



**Connecticut State Medical Society Testimony on**

**H. B. No. 5258 (RAISED) AN ACT IMPLEMENTING THE  
RECOMMENDATIONS OF THE PROGRAM REVIEW AND  
INVESTIGATIONS COMMITTEE CONCERNING SCOPE OF PRACTICE  
DETERMINATIONS FOR HEALTH CARE PROFESSIONS.**

**Presented to the Program Review and Investigations Committee  
Public Health Committee  
February 25, 2010**

Senator Kissel, Representative Mushinsky, Senator Harris, Representative Ritter, members of the Program Review and Investigations Committee Insurance and Member of the Public Health Committee, my name is Ken Ferrucci, Vice President of Public Policy and Government Affairs for the Connecticut State Medical Society (CSMS). On behalf of our more than 7,000 members, thank you for the opportunity to submit this testimony to you today on **H. B. No. 5258 (RAISED) AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING SCOPE OF PRACTICE DETERMINATIONS FOR HEALTH CARE PROFESSIONS.**

First, we must commend the Program Review and Investigations Committee staff and in particular Brian Beissel for the thorough and comprehensive work done to develop the report from which this legislation originated. We appreciated the opportunity to meet with staff members of the committee and provide information to assist in the research and drafting to ensure that physicians and their concerns were identified during the process of review and investigation.

CSMS, and many national physician groups, have consistently supported the establishment of State-Based Scope of Practice Review Committees to address what best can be described as scope of practice matters. Oftentimes, legislatures are overwhelmed with the number of scope issues they are asked to consider in any given session and scope matters often require a fundamental, as well as particular knowledge of the services in question, and/or the clinical decision making and approaches to medical care required to successfully provide medically necessary patient care. The creation of State-Based review committees that assess scope of practice initiatives prior to their introduction to the legislation may serve to expose such initiatives to the scrutiny necessary to ensure that they are in the best interest of public health and also allow the Assembly to gain some additional information before making an informed decision. A state based review committee could provide a procedure for objective review of proposed changes in the scope of practice of non-physician practitioners in a manner that allows the presentation of all facts and information before a recommendation is made.

CSMS supports the provisions of Section 1 that would require professions seeking to alter a scope of practice to submit a detailed proposal to the Department of Public Health. The required information is comprehensive, as it should be as all too often decisions to alter scope are based on anecdotes and not on the concrete information that would be required by this language in making informed decisions.

While we support the establishment of review committees as attempted by language in Section 2, we ask for the opportunity to work with the Public Health Committee to ensure that representation on the review committees is appropriate for the proposal submitted, as the language presently before the committee may not fully provide for the inclusion of practicing physician on all matters impacting a physician. In many of the situations envisioned associated with a scope matter, at least one of the groups raising concerns about a proposed change will be an organization of physicians. However, if this is the case and as presently drafted, we can anticipate situations in which no actively practicing physician would or could be on the committee. As presently structured, state professional boards and commissions, including the medical examining board, contain members of the public, as well as retired or non practicing physicians. CSMS also believes that this bill should contain language that clearly delineates the ability for impacted medical specialties to play a role either on the committee itself or to have the opportunity to present any concerning or supportive testimony before the committee.

CSMS believes that the concerns we have raised regarding appropriate representation on review committees can be easily addressed through some minor language adjustments to the bill so that the much needed process to adjudicate scope of practice requests can be effectively implemented. We welcome the opportunity to work with you to ensure that what comes before this and other legislative committees in the future has been fully vetted and reviewed from a clinical standpoint and all necessary and sufficient information has been presented and considered before a decision has been made on making adjustments to scope of practice that will have an impact on the medical care provided to Connecticut residents.