

MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (SECOND) Regular Session

Bill No. 77(COR)

Introduced by:

F. B. AGUON JR.

NR - 9 2009 18/12/09 PM 12:49

AN ACT TO MERGE THE DEPARTMENTS OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES INTO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE IN ORDER TO ENSURE A MORE FULLY FUNCTIONAL AND COMPREHENSIVE SERVICE TO THOSE INDIVIDUALS IN NEED

1 **Section 1. Legislative Findings and Intent :** (a) Reorganization of
2 several government of Guam departments and agencies are necessary in
3 order to promote effective management of the Executive Branch of the
4 Government of Guam, to reduce the overall size and operational costs of
5 the government in light of limited revenues and financial resources, to
6 streamline operations and services to the public, and to eliminate
7 duplicative programs and services among the different agencies and
8 departments,

9 (b) Within the government of Guam are two (2) agencies that provide
10 overlapping services: the Department of Mental Health and Substance
11 Abuse (DMHSA) which provides comprehensive inpatient and
12 community-based outpatient mental health, alcohol and drug programs
13 and services to the people of Guam and (2), the Department of Integrated

1 Services for Individuals with Disabilities (DISID) , which serves a public
2 service to coordinate and provide vocational rehabilitation and
3 comprehensive community services for eligible individuals with
4 disabilities.

5 (c) DMHSA and DISID provide similar services to individuals' with
6 disabilities and with the government's present financial crisis a merger of
7 these departments will allow for the continued ability of services to those
8 individuals to be continued without necessary interruption.

9 (d) Further, pursuant to Civil Case No. 04-0005, the US District Court
10 has indicated that the merger of these departments into one, would be
11 appropriate in cost measures and in ensuring that the consumers of both
12 departments would be properly served.

13 **Section 2. Consolidation and Merger and Existing Agencies into the**
14 **Department of Mental Health and Substance Abuse except for the**
15 **Division of Vocational Rehabilitation which shall now be renamed the**
16 **Department of Vocational Rehabilitation.** The Department for Integrated
17 Services for Individuals with Disabilities (DISID) and its Division of
18 Support Services are hereby merged into the Department of Mental Health
19 and Substance Abuse (DMHSA) under the direction and control of the
20 Director and Deputy Director of DMHSA. The Division of Vocational
21 Rehabilitation, which is currently part of DISID shall stay with DISID as a
22 stand alone unit and be renamed the Department of Vocational
23 Rehabilitation.

1 **Section 3. Transfer of Responsibilities.** All programs, mandates,
2 responsibilities and duties of the Department of Integrated Services for
3 Individuals with Disabilities as laid out in 17 GCA Section 41101 et seq. are
4 transferred to the Department of Mental Health and Substance Abuse with
5 the exception of the duties and responsibilities of the Division of
6 Vocational Rehabilitation , which shall remain with DISID (now named the
7 Department of Vocational Rehabilitation).

8 **Section 4. Funding Transfer to DMHSA.** All funding given to
9 DISID, (now the Department of Vocational Rehabilitation), including
10 Federal funding, with the exception of the funding for the Division of
11 Vocational Rehabilitation shall be transferred to DMHSA.

12 **Section 5. Transfer of Employees to DMHSA.** All employees ,
13 including those funded by federal funding , with the exception of the
14 Director, Deputy Director and her private secretary, and those employees
15 specifically hired for the Division of Vocational Rehabilitation , shall be
16 transferred to DMHSA. Those employees who are transferred shall be
17 entitled to their current position and title pursuant to Section 6.007 of the
18 Department of Administration’s Personnel Rules and Regulations.

19 **Section 6. Transfer of Equipment to DMHSA.** All equipment that
20 was obtained by DISID (now the Department of Vocational Rehabilitation),
21 shall be transferred to DMHSA. The only equipment that will remain with
22 DISID shall be those equipment obtained using the Division of Vocational
23 Rehabilitation funds.

1 **Section 7. Transition Period.** The total responsibility currently
2 under the control of the Department of Integrated Services for Persons with
3 Disabilities shall be transferred three (3) months after the passage of this
4 bill. Immediately upon passage of this bill, the Directors of both agencies
5 shall establish timelines for the transfers as stated above as well as ensuring
6 that this transition be made smoothly during this transition period.

7 **Section 8. Responsibilities of Federal Programs Currently under**
8 **DISID.** Those federal programs that are currently under DISID (now the
9 Department of Vocational Rehabilitation), with the exception of the
10 Division of Vocational Rehabilitation, shall be taken over by DMHSA.
11 DMHSA shall ensure that all of the federal duties and responsibilities of
12 the Federal Programs be continued without interruption. The Directors of
13 the Bureau of Budget and Management Research and the Department of
14 Administration shall provide technical assistance to ensure that the staff at
15 DMHSA is able to absorb these additional responsibilities and duties with
16 the minimum of delay.

17 **Section 9.** Should any section be deemed to be inorganic, the rest of
18 the sections shall be in full force and effect.

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