





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)	Telo T. Taitague Therese M. Terlaje Chris Barnett Sabina Flores Perez	AN ACT TO <i>AMEND</i> § 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.						

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

Bill No. 322-38 (COR)

Introduced by:

Telo T. Taitague 
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AN ACT TO *AMEND* § 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.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that transparency and patient access to accurate and timely information are essential
4 to making informed decisions regarding healthcare. Patients have a fundamental
5 interest in understanding not only a physician's licensure and disciplinary history,
6 but also the nature of the physician's practice and the extent to which professional
7 liability protections apply to the care they receive.

8 *I Liheslaturan Guåhan* finds that the Guam Board of Medical Examiners
9 (GBME) currently maintains a searchable public website pursuant to § 12212.1 of
10 Chapter 12, Title 10, Guam Code Annotated, which provides a profile page for all
11 current and former licensees, including information on licensure status, disciplinary

1 actions, and certain criminal convictions. However, current law does not require
2 disclosure of whether a physician maintains professional liability (medical
3 malpractice) insurance, nor does it clearly distinguish between services rendered in
4 a private capacity and those rendered under the Government of Guam. *I Liheslaturan*
5 *Guåhan* finds that this distinction is critical, as services provided in a government
6 capacity may be subject to the Government of Guam Claims Act, which differs
7 significantly from private malpractice coverage in terms of process, liability, and
8 patient recourse. Ensuring that patients are aware of these differences promotes
9 informed consent, accountability, and public trust in the healthcare system.

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

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

20 **Section 2.** § 12212.2 of Article 2, Chapter 12, Title 10, Guam Code
21 Annotated, is hereby *amended*, to read:

22 “ ~~§ 12212.2. Method of Disclosure [Repealed.]~~ **Public Disclosure of**
23 **Professional Liability.**

24 (a) Disclosure Required. In addition to the information required
25 under § 12212.1 of this Chapter, each physician licensed under this Chapter and
26 practicing on Guam, shall disclose to the Board, information sufficient to enable the

1 Board to include in the physician’s public profile, on the Guam Board of Medical
2 Examiners website, the following:

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

5 (A) exclusively in a private capacity;

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

8 (C) in both private and government capacities.

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

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

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

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

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

26 (b) Updates Required. Each physician shall submit updated
27 information required under this Section to the Guam Board of Medical Examiners,

1 in a form prescribed by the Board, within thirty (30) calendar days of any change in
2 the physician's professional liability (medical malpractice) insurance status and
3 practice capacity. Upon receipt of updated information, the Board shall review and
4 update the physician's public profile no later than thirty (30) calendar days after
5 receipt of information. The Health Professional Licensing Office of the Department
6 of Public Health and Social Services shall, as applicable, assist the Board in
7 maintaining accurate and current records.

8 (c) Annual Reporting Requirement. The Board shall submit an
9 annual report to the Governor of Guam and the Speaker of *I Liheslaturan Guåhan*,
10 which shall include, at minimum:

11 (1) A current copy of the physician public profile;

12 (2) An assessment of physician compliance with disclosure
13 requirements of this Act; and

14 (3) A report of violations and enforcement actions taken by
15 the Board within the reporting period; and

16 (4) Any recommendations for improving transparency,
17 compliance and reporting accuracy.

18 (d) Enforcement. Within One Hundred and Eighty (180) days from
19 enactment, the Guam Board of Medical Examiners shall adopt rules and regulations
20 to implement and enforce this Act, including procedures for reporting and
21 compliance, investigation of violations, and the imposition of administrative fines.
22 Such rules shall provide for due process, including written notice of alleged
23 violations, and opportunity to respond and be heard, and the right to a hearing
24 conducted in accordance with applicable law.

25 **Section 3. Severability.** If any provision of this Act or its application to any
26 person or circumstance is found to be invalid or inorganic, such invalidity shall not
27 affect other provisions or applications of this Act that can be given effect without

1 the invalid provision or application, and to this end the provisions of this Act are
2 severable.

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