



**TESTIMONY OF  
CONNECTICUT HOSPITAL ASSOCIATION  
SUBMITTED TO THE  
JUDICIARY COMMITTEE  
Wednesday, March 6, 2019**

**SB 939, An Act Concerning Psychiatric Commitment Evaluations**

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **SB 939, An Act Concerning Psychiatric Commitment Evaluations**. CHA supports the bill.

Before commenting on the bill, it is important to point out that Connecticut hospitals and health systems provide high quality care for everyone, regardless of their ability to pay. They do more than treat illness and injury. They build a healthier Connecticut by improving community health, managing chronic illness, expanding access to primary care, preparing for emergencies, and addressing social determinants of health. 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.

In 2017, CHA testified in support of a study on the impending shortage in the psychiatric workforce, noting that there were only eleven individuals on the List of Physicians and Psychiatrists Conducting Competency Examinations for Civil Commitments. This shortage was placing an intolerable burden on applicants for civil commitments, which are often hospitals, as well as on our probate courts.

CHA joined with probate courts, the Department of Mental Health and Addiction Services (DMHAS), the Connecticut Psychiatric Society, and the Connecticut Legal Rights Project to convene a working group to endeavor to address this and other aspects of the commitment process.

Among the goals discussed by this group were protecting the rights of patients and increasing the number of independent psychiatrists available to conduct patient examinations in commitment proceedings.

**SB 939** includes two of the measures addressed by the working group. One measure would reduce the number of required examinations from two to one, and require that a psychiatrist conduct the single examination. Under current law, a probate court must appoint two physicians to examine the patient and submit written reports to the court. One physician must be a psychiatrist and the other may have another specialty. If enacted, the bill would continue to require an examination by a psychiatrist, and eliminate the requirement of a second examination. CHA supports this change, since the second examination is often either duplicative of the psychiatric examination or adds little new information that is not otherwise available to the court from medical records or testimony from medical and behavioral health providers.

The second measure would establish immunity from liability for probate court-appointed psychiatrists when performing court-ordered examinations in commitment cases. Psychiatrists frequently cite their concern about potential liability as a deterrent from accepting court appointments. An explicit statement of statutory immunity would resolve this concern in a manner that would enable the state to recruit more psychiatrists to join the list and accept court appointments to conduct examinations in civil commitments.

CHA urges the adoption of this bill and offers to continue our work with DMHAS, probate courts, and our colleagues to explore other measures to achieve improvements to the civil commitment process.

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