



Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

**Bill 112-36 (COR) RELATIVE TO MEDICAL MALPRACTICE IN THE TERRITORY OF GUAM**

1 message

J. T. Landstrom, MD [REDACTED]@yahoo.com&gt;

Sun, Jul 11, 2021 at 6:44 PM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>, Senator Clynt Ridgell [REDACTED]@eleguam.net>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, "Office of Senator Kelly Marsh (Taitano) PhD." <office.senatorkelly@guamlegislature.org>, Senator Wil Castro [REDACTED]@gmail.com>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Louise Borja Muna <senatorlouise@gmail.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Senator Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, Senator Sabina Perez <office@senatorperez.org>, Vice Speaker Telen Cruz Nelson <senatorcnelson@guamlegislature.org>, Senator James Moylan [REDACTED]@gmail.com>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>

Honorable Senator Terlaje and Honorable Senators of Guam,

GMHA in the past did not report malpractice settlements to appropriate boards as mandated by Public Law 24-208 "Compulsory Reporting, and Investigation". PDN opinion on 9/26/2006 supported this law as it was recognized that it is essential for public safety. Historically, GMHA administration maintained they did not have a duty to report malpractice settlements. This is a barrier to improving and maintaining quality of care in Guam as licensing boards are gate keepers in maintaining the standard of care. Eventually, GMHA complied releasing a plethora of settled medical malpractice cases to the AG of Guam. This data never made it to the GBME. This historical event highlights a deficiency in reporting settled malpractice cases on Guam because this information is necessary for a health care licensing board to identify deviations from the standard of care of a licensee. Currently, the medical boards in Guam make decisions about an applicant based on what is stated by an applicant and other entities involved in the licensing process that are not capturing malpractice events due to non-compliance to Public Law 2-208. If one of the intents of bill 112-36 (COR) RELATIVE TO MEDICAL MALPRACTICE IN THE TERRITORY OF GUAM is to improve by fiat the standard of health care in Guam, it is my humble opinion that this goal will not be achieved in this bill's current form. There is nothing in bill 112-36 (COR) that will mitigate deviations from the standard of care as there is no mechanism for proactive intervention.

Lastly, GMHA does not require continued physician privileging through the American Board of Medical Specialists (ABMS) and the American Board of Surgery (ABS) "Maintenance Of Competence" (MOC) to maintain certification in area of specialty practice. MOC is one tool of many that can be utilized to assure that quality of care is maintained. But if data is not collected and shared regarding deviations from the standard of care, no quality care system available will be able to identify and correct deviations from the standard care until it is too late leading to health care malpractice.

It is clear what is necessary to improve health care on Guam and bill 112-36 does not accomplish this objective in its current form.

Hopefully my comments will assist in an unbiased assessment of bill 112-36 resulting in it being withdrawn and remediated and open to all stake holders for input to improve medical care for the People of Guam.

Respectfully,

Dr. Landström

ABMS Certified in Hand Surgery & Surgery: Certification Matters ([www.absurgery.org](http://www.absurgery.org))

***Exclusively Specializing in Upper Extremity, Hand & Reconstructive Peripheral Nerve & Vascular Microsurgery***

Member American Society for Surgery of the Hand & Fellow of the American College of Surgeons

***“Promoting Excellence and Expertise in Hand Surgery through Patient Centered Care & Maintenance of Competence”***

---

**2 attachments**



**GBME-AG RESPONSE TO GMHA PJC NEED TO REPORT MALPRACTICE CLAIMS TO GBME 9.6.2006.pdf**  
151K



**PDN SUPPORT OF GBME REQUEST FOR GMHA TO REPORT MALPRACTICE SETTLEMENTS TO GBME.pdf**  
9K