

**TESTIMONY OF  
CONNECTICUT HOSPITAL ASSOCIATION  
SUBMITTED TO THE  
PUBLIC HEALTH COMMITTEE  
Wednesday, February 1, 2023**

**SB 898, An Act Eliminating The Requirement That The Probate Court Issue An Order Allowing A Patient Who Is Incapable Of Giving Informed Consent To Receive Shock Therapy**

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **SB 898, An Act Eliminating The Requirement That The Probate Court Issue An Order Allowing A Patient Who Is Incapable Of Giving Informed Consent To Receive Shock Therapy**. CHA supports the goals of the bill but has concerns about the bill as drafted.

Connecticut hospitals continue to meet the challenges posed by the COVID-19 pandemic and are now facing new challenges of treating sicker patients than they saw before the pandemic, with a dedicated but smaller workforce who are exemplary but exhausted. They are also experiencing significant financial hardships brought on by record inflation. Through it all, hospitals have been steadfast, providing high-quality care for everyone who walks through their doors, regardless of ability to pay.

CHA believes that the statutes should continue to provide for an appropriate and timely process to assess a patient's capacity to consent to electroconvulsive therapy and determine that there is no other less-intrusive beneficial treatment available to the patient, as required under current law. We believe that we share a common goal of implementing process improvements that will best accommodate a patient's needs in a timely manner, based on current medical information, with sufficient protections to a patient's rights. That process must not result in delays in obtaining beneficial treatment or impede a patient's recovery and cause unnecessary harm to the patient and their loved ones.

SB 898 seeks to amend section 17a-543 to eliminate the requirement that the Probate Court issue an order allowing a patient who is incapable of giving informed consent to receive electroconvulsive therapy. The current statutory process governing these cases has not been changed since 2003 and is ripe for review and reconsideration. Unfortunately, experience shows that the process may impede patient care and result in significant patient decomposition before a Probate Court can hear a matter. We believe that a working committee inclusive of all stakeholders should convene to develop an updated statutory framework that addresses all concerns. Consideration of the proper role of probate courts in the implementation of an improved statutory scheme is one of several issues that should be resolved in any discussions regarding this bill.

We ask the committee to include hospitals in these discussions to enable us to work together to achieve our common goal of serving the best interests of our patients.

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