I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
322-38 (COR) As amended on the Floor.	Telo T. Taitague Therese M. Terlaje Chris Barnett Sabina Flores Perez William A. Parkinson Joe S. San Agustin	AN ACT TO *ADD* A NEW § 12212.2 OF ARTICLE 2, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PHYSICIAN PUBLIC PROFILE DISCLOSURES TO INCLUDE PRACTICE CAPACITY AND PROFESSIONAL LIABILITY INFORMATION TO PROMOTE INFORMED PATIENT DECISION-MAKING.	5/14/26 8:01 a.m. ^5/29/26 11:12 a.m.	5/29/26	Committee on Health and Veterans Affairs.	Request: 5/29/26 6/5/26	6/23/36 1:00 p.m.	9/11/26	
SESSION DATE		**TITLE**	**DATE PASSED**	**TRANSMITTED**	**DUE DATE**	**VETOED**	**NOTES**		
9/28/26		AN ACT TO *ADD* A NEW § 12212.2 OF ARTICLE 2, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PHYSICIAN PUBLIC PROFILE DISCLOSURES TO INCLUDE PRACTICE CAPACITY AND PROFESSIONAL LIABILITY INFORMATION TO PROMOTE INFORMED PATIENT DECISION-MAKING.	10/16/26	10/19/26	10/30/26	10/30/26	Received: 10/30/26 Mess and Comm. Doc. No. 38GL-26-3138		

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

38GL-26-3138

OFFICE OF THE SPEAKER
FRANK F. BLAS JR.
OCT 30 2026
Time: 4:30 pm
Received:

Transmitted via Email to: speakerblas@guamlegislature.org

October 30, 2026

THE HON. FRANK BLAS, JR., *Speaker*
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Bill No. 322-38 (COR), "AN ACT TO *ADD* A NEW § 12212.2 OF ARTICLE 2, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PHYSICIAN PUBLIC PROFILE DISCLOSURES TO INCLUDE PRACTICE CAPACITY AND PROFESSIONAL LIABILITY INFORMATION TO PROMOTE INFORMED PATIENT DECISION-MAKING."

Håfa Adai Mr. Speaker,

I am vetoing Bill No. 322-38 (COR). Although intended to promote transparency, the measure places additional burdens on physicians and our licensing authorities without demonstrating how its requirements will improve patient care. It creates unfunded administrative obligations and risks making physician recruitment and retention more difficult at a time when Guam needs to strengthen its medical workforce.

The bill requires physicians to disclose their practice capacity and malpractice insurance status for publication on the Guam Board of Medical Examiners' website. It also requires disclosures concerning the statutory claims process that may apply to services provided in a government capacity. These requirements concern the financial and legal circumstances surrounding medical services. They do not establish the quality of those services or a physician's ability to provide appropriate care.

Malpractice insurance can provide financial protection when a claim arises, but its presence or absence does not measure clinical competence. An insured physician is not necessarily more qualified than an uninsured physician. Publishing insurance status without adequate context risks encouraging patients to draw conclusions about medical ability that the information cannot support. Patients deserve reliable information about a physician's qualifications and ability to meet their healthcare needs.

This distinction matters. The bill does not require physicians to obtain malpractice insurance, establish minimum coverage, or expand a patient's right to compensation. Publishing a statement about the Government of Guam's claims process likewise does not change the protections or remedies available under that process. The measure creates disclosure obligations without establishing how they will improve treatment or prevent medical errors.

The medical community raised concerns about this approach. Physicians, including the Guam Medical Association, submitted opposing testimony at the public hearing. Doctors from Guam Memorial Hospital, our island's only public hospital, also cautioned about potential adverse impacts of the measure. Their concerns deserve serious consideration as we assess whether these requirements will help patients or create further obstacles to delivering care.

Recruiting and retaining physicians must remain a central healthcare priority. Additional reporting requirements create continuing compliance obligations for physicians already balancing patient care with administrative responsibilities. Those requirements should offer a clear public benefit that justifies their burden. Without demonstrating that, we risk making practice on Guam less attractive while doing nothing to address the difficulties patients face in obtaining care. A disclosure requirement cannot substitute for the availability of a qualified physician when a patient needs treatment.

The administrative burden also extends to our licensing authorities. Physicians must report changes in malpractice insurance status or practice capacity within thirty calendar days. The Guam Board of Medical Examiners must then review the information and update each public profile within thirty calendar days of receipt, with assistance from the Health Professional Licensing Office. These are continuing obligations that require staff to process submissions and keep public records accurate as physicians' circumstances change.

The Board's responsibilities include licensing physicians and addressing matters that bear directly on professional fitness and patient protection. Adding recurring deadlines without supporting resources further strains its capacity to perform those responsibilities. The bill's fiscal note identifies additional operational costs, yet the bill provides no funding to carry out those responsibilities.

Meaningful transparency should help patients understand their care and make informed choices. Its requirements must also be practical to administer and supported by adequate resources. Bill 322-38 does not sufficiently establish that its disclosures will improve patient care or justify the burdens imposed on physicians and our licensing authorities.

For these reasons, I am **vetoing** Bill No. 322-38 (COR).

