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Executive Director Pram Sullivan Ph: 671 483-6600

Office of the Attorney General of Guam
c/o: Attorney Lee Miller

SUBJECT: Immediate Jeopardy at the Guam Memorial Hospital (GMH)

Dear Attorney General:

With **less than 130 functional acute care beds**, GMH is Micronesia's largest civilian public hospital, serves thousands of patients a year, and is the region's busiest obstetric and pediatrics hospital.

Immediate Jeopardy is a federally defined situation determined by the United States Centers for Medicare and Medicaid Services (CMS) in which a hospital's noncompliance with one or more safety requirements has caused, or is likely to cause, serious injury, harm, impairment or death to a patient.

When CMS documents immediate jeopardy to patient health or safety, the noncompliant hospital has 23 calendar days to rectify the safety violations.

Immediate jeopardy is rare. Over the past 15 years involving more than 30,500 hospital deficiencies across the nation, only 2.4 percent resulted in immediate jeopardy.

Since 2011, then again in 2018, and now in October 2023, the numerous serious immediate threats to patient safety repeatedly and currently found by CMS reveals an incestuous culture of immediate jeopardy at GMH.

The federal record contains a gory multitude of scathing CMS and Army Corps of Engineers reports documenting repeated failures by GMH leadership to provide a sterile hospital environment, protect patient safety, report medical errors, and correct medical issues such as pharmaceutical and diagnostic supply shortages.

Ad nauseum, GMH has been cited for numerous violations dealing with the Life Safety requirements and physical condition of facilities at the hospital.

Most recently and only after formal censure by the Guam Legislature, GMH submitted itself to an internal assessment of toxic mold contamination. Local mold experts submitted their report and recommendations more than two months ago. GMH leadership has refused to inform medical staff and patients about the toxicology results and the implications.

Meanwhile over the past 6 months, the American Medical Center has treated GMH staff for a multitude of upper respiratory and pulmonary diseases. A review of AMC patient records reveals increased respiratory disease among GMH staff prior to and during the period that GMH took their sweet time to do their mold investigation.

The increased hospital employee illnesses have occurred since the significant water contamination caused by hospital structural damage suffered due to Super Typhoon Mawar in May 2023. It is more likely than not that GMH patients were even more significantly sickened by the probable toxic mold contamination in the hospital.

Besides being potentially poisoned by toxic mold in the air at GMH, unlucky heart attack patients have now also to accept that GMH has run out of critical medicines and laboratory tests. Although most heart attack patients can live without taking fundamental narcotic analgesics such as Stadol, the lack of cornerstone laboratory tests such as troponin cardiac biomarkers is likely to result in missed diagnosis and unnecessary death.

The most immediate jeopardy perpetrated by GMH is their lack of urgency in informing the Guam community about the true limitations now imposed by GMH's worsening ability to reliably obtain necessary medicines and supplies. GMH's lack of transparency or sense of urgency has likely resulted in unsuspecting patients admitting themselves to GMH for hospital care not knowing that there are probably better supplied facilities at the two other hospitals on Guam.

Among its many sins, GMH's greatest omission is the lack of acceptance of responsibility to tell the community what it cannot do safely on any given day of the week.

With the tragic deaths of several obstetric healthcare providers, the lack of doctors to safely deliver sick babies at GMH has risen to emergency level. Already suffering some of the worst cases of preventable maternal and fetal deaths in the nation, Guam now ignominiously enters the year 2024 with progressively worsening care of pregnant women and newborn babies at GMH.

GMH has reneged on a multitude of secret medical malpractice lawsuit settlements by not implementing promised safety measures. Thusly, further clinical misadventures have injured and maimed a growing number of innocent women and children who trusted GMH with their lives.

While the Leon Guerrero administration has pushed the narrative that problems at the island's public hospital stem from a lack of funding, CMS survey reports show that GMH violations deal largely with a horribly maintained facility; a lack of proper safety procedures for patient care; and the lack of a system of medical staff accountability.

Over the past too many years, many doctors and nurses and frustrated Guamanians have testified before the Legislature that GMH problems are due to failed hospital leadership, systemic political corruption, and gubernatorial mismanagement.

On behalf of the more than 28,500 Guamanians who have trusted the American Medical Center for their family's primary healthcare in the past 24 months, we demand that the Government of Guam immediately obtain Joint Commission accreditation in order to ensure our patients' safety when they receive medical care at the Guam Memorial Hospital.

If necessary, we support the immediate federal receivership of the Guam Memorial Hospital in order that Joint Commission safety standards can be immediately obtained and maintained.

Sincerely,

A handwritten signature in blue ink that reads "Pramila Sullivan". The script is cursive and fluid.

Pramila Sullivan
GMA Executive Director

On behalf of Dr. Hoa Van Nguyen, MD and Dr. Vincent Taijeron Akimoto, MD

