

Bill 112 testimony for July 7, 2021

I support Bill 112 because it protects patients' rights to be heard in court. It restores their voice that has been silenced for 30 years through unfair means by creating a roadblock for victims of malpractice from seeking justice.

Bill 112 removes the unfair forced arbitration and allows a pre-trial screening to protect doctors from frivolous claims.

If doctors who are supposed to 'do no harm,' think arbitration is for the better good, then should every claim other than malpractice be forced to arbitrate? No that was be unjust. There would be no need for the civil courts. Having no access to the civil courts would go against our right to a court trial.

I have not heard of any state that forces arbitration on their citizens without mutual agreement or consent. It is only fair that we be treated like every citizen in this nation to be granted the right to a civil trial.

We cannot right a wrong with another wrong by eliminating the rights to victims to grant special protections to those in a specific field.

Because at what cost are we willing to pay for this? At the cost of victims of malpractice that have suffered in silence. At the cost of someone left completely disabled due to a medical error or at the cost of a child who lost his life because the doctor never came to see him the entire night?

At what cost are we going to continue to allow this to happen? All we ask for is public accountability, like everyone else. Thank you.

Suggestions to add:

- Bill 112: add a selected panel that has no bias to the case consisting of a magistrate judge, an unbiased health care professional (off-island, video conference, telephone if need to be) and an **Ombudsman.**
- Revisions of the GBME and its members. Members and chairs should be elected by the people every 2 yrs. No donors from 3<sup>rd</sup> parties (Guam Medical Association, Guam Medical Society, Clinics, Clinicians, Private Hospitals, etc.)
- **Regulations, Overseer, Ombudsman for Guam's first and only Private hospital or hospitals (if ever) as most of malpractice claims stemmed from a private hospital that is new to Guam and there is no 3<sup>rd</sup> party/government ombudsman to look into complaints.**

(more to come)

Lagrimas, Anelyn