

May 10, 2021

VIA EMAIL: senatorterlajeguam@gmail.com

Honorable Therese M. Terlaje
Chairperson
COMMITTEE ON HEALTH, TOURISM, HISTORIC
PRESERVATION, LAND AND JUSTICE
35th GUAM LEGISLATURE
173 Aspinall Avenue, Suite 207
Hagåtña, Guam 96910

Re: Bill 112-36

Dear Speaker Terlaje:

This letter is written to oppose Bill 112-36 which would repeal the Guam Mandatory Medical Malpractice Arbitration Act (the "Arbitration Law").

By way of introduction, I am the President of the Medical Staff at the Guam Memorial Hospital Authority ("GMHA") and this letter is written in that capacity. Even though, as healthcare providers at GMHA, the Medical Staff would personally remain subject to the Government Claims Act process, as such we very much oppose Bill 112-36.

We believe that the proposed procedures in Bill 112-36 would not deter unmeritorious claims, but instead would create an "open season" for claims against healthcare providers. As such, we are concerned that this would have a very negative impact on healthcare on Guam.

Currently, the Medical Staff at GMHA rely on the assistance of a variety of specialists from outside GMHA, and our community providers assist in treating many of our patients. Should Bill 112-36 be enacted, we understand that specialists will either relocate or reduce the scope of their practice and many would limit access to their clinics. For example, Medical Staff at GMHA treating children currently consult with physicians with adult medicine specialties, as Guam often lacks physicians with similar child specialties. But with the expanded liability under Bill 112-36, we doubt that adult specialists will be willing to continue to so assist. This goes further with our unborn babies, who may have to depend on community OB specialists for consultations and management of high risk pregnancies may become unavailable.

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The net effect of Bill 112-36 will be to increase patient demand on GMHA, as the provider of last resort, while at the same time depriving the island of the very specialists which it so dearly needs. Bill 112-36 would gut the provision of healthcare on Guam.

The Medical Staff of GMHA are in opposition to Bill 112-36. We urge you to not repeal the arbitration law.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dustin B. Prins", with several overlapping loops and a long horizontal stroke at the end.

Dustin B. Prins, DPM, MA, FACFAS, CWSP
President of Medical Staff at Guam Memorial Hospital Authority