



**TESTIMONY
OF
CONNECTICUT HOSPITAL ASSOCIATION
JUDICIARY COMMITTEE
Friday, April 4, 2003**

**HB 6141, An Act Concerning Drug And Alcohol Testing Of Motor
Vehicle Operators Involved In A Fatal Accident**

**SB 829, An Act Requiring Alcohol Testing Of Drivers Involved In
Accidents Resulting In Death Or Serious Physical Injury**

The Connecticut Hospital Association (CHA) appreciates the opportunity to submit testimony regarding **HB 6141, An Act Concerning Drug And Alcohol Testing Of Motor Vehicle Operators Involved In A Fatal Accident** and **SB 829, An Act Requiring Alcohol Testing Of Drivers Involved In Accidents Resulting In Death Or Serious Physical Injury**. Both bills amend Section 14-227c of the general statutes, to require obtaining blood or breath samples from any surviving operator whose motor vehicle is involved in an accident resulting in the death of another person. SB 829 also requires testing of any surviving operator involved in an accident resulting in serious physical injury. While CHA supports efforts to address alcohol and drug related motor vehicle accidents, we are concerned about implementation of the bill.

Section 14-227c currently sets standards concerning testing. It requires that testing be performed by certain medical personnel certified by the Department of Public Health and using equipment and methods approved by the Department. When an injured operator of a motor vehicle is brought to a hospital, the hospital staff performs blood tests only for diagnosis and treatment of injuries to that patient, and only after obtaining consent. This practice is consistent with Section 14-227a(l) of the general statutes, which provides that in order for test results to be admissible, blood samples taken en route to the hospital or at a hospital must be taken for the diagnosis and treatment of the operator's injury.

If testing becomes mandatory, the State must determine where and how blood or breath samples will be obtained for evidence purposes rather than treatment purposes. Hospitals frequently treat patients injured in motor vehicle accidents and, when medically appropriate, blood alcohol levels are drawn to help evaluate a patient's medical condition. We anticipate, however, that there will be many cases in which a motor vehicle operator would be tested solely because of the law and not as part of diagnosis or treatment.

Thank you for your consideration of our position.