



**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
PUBLIC HEALTH COMMITTEE
Friday, February 17, 2017**

HB 5564, An Act Concerning Accessibility Of Medical Diagnostic Equipment

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **HB 5564, An Act Concerning Accessibility Of Medical Diagnostic Equipment**. CHA opposes this bill as drafted.

Before commenting on the bill, it's important to point out that Connecticut hospitals provide high quality care for everyone, regardless of ability to pay. Connecticut hospitals are finding innovative solutions to integrate and coordinate care to better serve patients and communities, as well as achieve health equity. These dynamic, complex organizations are working to build a healthier Connecticut. That means building a healthy economy, community, and healthcare system. By investing in the future of Connecticut's healthcare and hospitals, rather than continuing to cut away at them, we will strengthen our economy, put communities to work, and deliver affordable care that Connecticut families deserve.

HB 5564 attempts to address an important issue: access to diagnostic care for persons with disabilities. CHA strongly supports the concept of improving care for this vulnerable population, who are often unable to access certain care modalities as easily as those without disabilities.

However, the bill's approach is misguided and overly broad. Generally, the bill seeks to convert federal guidance, a federal Board's committee report, and federal rules to assist with technical specifications into mandatory law in Connecticut, even though the guidance and rules are expressly not mandated under federal law, but meant to be instructive technical guidance.

Specifically, the bill seeks to have the findings of the Architectural and Transportation Barriers Compliance Board (today more commonly known as the U.S. Access Board) adopted as regulation in Connecticut. The U.S. Access Board's purpose is primarily to provide technical assistance, not mandates. It includes specifications for design of medical devices and facility structures to better accommodate the use of a variety of diagnostic equipment by adults with

disabilities. The report, technical guidance, and technical rules are excellent resources that have a very real and immediate place in planning and design of more accessible approaches to diagnostic equipment generally. But they are not mandates required to be implemented by providers. The recent final guidance rule, in place as of January 8, 2017, expressly states: *The MDE [medical diagnostic equipment] Standards do not impose any mandatory requirements on health care providers or medical device manufacturers.*

Mandating compliance with technical guidance is a costly misstep, and would set Connecticut off on the wrong path. The better course is to remain aligned with federal law.

In addition, DPH would need to hire an individual with the specialized expertise in this area to develop these standards.

It would be far more useful to patients and providers in Connecticut to establish a working group to share solutions, ideas, and implementation strategies, and to gather peers together to review literature, planning, resources, and legal access requirements that will help establish best practice solutions to meet the challenges at hand. If we take a cooperative approach, Connecticut can lead in this area through smart change and, if federal mandates are eventually imposed, Connecticut will be well positioned to move forward.

Thank you for your consideration of our position. For additional information, contact CHA Government Relations at (203) 294-7310.