CHA CONNECTICUT HOSPITAL ASSOCIATION

TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
PUBLIC HEALTH COMMITTEE
Monday, March 3, 2008

HB 5701, An Act Concerning Revisions To Statutes Pertaining To The Department Of Public Health

The Connecticut Hospital Association (CHA) appreciates the opportunity to submit testimony concerning **HB 5701, An Act Concerning Revisions To Statutes Pertaining To The Department Of Public Health**. CHA opposes section 6 of this bill, which would significantly change section 19a-494a of the general statutes.

Section 6 of this bill would change section 19a-494a of the general statutes to substantially expand powers of the Department of Public Health (DPH) to include summary powers against licensed healthcare institutions, without any demonstrated need for such a drastic change. The power to take action without due process currently only applies to home healthcare services.

Under this bill, DPH could close hospital, without any advance notice or hearing, and without having to adhere to established administrative procedures, based solely on a finding that any one patient's health, safety or welfare "imperatively requires emergency action." The current language is designed for home healthcare where a patient's only contact with the outside world may be their home care provider. It is not designed for integrated care settings that have substantial internal and external oversight. To grant such sweeping powers to DPH is unnecessary. Hospitals are already subject to numerous regulatory enforcement provisions under state and federal laws. DPH currently has the power, with very minimal due process, to revoke or suspend a license, censure a hospital, issue a letter of reprimand, place the hospital on probationary status, restrict a hospital's acquisition of other facilities, or to issue an order compelling compliance with statutes and regulations. These powers are more than sufficient. CHA is unaware of any justification for removing due process from the enforcement powers.

We urge you to reject Section 6 of HB 5701.

Thank you for your consideration of our position.

For additional information, contact CHA Government Relations at (203) 294-7310.

110 Barnes Road • P.O. Box 90 • Wallingford, CT 06492-0090 • Phone: 203.265.7611 • Fax: 203.284.9318 • www.cthosp.org