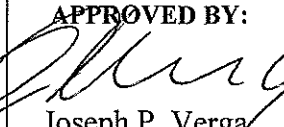


**GUAM MEMORIAL HOSPITAL AUTHORITY
RISK MANAGEMENT MANUAL**

APPROVED BY:  Joseph P. Verga, MS, FACHE Hospital Administrator/CEO	RESPONSIBILITY: Risk Management	EFFECTIVE DATE: 1/14/1999	POLICY NO. 6180-5	PAGE 1 of 2
TITLE: SUBPOENA OF GMHA EMPLOYEES				
LAST REVIEWED/REVISED: 08/2009; 09/2012				
ENDORSED: SMC 8/2009, MEC 8/2009, EMC 8/ 2009, BOT 8/2009;EMC 9/2012; BOT 4/2013				

PURPOSE:

The purpose of this policy is to ensure that in the event an individual in the employ of Guam Memorial Hospital Authority (GMHA) is issued a subpoena that the subpoena is properly served and legally enforceable.

POLICY:

Any employee of GMHA who is served a subpoena in their capacity as an employee of GMHA shall immediately notify the Hospital Administrator and Risk Management Program Officer.

DEFINITION:

A subpoena shall be issued by the clerk under the seal of the court. It shall state the name of the court and the title, if any, of the proceedings, and shall command each person to whom it is directed to attend and give testimony at the time and place specified therein. (8 GCA Chapter 75 Article 1 Section 75.10).

PROCEDURE:

A. Subpoena ad Testificandum

1. Who may accept the subpoena being served?

Only the individual(s) named on the subpoena shall accept the subpoena. Another employee or the employee's supervisor cannot accept a subpoena on behalf of the employee being served. Process Server will be directed to the Human Resources Department by Administration where they will identify the staff member to be served. The Human Resources staff will make contact with the staff member and coordinate a meeting with the Process Server.

2. Who is to be notified of the subpoena?

- a. Upon having served a subpoena, the employee shall immediately notify his/her immediate supervisor and the Risk Management Program Officer. Further, the employee served will provide the Risk Management Program Officer with a copy of the subpoena and

contact addresses and telephone numbers where the employee can be reached during off duty hours.

- b. The Risk Management Program Officer will contact the hospital attorney in regards to any subpoena being served a GMHA employee in their capacity as an agent of GMHA for legal review.

- c. The Risk Management Program Officer shall notify Administration should hospital legal counsel deem it necessary and prudent.

3. Appearance before the Court:

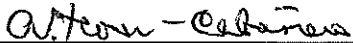
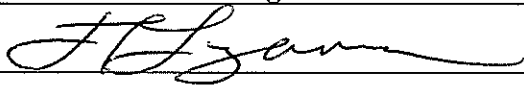
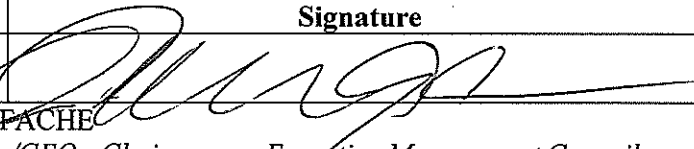
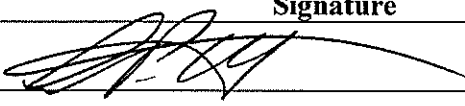
- a. Failure by any person without adequate excuse to obey a subpoena served upon him may be deemed a contempt of the court from which the subpoena was issued (8 GCA Chapter 75 Article 1 Section 75.35).

- b. An employee, who is subpoenaed, is placed on administrative leave pending proper notification of Hospital Administrator so that they may appear as directed. Any compensation received from the court shall be forwarded to the Chief Finance Officer if the employee has been granted administrative leave.

**GUAM MEMORIAL HOSPITAL AUTHORITY
REVIEW AND ENDORSEMENT CERTIFICATION**

The signatories on this document acknowledge that they have reviewed and approved the following:

- Bylaws Submitted by Department/Committee: RISK MANAGEMENT
Aurora F. Cabanero
- Rules & Regulations Policy No.: 6180-5
- Policies & Procedures Title: SUBPOENA OF GMHA EMPLOYEES

Reviewed/Endorsed	Date	Signature
	9/19/2012	
Title	Aurora F. Cabanero <i>Hospital Risk Management Program Officer</i>	
Reviewed/Endorsed	Date	Signature
	3/27/13	
Title	Florencio T. Lizama, M.D. <i>Associate Administrator, Medical Services</i>	
Reviewed/Endorsed	Date	Signature
	3/27/13	
Title	Joseph P. Verga, MS, FACHE <i>Hospital Administrator/CEO ; Chairperson, Executive Management Council</i>	
Reviewed/Endorsed	Date	Signature
	4/4/13	
Title	Lee P. Webber <i>Chairman, GMHA Board of Trustees</i>	
Reviewed/Endorsed	Date	Signature
Title	Name Title	
Reviewed/Endorsed	Date	Signature
Title	Name Title	
Reviewed/Endorsed	Date	Signature
Title	Name Title	

***Use more forms if necessary. All participating departments/committees in developing the policy should provide signature for certification prior to submitting to the Compliance Officer.**