



**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
JUDICIARY COMMITTEE
Friday, March 20, 2009**

**SB 1091, An Act Concerning Complaints Pending In The
Department Of Public Health Against Physicians And Other Health Care Providers**

The Connecticut Hospital Association (CHA) appreciates the opportunity to submit testimony in opposition to **SB 1091, An Act Concerning Complaints Pending In The Department Of Public Health Against Physicians And Other Health Care Providers**.

The Department of Public Health (DPH) devotes significant resources to the oversight of individual healthcare practitioners' licenses. There are elaborate and continuous processes in place to assess professional competence that allow DPH to protect the safety of the public at large. These administrative processes are, by necessity, designed to afford due process to licensees, and must comply with all requirements of the Uniform Administrative Procedure Act. In these proceedings, DPH or a related professional board determines whether the licensee has met applicable statutory and regulatory obligations. DPH is not acting as the arbiter of civil disputes between patients and practitioners – that system is, instead, our civil justice system.

Complainants currently are entitled to put whatever information they have before DPH, and DPH investigates each complaint. Complainants are notified of the results of an investigation, and are provided with file materials if a finding is made against the practitioner.

Adding complainants as another "prosecuting" force in administrative proceedings is inappropriate, likely to conflict with the Uniform Administrative Procedure Act requirements, will cause delay and additional costs to an already overburdened system, and will divert DPH resources away from other oversight functions.

For these reasons, CHA opposes SB 1091.

Thank you for your consideration of our position.

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