

**TESTIMONY  
SUBMITTED TO THE  
JUDICIARY COMMITTEE  
Monday, March 22, 2021**

**HB 5125, An Act Concerning The Provision Of Immunity From Civil Liability For Entities That Have Operated Pursuant To Health And Safety Guidelines During The COVID-19 Pandemic**

The undersigned appreciate this opportunity to submit testimony concerning **HB 5125, An Act Concerning The Provision Of Immunity From Civil Liability For Entities That Have Operated Pursuant To Health And Safety Guidelines During The COVID-19 Pandemic**. We support the bill, and request that the bill be amended to confirm, codify, and extend the duration of certain protections from civil liability for healthcare facilities and healthcare professionals for actions or omissions in support of the state's response to the COVID-19 pandemic conferred by the Governor through executive order.

Over this past year, Connecticut's response to the global pandemic featured examples of collaboration, innovation, and sound practices to meet the unprecedented demands posed by the novel coronavirus. During this public health crisis, it was essential to maintain appropriate frontline staffing levels to meet patient need. The Governor's Executive Orders establishing immunity from civil liability were a critically important component of this strategy to ensure that healthcare facilities and practices were able to maintain appropriate numbers of medical personnel ready and able to care for our fellow residents afflicted with COVID-19. During the pandemic, these orders eliminated a very real barrier to rapidly increasing the number of available care providers. It enabled facilities to bring back, at great personal risk to themselves and their families, retired physicians, nurses, and other healthcare workers who were willing to care for patients infected by the virus. The codification of these civil liability provisions into statute is essential to ensuring that these protections remain in place for the duration of the pandemic.

Healthcare facilities and providers made significant and heroic efforts to respond to the current emergency under precarious and uncertain circumstances. They acted swiftly and prudently as the world learned more about the virus. We continuously received and continue to receive evolving federal and state guidance on how to provide appropriate care for those in need. While we have learned much since the early days of the pandemic, guidance continues to change, often with little or no warning and limited time to affect necessary process changes.

During catastrophic disasters such as this one, uncertainty about civil legal liability can discourage the delivery of care and impede our ability to render vital public and private healthcare services. Immunity protections from civil liability enable individuals and organizations to provide creative and innovative services, in accordance with then-current

information, to save lives. The protections provided in HB 5125 are balanced, and do not shield facilities or providers from acts of gross negligence or willful misconduct. The immunity orders issued at the onset of the public health emergency should be remain an important component Connecticut's response to the COVID-19 pandemic.

We urge the Committee to amend HB 5125 to codify the civil liability protections conferred by the Governor through executive orders, and to extend these protections applicable to healthcare facilities and healthcare providers for the duration of the time period of the COVID-19 pandemic, as defined in HB 5125. We need these protections to ensure that providers will be able to stay on the front lines, caring for our most vulnerable citizens battling the virus.

We encourage you to support HB 5125 and look forward to the state providing necessary liability protections to all healthcare facilities and providers so that they may provide care without fear of reprisal and to help ensure that Connecticut has a strong workforce available to meet future potential surges.

Connecticut Hospital Association  
Connecticut State Medical Society  
Connecticut Association of Health Care Facilities / Connecticut Center For Assisted Living  
LeadingAge Connecticut  
Connecticut Association for Healthcare at Home  
Connecticut College of Emergency Physicians  
CT Association of Ambulatory Surgery Centers  
Community Health Center Association of Connecticut  
Connecticut Association of Marriage and Family Therapists  
Connecticut State Society of Anesthesiologists  
Connecticut Assisted Living Association  
Connecticut Society of Radiologic Technologists  
Connecticut Podiatric Medical Association  
Connecticut Association of Optometrists  
DaVita Kidney Care  
Radiological Society of Connecticut  
Connecticut Academy of Physician Assistants  
Connecticut Society for Respiratory Care  
Connecticut Psychological Association  
Connecticut Association of Nurse Anesthetists  
APTA Connecticut, a Chapter of the American Physical Therapy Association  
American Medical Response  
Association of Connecticut Ambulance Providers  
Connecticut Counseling Association