



## TESTIMONY Appeal to remove the MMMA

Thu, May 20, 2021 at 9:13 PM

DL [REDACTED]  
To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>, SENATOR TELO TAITAGUE  
<senatortelot@gmail.com>

Dear Speaker Terlaje and Senator Taitague.

When I received the FOIA request regarding Bill 112 I noticed that the following and attached was not included for the file. Anelyn also told me she emailed every Senator.

We hope this can be added to the 112-36 file.

Thank you so very much

David Lubofsky

----- Forwarded message -----

From: Anelyn Lagrimas [REDACTED]  
Date: Fri, Feb 26, 2021 at 10:59 PM  
Subject: Appeal to remove the MMMA  
To: <senatortelot@gmail.com>

The following attached:

- Letter to Senator Taitague
- before and after image of negligent hospital injury
- proof of public document stating never event/medical error occurred
- email from Dr. Cabrera stating that the bill (overall cost of \$2 million) will not be charged to us due to the hospital injury
- 3,100 petitioners and counting on change.org

Two attached image files are proof that my dad's injury was caused by the hospital, yet even with overwhelming evidence of admittance by the former Chief himself, my dad could not get justice for a hospital-inflicted injury because of the MMMA. The MMMA prevented us from seeking help and patient protection because the MMMA made us helpless in the eyes of Guam law and there could be no other way to save my dad from the maltreatment he underwent during the entire year he was stuck there.

Also because I spoke at the MMMA informational hearing, I was also chastised and banned from seeing my dad at the hospital for publicly making my complaint known, they said my complaints were false statements and because they are a private hospital, they could do that despite my dad begging them to let me see him.

 Sen Taitague.docx  
17K

To: Honorable Telo T. Taitague  
Ste 309 DNA Bldg  
238 Archbishop Flores St.  
Hagatna, GU 96910

Guam Citizen's Plea to remove forced arbitration for Medical Malpractice cases (The MMMA act)

Dear Honorable Senator Taitague,

After my dad was forced to stay in the hospital for a year due to a negligent hospital injury, our lives would never be the same again. I can't get my dad back but I'm writing this to put an end to the horrors and injustice patients and family members would have to face if the MMMA is not repealed.

We've turned a blind eye to the issues raised far too long and many people are unaware of the existence of this unjust law. Many who I have spoken to about my story were in shock of its existence and strongly agreed that it should be removed, along with the more than 3,000 petitioners that I've garnered through social media.

Not a day went by that I did not shed tears for the duration that my dad had to stay in the hospital. He was admitted on July 1 2019 for sepsis, after he recovered by the end of July 2019, we discovered that the entire center of his butt was gone, and instead it was a big crater like hole in which I can fit the entire length of my head in. It was greenish black and smelt of rotting flesh, drenched in feces. The wound was so deep that it reached his bones. He had developed a hospital acquired Stage IV bedsore due to negligence in which he was left to lay on his back in a pool of his stool that they left for 8-12 hours in multiple instances uncleaned in between shifts the entire month he was there (when standard protocol requires patients to be turned every 2 hours) The injury would later then cause him to stay for an entire year. A classified 'Never Event' in which any medical insurance would not cover due to the extreme neglect in the hospital's part. Never events are also referred to as medical errors in which such an event should never happen to a patient.

The injury left my dad damaged. He was left an entire year left in the hospital due to a hospital injury and out of his own control. My dad underwent such horrors that even I could not bear because I could do absolutely nothing but watch my dad suffer because of the MMMA.

Guam law prevented me from seeking any help or justice to save my dad simply because we could not fork out hundreds of thousands of dollars for a private arbitration hearing and because of forced arbitration, every attorney on Guam would not take the case. There was nothing we could do as the hospital did whatever they wanted with my dad, even to the point of deliberately stopping me from seeing him because it's a 'private' due to the complaints I had publicly made on the legislative floor. To think countless families had to go through this silently because they felt just as helpless as I did to think their voices would not be heard. I'm writing to you because I strongly believe that, that will not be the case and patients are to be protected and should gain open access to the public court to have an open

investigation into these cases. (As granted by rights established in the US Constitution: *The 7th Amendment; The right to a civil court trial*)

It's come to the point that the injustice done to patients who were injured or wrongful death due to medical error and neglect has been acceptable for far too long.

Losing my dad was extremely hard especially because had he not been injured at the hospital, he would still be here today. He didn't even reach the age of 60. He was 59 years old and for 35 years he worked as a construction painter on Guam. There was not a single hotel he did not paint in the hot sun and on the highest floor. He's not well-connected. He's not a senator's or doctor's relative or father or son that is well-known to be made sure he is not be neglected or looked after for.

He was admitted alert, conscious and talking to the nurses while in dirty, sweaty work attire covered in dirt and paint. If only he was someone important, maybe he wouldn't have been left there to have his flesh rot while he was still alive and sedated. The injury my dad sustained is unacceptable, cruel and inhumane, and so I beg you to do what is morally right and to remove the MMMA that does not serve the majority of the people of Guam's interest and patients' protections.

My dad may have been a nobody but he raised me to know what is right and wrong, and what happened to my dad was horribly and unjustly wrong while I had to witness him in that state for an entire year, and no government agency, attorney or the court would help us because of the restrictions of the MMMA (Mandatory Medical Malpractice Arbitration Act).

I sincerely implore you,

Anelyn Lagrimas