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

38GL-26-3138
Messages and Communications
RECEIVED
COMMITTEE ON RULES
October 31, 2026
1:45 p.m.
Marie Crisostomo

Enclosure(s): Bill No. 322-38 (COR) - **VETO**
cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*

This is to certify that **Bill No. 322-38 (COR), "AN ACT TO *ADD* A NEW § 12212.2 OF ARTICLE 2, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PHYSICIAN PUBLIC PROFILE DISCLOSURES TO INCLUDE PRACTICE CAPACITY AND PROFESSIONAL LIABILITY INFORMATION TO PROMOTE INFORMED PATIENT DECISION-MAKING,"** was on the 16th day of October 2026, duly and regularly passed.

Frank F. Blas, Jr.
Speaker

Attested:

Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 19th day of October, 2026, at 4:53 o'clock P.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date:_____

Public Law No._____

2026-26653

OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: Glayne Tyalle
Date: 10/19/26 Time: 4:53pm

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 322-38 (COR)
As amended on the Floor.

Introduced by:

Telo T. Taitague
Therese M. Terlaje
Chris Barnett
Sabina Flores Perez
William A. Parkinson
Joe S. San Agustin
V. Anthony Ada
Frank F. Blas, Jr.
Vincent A.V. Borja
Shelly V. Calvo
Christopher M. Dueñas
Eulogio Shawn Gumataotao
Jesse A. Lujan
Tina Rose Muña-Barnes
Sabrina Salas Matanane

AN ACT TO *ADD* A NEW § 12212.2 OF ARTICLE 2, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING PHYSICIAN PUBLIC PROFILE DISCLOSURES TO INCLUDE PRACTICE CAPACITY AND PROFESSIONAL LIABILITY INFORMATION TO PROMOTE INFORMED PATIENT DECISION-MAKING.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that transparency and patient access to accurate and timely information are essential to making informed decisions regarding healthcare. Patients have a fundamental

interest in understanding not only a physician's licensure and disciplinary history, but also the nature of the physician's practice and the extent to which professional liability protections apply to the care they receive.

I Liheslaturan Guåhan finds that the Guam Board of Medical Examiners (GBME) currently maintains a searchable public website pursuant to § 12212.1 of Chapter 12, Title 10, Guam Code Annotated, which provides a profile page for all current and former licensees, including information on licensure status, disciplinary actions, and certain criminal convictions. However, current law does not require disclosure of whether a physician maintains professional liability (medical malpractice) insurance, nor does it clearly distinguish between services rendered in a private capacity and those rendered under the Government of Guam. *I Liheslaturan Guåhan* finds that this distinction is critical, as services provided in a government capacity may be subject to the Government of Guam Claims Act, which differs significantly from private malpractice coverage in terms of process, liability, and patient recourse. Ensuring that patients are aware of these differences promotes informed consent, accountability, and public trust in the healthcare system.

I Liheslaturan Guåhan further finds that requiring physicians to disclose their practice capacity and professional liability coverage, and requiring timely updates to such information, will improve the accuracy, usefulness, and reliability of publicly available physician profiles located on the Guam Board of Medical Examiners website.

It is therefore the intent of *I Liheslaturan Guåhan* to enhance physician profile disclosures by requiring the reporting of practice capacity, professional liability insurance status, and applicable government liability information; to ensure that such information is maintained in a timely and accurate manner; and to strengthen transparency, accountability, and informed decision-making for patients in Guam.

Section 2. A new § 12212.2 of Article 2, Chapter 12, Title 10, Guam Code Annotated, is hereby *added* to read:

"**§ 12212.2. Public Disclosure of Professional Liability.**

(a) Disclosure Required. In addition to the information required under § 12212.1 of this Chapter, each physician licensed under this Chapter and practicing on Guam, shall disclose to the Board, information sufficient to enable the Board to include in the physician's public profile, on the Guam Board of Medical Examiners website, the following:

(1) Practice Capacity. Whether the physician provides medical services:

(A) exclusively in a private capacity;

(B) exclusively in a government capacity as an employee of the government of Guam; or

(C) in both private and government capacities.

(2) Professional Liability Coverage for Private Practice. If the physician provides services in a private capacity, whether the physician maintains professional liability (medical malpractice) insurance for such services, and whether such coverage is active.

(3) Government Liability Disclosure. If the physician provides services in a government capacity, whether as an employee or under contract or other arrangement with the Government of Guam, a statement that such services may be subject to the Government of Guam's statutory claims process, including the Government of Guam Claims Act, as applicable under law.

(4) Dual Practice Clarification. If the physician provides services in both private and government capacities, disclosure of:

(A) Whether professional liability insurance is maintained for services rendered in a private capacity; and

(B) That services rendered in a government capacity may be subject to the Government of Guam's statutory claims process, the Government of Guam Claims Act, as applicable by law.

(b) Updates Required. Each physician shall submit updated information required under this Section to the Guam Board of Medical Examiners, in a form prescribed by the Board, within thirty (30) calendar days of any change in the physician's professional liability (medical malpractice) insurance status and practice capacity. Upon receipt of updated information, the Board shall review and update the physician's public profile no later than thirty (30) calendar days after receipt of information. The Health Professional Licensing Office of the Department of Public Health and Social Services shall, as applicable, assist the Board in maintaining accurate and current records."

Section 3. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or inorganic, such invalidity shall not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Section 4. Effective Date. This Act shall become effective upon enactment.