

PLEASE SUPPORT SB 90

Good Afternoon Senator Harris, Representative Ritter and distinguished members of the Health Committee

My name is Sean Madden and I live in New London with my wife Stacey of 12 years, and two sons Jack, age 10 and Patrick, age 7.

Twenty-four years ago my mother-in-law, Linda Solsbury went to a chiropractor because she heard that a chiropractic adjustment would help relieve pain. She was a ballet dancer and a pediatric nurse at Lawrence Memorial Hospital in New London. During an adjustment, a chiropractor ripped an artery and a blood clot traveled to her brain causing her to become mute, unable to eat and an almost quadriplegic. She was left permanently paralyzed except for a slight movement in her right hand. She used a computer device for the next 20 plus years to communicate. It was her ONLY way to communicate with friends and relatives. She was only 36 years old at the time of her stroke.

After seeing her chiropractor that morning, Linda returned to work. She began suffering symptoms of an artery tear. She went home early and rested and shortly thereafter felt the loss of use in her leg and arm. She drove herself to a local doctor's office only to have a massive stroke. I mention this because at the time, this educated nurse was not aware of the possible complications of a chiropractic neck manipulation. I am here today to assist so that this will not happen again. Today, we still do an extremely poor job of educating the general public on potential complications.

My wife Stacey, was working at a local sandwich shop when she saw her mother trying to walk across the street to the doctor's office just prior to her stroke. She'll never forget that day.

Since then, at age 16, she has missed out having a mother at her side. Graduating High School, college and the celebration of her only daughter's wedding and the birth of our sons. Linda was confined to her chair and unable to talk to her grandsons and family ever again. We had to celebrate all birthdays and Holidays with her in the hospital.

My children will never get the chance to experience their grandmother fully. Linda would have made a great hands-on grandma. She cherished the time she had with my sons, but I can only think of the special moments they would have had with her if her accident had been avoided.

During the time Linda was confined to a wheelchair, she accomplished many things; she was influential in getting a bill passed to mandate all chiropractors to carry malpractice insurance here in Connecticut; became an advocate for patients at her hospital that couldn't advocate for themselves; and most of all she amassed a network of friends consisting of hundreds of chiropractic stroke victims whose

story she felt needed to be told. Linda formed a support group and helped so many try to re-gain their lives. I'm here to simply keep her vision alive.

I never got a chance to hear Linda's voice; I came along a few years after the accident. Linda's spirituality and strong convictions will forever be instilled in me and passed on to my children. Linda passed away two years ago, leaving behind her family, her many close friends and her fight/passion for protecting others from what was bestowed upon her.

I'm not here to point fingers and blame people for what part they had in her condition; I am simply here to do everything that I can to prevent it from happening to someone else. Had Linda known that a chiropractic adjustment could have caused a stroke, she would have gotten herself to the emergency room in her OWN hospital where they could have helped her immediately and the last 20 years of her life would have certainly turned out much differently. I hope that we can come together and warn people of the complications that can occur due to a chiropractic adjustment. Thank you.

AN ACT REQUIRING INFORMED CONSENT FOR CHIROPRACTIC TREATMENT.

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

Section 1. (NEW) (*Effective October 1, 2009*) No licensee under the provisions of chapter 372 of the general statutes may perform any procedure, adjustment, manipulation or treatment on any person without first receiving written informed consent from such person for such procedure, adjustment, manipulation or treatment. For purposes of this section "informed consent" means permission given after a person has been informed of the reason for treatment, the nature of the proposed treatment, the advantages or disadvantages of the treatment, medically acceptable alternative treatment, a detailed listing of the risks associated with receiving the proposed treatment and the risk of no treatment. A copy of the informed consent shall be maintained with such person's medical records. A copy of the informed consent shall be provided to the person and shall include, but not be limited to, written notification of the risks, including but not limited to stroke, permanent disability or death and instructions upon the occurrence of medical conditions incident to those risks.

(b) The Commissioner of Public Health shall adopt regulations, in accordance with the provisions of chapter 54, establishing all necessary requirements for the provision of informed consent and the provision of documents incident thereto pursuant to subsection (a) of this section.

Sec. 2. Section 20-29 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

The Board of Chiropractic Examiners may take any of the actions set forth in section 19a-17 for any of the following reasons: The employment of fraud or deception in obtaining a license, habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate the user for the performance of professional duties, violation of any provisions of this chapter or regulations adopted [hereunder] under this chapter, engaging in fraud or material deception in the course of professional services or activities, failure to obtain prior written informed consent for a procedure, manipulation, adjustment or treatment or failure to provide a copy of that informed consent to a person so treated, pursuant to section 1 of this act, physical or mental illness, emotional disorder or loss of motor skill, including but not limited to, deterioration through the aging process, illegal, incompetent or negligent conduct in the practice of chiropractic, or failure to maintain professional liability insurance or other indemnity against liability for professional malpractice as provided in subsection (a) of section 20-28b. Any practitioner against whom any of the foregoing grounds for action under said section 19a-17 are presented to said board shall be furnished with a copy of the complaint and shall have a hearing before said board. The hearing shall be conducted in accordance with the regulations established by the Commissioner of Public Health. Said board may, at any time within two years of such action, by a majority vote, rescind such action. The Commissioner of Public Health may order a license holder to submit to a reasonable physical or mental examination if [his] the license holder's physical or mental capacity to practice safely is the subject of an investigation. Said commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17.