

Testimony against Bill #112

June 23, 2021

Hafa Adai Speaker Terlaje, Members of the 36th Guam Legislature and fellow citizens. My name is David Silva, I was born and raised in Guam, am a father, a husband and I reside in the village of Dededo. I am the General Manager of AB Risk Solutions, a professional Insurance Brokerage (formerly known as Aon Micronesia) which has been in business in Guam, albeit in different iterations for close to 70 years.

I am here today to testify against the passing of Bill #112.

In my professional capacity, I am the insurance broker to some of the island and region's largest and most technical risks. I find proper typhoon and flood insurance for hotels and businesses with ocean facing exposures, like you see in Tumon. I look after conglomerate businesses, with affiliates in the logistics, petroleum, telecommunications, hospitality & entertainment, food distribution, car dealership & service and construction industries to name a few. I currently serve as insurance broker to several island medical clinics, that include close to 100 credentialed medical professionals in their insurance programs. In a previous capacity as its Broker, I structured the malpractice insurance program for the island's private hospital, which at last glance had close to 300 credentialed providers covered in its program. Also, in a previous capacity, I structured 2 captive insurance companies in Guam, specifically designed to write the malpractice risks of their owner doctors & providers.

In closing, Just as no-one wakes up saying, "today I'm going to crash my car", it's reasonable to think that a doctor won't wake up saying "today I'm going to injure someone". Don't remove the provision that allows prudent professionals to insure themselves. Instead, perhaps focus efforts on enhancing peer review practices to restrict activities of those with previous claims histories or who are unsafe. Like any industry, weed out the bad apples. Update licensing requirements to be strict yet fair. Create a means for the cost of arbitration to defrayed for those in need. Could the public defender's office be tapped to support the financially less fortunate? Could a special fee be assessed as part of the medical licensing process to fund an "indigent arbitration pool"? The latter are called Risk Controls and are designed to prevent accidents and/or reduce the severity of those that can't be avoided.

I am available for discussion as needed.