

Bill # 507

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February 29, 2008

Senator Martin M. Looney, Esq.

VIA FAX: 1-860-240-0208

ATTENTION: Dina

Re: Amending CT General Statute Section 52-174

Dear Senator Looney:

Yesterday, I received the message left by Dina from your office that a public hearing is scheduled on Monday, March 3 with regard to the amending of Connecticut General Statute Section 52-174, as we had previously discussed. I am very pleased the Committee considered the amendment reasonable enough to raise it and schedule the hearing. Because my schedule does not permit me to attend, I would like to reiterate and expand upon some of the reasons I believe the proposed amendment makes so much sense.

Since the practice of medicine and delivery of care have changed so significantly over the years, it is time for Conn. Gen. Stat. Sec. 52-174 to reflect the current practice, and practitioners, of medical care. As I am sure you are aware, Physician Assistants are currently frequently in the front line of patient care. In doctors' offices, as well as in hospitals and emergency rooms, patients are frequently seen, treated and have medications prescribed by PAs.

Similarly, it is safe to say that Nurse Practitioners, that is Advance Practice Registered Nurses, are treating patients, and many even have their own medical care practices.

By personal example, I am currently involved in a case in which my client has been treating with an APRN in private practice. Because of the current statute, the nurse practitioner is required to be in court to have his reports admitted and to testify. To make matters worse, we have had two scheduled trial days in which we were sent home, for various reasons, without a trial. Since the APRN was scheduled to testify those days, this was at considerable expense to my client and inconvenience to the practitioner. The use of other procedural devices, such as Requests To Admit, has not been sufficient to obviate the APRN's court appearance. If the amendment is passed, such unnecessary financial expenditure, inconvenience and use of court time could be easily avoided.

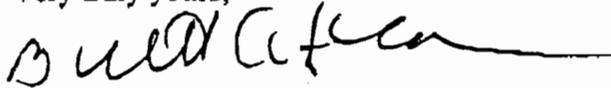
Since the above mentioned practitioners are very sophisticated, highly educated and trained and are so active in the primary and specialized care of patients, it is reasonable and appropriate that CT General Statute Section 52-174 be amended to include Physician Assistants and Nurse Practitioners (Advanced Practice Registered Nurses). Such an amendment would not only recognize the high professional standing of these professionals, but would also mitigate the

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expense and time consumption of Civil and Family litigation involving medical issues and records.

Thank you so much for your usual good work and efficiency in raising this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Brett C. Flamm", with a long horizontal flourish extending to the right.

Brett C. Flamm
BCF/smw