



**TESTIMONY OF  
CONNECTICUT HOSPITAL ASSOCIATION  
SUBMITTED TO THE  
GENERAL LAW COMMITTEE  
Tuesday, February 27, 2018**

**SB 193, An Act Concerning Revisions To Department Of  
Consumer Protection Statutes**

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **SB 193, An Act Concerning Revisions To Department Of Consumer Protection Statutes**. CHA opposes Section 4 of the bill, as written.

Before commenting on the bill, it's important to point out that Connecticut hospitals provide high quality care for everyone, regardless of their ability to pay. Connecticut hospitals are dynamic, complex organizations that are continually working to find innovative ways to better serve patients and communities and build a healthier Connecticut. They are developing integrated delivery networks with physicians, services, and technology to make sure patients receive high quality, coordinated, cost-effective, patient focused, and equitable care. By investing in the future of Connecticut's hospitals, we will strengthen our healthcare system and our economy, put communities to work, and deliver affordable care that Connecticut families deserve.

Section 4 of SB 193 creates a mechanism by which the Department of Consumer Protection (DCP) may process a consumer complaint made against anyone in an area over which DCP has jurisdiction. DCP may provide notice to the person about whom the complaint was made and require that person to respond within 14 days. There is no detail about what must be included in the response, no explanation of what happens after the response is submitted, and no delineation of what rights the respondent has with respect to the complaint, including whether he or she is allowed counsel, may ask for a hearing, or may simply deny the complaint without providing reasoning or substance. If the accused fails to respond, DCP may impose fines.

Notably, DCP is not required to process the complaint in this manner, but has discretion to do so, and DCP is able to waive a fine for "good cause." The proposed process lacks fundamental fairness and due process features appropriate in administrative law. The process will put licensed and credentialed professionals at risk of jeopardizing their license, and of unknowingly waiving their due process rights.

CHA objects to this type of oversight and has specific concerns about this process being used for pharmacists. Pharmacists are already subject to stringent licensure and professional oversight by DCP through the Commission of Pharmacy and the Drug Control Division. DCP is currently able to undertake an investigation of a pharmacist based on a consumer complaint. DCP's current, formal process recognizes and employs the necessary administrative law and due process steps that are designed to ensure a fair outcome.

As such, CHA asks that Section 4 of the bill either be deleted or expressly exclude persons who are already subject to oversight through the Commission of Pharmacy and Drug Control Division of DCP.

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