature.org

September 28, 2021

HONORABLE THERESE M. TERLAJE

Speaker
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: Executive Order No. 2021-24

Hafa Adai Madame Speaker:

Pursuant to Public Law 34-16, transmitted herewith is the following Executive Order:

**EXECUTIVE ORDER NO. 2021-24:
RELATIVE TO EXTENDING THE PUBLIC HEALTH EMERGENCY AND
CLARIFYING GARNISHMENT POLICY FOR ALL RISE PROGRAM**

Thank you.

Senseremente,

A handwritten signature in blue ink, appearing to read "Sophia Santos Diaz".

SOPHIA SANTOS DIAZ
Legal Counsel

Enclosure: Executive Order No. 2021-24

cc via email: *Maga'hāgan Guåhan*
Sigundo Maga'lāhen Guåhan
Hon. F. Philip Carbullido, Chief Justice of Guam
Compiler of Law
Central Files
Cabinet Members

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ISLAND OF GUAM
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HAGÁTÑA, GUAM 96932
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EXECUTIVE ORDER NO. 2021-24

**RELATIVE TO EXTENDING THE PUBLIC HEALTH EMERGENCY AND
CLARIFYING GARNISHMENT POLICY FOR ALL RISE PROGRAM**

WHEREAS, on March 14, 2020, I, Lourdes A. Leon Guerrero, *I Maga'hågan Guåhan*, Governor of Guam, acting pursuant to the power provided by the Organic Act of Guam and the laws of Guam, declared a public health emergency in the island of Guam due to dangers posed by the 2019 novel coronavirus ("COVID-19"); and

WHEREAS, since declaring a public health emergency, Guam has suffered one hundred ninety-two (192) COVID-19 related deaths; and

WHEREAS, as of the time of this writing, over fourteen thousand (14,000) individuals have tested positive for COVID-19 in Guam; and

WHEREAS, as part of the vaccination plan, the Department of Public Health and Social Services ("DPHSS") and the Guam National Guard have led community vaccination clinics; and

WHEREAS, notwithstanding substantial vaccinations within our community, we have experienced a recent surge in positive cases on our island, with our daily new cases averaging 122.3 and our effective retransmission value at 0.88 as of the time of this writing; and

WHEREAS, since June 2020, Guam has relied on the Covid Area Risk ("CAR") Score to assess the risk of COVID-19 spread, which is calculated using three (3) main data points – effective retransmission rate, test positivity rate, and new cases per 100,000 persons; and

WHEREAS, while Guam's CAR Score held below five (5) from late November 2020 and below 2.5 since the second week of December 2020, due to the recent rise in positive cases and the effective retransmission rate, the CAR Score is calculated at 22.9 as of the time of this writing; and

WHEREAS, at the time of this writing there are seventy-two (72) patients hospitalized with COVID-19, including eighteen (18) in intensive care and seven (7) on ventilators; and

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WHEREAS, across the country and throughout the world, communities are suffering from a shortage of healthcare workers who are critical to responding to the medical response to our current public health emergency; and

WHEREAS, in Executive Order No. 2020-05, I suspended licensing requirements, permits, and fees for health care providers in an attempt to satisfy our staffing demands; and

WHEREAS, since the start of this public health emergency, we have availed of temporary assistance from traveling nurses and Department of Defense and Federal Emergency Management health care personnel and I have utilized my authority over executive branch agencies to assign personnel to critical response areas; and

WHEREAS, despite these efforts, we continue to experience shortages in staffing in some critical areas, especially respiratory therapy and nursing; and

WHEREAS, it is necessary and appropriate to ensure that the waivers first authorized in Executive Order No. 2020-05 continue in effect: and

WHEREAS, it is important that we continue to be mindful of the reality that the COVID-19 pandemic remains a threat to our safety as a community, and that we all exercise personal judgment, and take steps as individuals towards protecting ourselves and our loved ones against this disease, including getting vaccinated; and

WHEREAS, we must encourage our friends and family, especially those with comorbidity factors, to get vaccinated, and keep themselves and their loved ones safe; and

WHEREAS, as our community works to recover from this global pandemic's impact on our lives, it is important to recognize that the public health emergency has not yet ended and that we are now, and will continue to be for some time, engaged in emergency response; and

WHEREAS, by getting vaccinated and continuing to practice basic mitigation measures of washing hands, wearing masks, and maintaining social distance, we will continue to make strides towards containing the spread of COVID-19 on our island, and keeping our community safe; and

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WHEREAS, on August 12, 2021, I issued Executive Order No. 2021-18, re-establishing the ALL RISE Program, a direct aid cash assistance program for individuals and households intended to extend immediate aid to the most vulnerable people in our community who were adversely affected economically due to COVID-19; and

WHEREAS, through the diligence of the Department of Revenue and Taxation, over 37,600 applications for the ALL RISE Program have been processed, and approximately 24,800 applications totaling \$26.2 million has been disbursed to members of our community.

NOW THEREFORE, I, LOURDES A. LEON GUERRERO, *I Maga'hågan Guåhan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam as amended, do hereby order:

- 1. EXTENSION OF THE PUBLIC HEALTH EMERGENCY.** The public health emergency first declared in Executive Order No. 2020-03 and extended in Executive Order Nos. 2020-09, 2020-11, 2020-16, 2020-22, 2020-24, 2020-29, 2020-35, 2020-38, 2020-41, 2020-46, 2021-03, 2021-05, 2021-07, 2021-09, 2021-12, 2021-15, 2021-16 and 2021-20 shall be extended for an additional thirty (30) day period, effective September 30, 2021. The public health emergency is now scheduled to expire on October 29, 2021.
- 2. CLARIFICATION OF EXECUTIVE ORDER NO. 2021-18 AS IT PERTAINS TO GARNISHMENT OF FUNDS.** Executive Order No. 2021-18 is hereby clarified to confirm that funds received pursuant to the ALL RISE Program are not subject to garnishment.
- 3. LICENSURE OF HEALTHCARE PROFESSIONALS.** Pursuant to the authority provided under Title 10 Guam Code Annotated Section 19608 and in an effort to provide for the health and public safety of our community, health care personnel may be appointed to serve for the duration of this public health emergency. All licensing requirements, permits or fees required by law, rule, regulation for health care providers whose services are directed toward addressing needs of the public health emergency, including, but not limited to, respiratory therapists and nurses are waived and such waiver will continue in effect until the public health emergency terminates.

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4. **SEVERABILITY.** If any provision of this Executive Order or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Order that can be given effect without the invalid provision or application, and to this end, the provisions of this order are severable.
5. **PRIOR ORDERS REMAIN IN EFFECT.** All prior Executive Orders remain in full force and effect except to the extent they conflict with this Order.

SIGNED AND PROMULGATED at Hagåtña, Guam, this 28th day of September 2021.

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Attested by:

JOSHUA F. TENORIO
Sigundo Maga'låhen Guåhan
Lieutenant Governor of Guam

