



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Fwd: Fw: Mandatory Medical Arbitration/Bill 112

1 message

Speaker Therese M. Terlaje <speaker@guamlegislature.org>
To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Tue, Jul 6, 2021 at 8:38 AM

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

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

From: **lynn wolf** <[REDACTED]@hotmail.com>

Date: Mon, Jul 5, 2021 at 10:00 PM

Subject: Fw: Mandatory Medical Arbitration/Bill 112

To: speaker@guamlegislature.org <speaker@guamlegislature.org>, senatormunabarnes@guamlegislature.org <senatormunabarnes@guamlegislature.org>, officeofsenatorshelton@guamlegislature.org <officeofsenatorshelton@guamlegislature.org>, senatortcnelson@guamlegislature.org <senatortcnelson@guamlegislature.org>, office@senatorperez.org <office@senatorperez.org>, senatorjoessanagustin@gmail.com <senatorjoessanagustin@gmail.com>, clyntridgell@guamlegislature.org <clyntridgell@guamlegislature.org>, senatorpedo@senatorjpterlaje.com <senatorpedo@senatorjpterlaje.com>, officeofsenatormoylan@guamlegislature.org <officeofsenatormoylan@guamlegislature.org>, office@senatorfrankblas.com <office@senatorfrankblas.com>, senatormary@guamlegislature.org <senatormary@guamlegislature.org>, senatorvanthonyada@gmail.com <senatorvanthonyada@gmail.com>, senatorchrisduenas@gmail.com <senatorchrisduenas@gmail.com>

From: [REDACTED]**Sent:** Monday, July 5, 2021 7:55 AM**To:** voice@guampdn.com <voice@guampdn.com>**Subject:** Mandatory Medical Arbitration/Bill 112

Please do not let the island be bullied into disregarding the need for Bill 112, a bill aimed to reestablish the rights of patients to seek compensation for medical malpractice. It seems as if the medical community of Guam is holding the island hostage. As reported on local news, an established medical practice here on island is threatening to relocate to Hawaii if the bill passes. A large clinic is threatening to suspend certain services forcing people to go off island for medical procedures and treatments if the bill passes. As a health care worker, I decided to do a bit of research before deciding if I was going to support Bill 112.

The concept of mandatory medical arbitration is rooted in purely financial, not ethical, motivation and was spearheaded by Wall street and insurance companies in the 1980's in order to increase profits. After one court case questioning the prudence of mandatory medical arbitrations one judge opined that mandatory medical arbitration laws are a "get out of jail free" card for all potential transgressions. The right to appeal can be forfeited with mandatory arbitration. Discovery and cross examination of witnesses can be compromised. The state of California calls medical arbitration laws "procedurally unconscionable".

Physicians that practice in locations with mandatory medical arbitration laws pay significantly less malpractice insurance rates. Perhaps this contributes to the vehement opposition by the island physicians and health care facilities?

7/6/2021

Gmail - Fwd: Fw: Mandatory Medical Arbitration/Bill 112

I have come to the conclusion that mandatory medical arbitration essentially nullifies the legal protections we have been granted in the Bill of Rights. It has been my experience that health care workers go above and beyond to ensure that patients receive good medical care but unfortunately, as humans, mistakes happen. Some patients require very expensive long term care after medical mistakes. How can a family provide that care without just compensation when negligence has occurred? Why should health care providers not be held responsible if negligence occurs? Mandatory medical arbitration can cost \$100,000 or more. I can't afford that. Can you?

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Sinajana
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