



House of Representatives

General Assembly

File No. 20

January Session, 2001

House Bill No. 6538

House of Representatives, March 7, 2001

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE ADMISSIBILITY OF RECORDS AND REPORTS OF CERTAIN EXPERT WITNESSES AS BUSINESS ENTRIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (b) of section 52-174 of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (b) In all actions for the recovery of damages for personal injuries or
4 death, pending on October 1, 1977, or brought thereafter, and in all
5 court proceedings in family relations matters, as defined in section
6 46b-1, or in the Family Support Magistrate Division, pending on
7 October 1, 1998, or brought thereafter, and in all other civil actions
8 pending on the effective date of this act or brought thereafter, any
9 party offering in evidence a signed report and bill for treatment of any
10 treating physician, dentist, chiropractor, natureopath, physical
11 therapist, podiatrist, psychologist, emergency medical technician or
12 optometrist may have the report and bill admitted into evidence as a

13 business entry and it shall be presumed that the signature on the
14 report is that of the treating physician, dentist, chiropractor,
15 natureopath, physical therapist, podiatrist, psychologist, emergency
16 medical technician or optometrist and that the report and bill were
17 made in the ordinary course of business. The use of any such report or
18 bill in lieu of the testimony of such treating physician, dentist,
19 chiropractor, natureopath, physical therapist, podiatrist, psychologist,
20 emergency medical technician or optometrist shall not give rise to any
21 adverse inference concerning the testimony or lack of testimony of
22 such treating physician, dentist, chiropractor, natureopath, physical
23 therapist, podiatrist, psychologist, emergency medical technician or
24 optometrist.

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Potential Minimal Savings

Affected Agencies: Judicial Department

Municipal Impact: Potential Minimal Savings

Explanation

State and Municipal Impact:

The bill could result in minimal savings by reducing the length of case processing in civil court in some cases. It could also reduce the need for state or municipal health officials to testify in court thereby potentially freeing up staff resources and the cost of travel reimbursements. Records are not maintained on the extent to which the procedure changed by the bill currently occurs, but it is anticipated to be minimal.

OLR Bill Analysis

HB 6538

AN ACT CONCERNING THE ADMISSIBILITY OF RECORDS AND REPORTS OF CERTAIN EXPERT WITNESSES AS BUSINESS ENTRIES.**SUMMARY:**

This bill allows signed reports and bills of certain health care professionals to be introduced as business entry evidence without calling the professional to testify in all civil actions, rather than only personal injury, child support, and family relations matters. Such evidence is used to establish the type and cost of treatment a party received.

The bill applies to cases pending on and after October 1, 2001. It covers the same health professionals as the current law: treating physicians, dentists, chiropractors, natureopaths, physical therapists, podiatrists, psychologists, emergency medical technicians, and optometrists.

EFFECTIVE DATE: October 1, 2001

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 37 Nay 0