



**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
JUDICIARY COMMITTEE
Friday, March 25, 2011**

HB 6622, An Act Concerning The Burden Of Proof In Medical Malpractice Cases And The Standard Of Care Related To Emergency Medical Care And Treatment

The Connecticut Hospital Association (CHA) appreciates this opportunity to present testimony concerning **HB 6622, An Act Concerning The Burden Of Proof In Medical Malpractice Cases And The Standard Of Care Related To Emergency Medical Care And Treatment**. CHA supports this bill.

Before outlining our concerns and reasons for supporting this bill, it's important to detail the critical role hospitals play in the health and quality of life of our communities. Our state's hospitals are more than facts and figures, and dollars and cents—hospitals, at their core, are all about people. All of our lives have, in some way, been touched by a hospital: the birth of a child... a life saved by prompt action in an emergency room... the compassionate end-of-life care for someone we love. Or, perhaps, our son, daughter, husband, wife, or friend works for, or is a volunteer at, a Connecticut hospital.

Hospitals are essentially people taking care of people. Each year, the 52,300 people employed in Connecticut's hospitals care for more than 430,000 people admitted to their facilities, treat nearly 1.6 million people in their emergency rooms, and welcome more than 38,000 babies into the world. We provide care to all people regardless of their ability to pay—in fact, every three minutes someone without health insurance comes to a Connecticut hospital in need of inpatient, emergency, or outpatient surgical services. And, we do this 24 hours a day, seven days a week, 365 days a year.

Every day, we see the consequences and health implications for individuals and families who lack access to care and coverage. Our emergency rooms are filled with individuals who cannot find a physician to care for them because they are uninsured or underinsured – or they are Medicaid beneficiaries and few physicians will accept the low rates paid by Medicaid. Our emergency rooms are treating both those who have delayed seeking treatment because of inadequate or no coverage, and those who have no other place to go—our hospitals are their healthcare safety net.

Thus, as front line caregivers, Connecticut hospitals are absolutely committed to initiatives that improve access to high quality care, expand health insurance coverage, and reduce healthcare costs.

HB 6622 increases the burden of proof to clear and convincing evidence in most medical malpractice actions. The bill also raises the threshold for liability to **“reckless disregard” for healthcare providers who render** emergency care in hospitals, and for those who render emergency care voluntarily and gratuitously as good Samaritans.

The crisis surrounding rising medical liability insurance costs continues to endanger Connecticut’s healthcare infrastructure. Increased insurance costs have diverted funds from patient care and quality improvement, reduced the number and availability of physicians in specialty service areas, and compromised the ability of hospitals to ensure on-call and emergency department coverage.

CHA appreciates this Committee’s interest in exploring all possible solutions to reducing Connecticut’s medical malpractice costs, which may in turn reduce healthcare costs.

Protecting the general public’s continued access to quality healthcare when and where they need it continues to be the most important reason for enacting effective and expedient reforms as outlined in HB 6622.

Thank you for your consideration of our position.

For additional information, contact CHA Government Relations at (203) 294-7310.

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