

**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
PUBLIC HEALTH COMMITTEE
Monday, March 21, 2005**

HB 6715, An Act Concerning Strike Contingency Plans For Health Care Institutions

The Connecticut Hospital Association (CHA) appreciates this opportunity to present testimony concerning **HB 6715, An Act Concerning Strike Contingency Plans For Health Care Institutions**. CHA opposes this bill.

Existing regulation of hospitals includes requirements relating to strike contingency planning. Connecticut's hospitals have such plans on file, and are ready and able to work with the Department of Public Health (DPH) to preserve patient safety and quality of care in the event of a strike. The measures in HB 6715 are unnecessary.

Our concerns with this bill are multiple. First, the proposed civil monetary penalty of up to ten thousand dollars a day is excessive. Second, it appears that a civil monetary penalty could be assessed for a time period before an institution has been given notice of an alleged failure to file a contingency strike plan – or, worse, if DPH subjectively determines that the contingency strike plan that has been timely submitted is not extensive enough – without first notifying the hospital of any deficiency. This places administrative objectives above patient concerns.

Third, giving notice of civil penalties by certified mail is unworkable. It would allow penalties to accrue before a hospital has reasonable notice of a purported problem, and it would effectively reduce, by a number of days, the short 20-day period in which a hospital can seek to contest such penalties. Fourth, the standards for measuring noncompliance – as opposed to a complete failure to file any strike contingency plan – are vague and subjective. All of these factors seriously impinge the due process rights of an institution facing potentially stiff fines, without being focused on the protection of hospital patients in Connecticut. Most importantly, hospitals already have standards in place to protect patients in the event of a strike.

Thank you for your consideration of our position.