

STATEMENT

Insurance Association of Connecticut

Judiciary Committee

March 9, 2011

**HB 6492, An Act Concerning The Admissibility Of
Medical Bills In Civil Actions**

The Insurance Association of Connecticut is opposed to HB 6492, An Act Concerning The Admissibility Of Medical Bills In Civil Actions.

HB 6492 seeks to improperly prohibit the trier of fact from hearing relevant information directly related to economic damages. HB 6492 prohibits the introduction of evidence regarding any reduction in a health care professional's bill from being admissible to establish reasonable and necessary medical care.

In any personal injury or wrongful death claim the law permits a claimant to seek recovery for "reasonable medical expenses". Prohibiting the introduction of evidence to show that medical expenses received were less than what was billed permits recovery for "phantom damages" and unnecessarily limits a party's ability to challenge the extent of care. Allowing the recovery of such phantom damages creates an unearned windfall for claimants by forcing defendants to pay inflated economic damages based upon inflated medical expenses. It is highly unlikely that the doctors will be reimbursed the balance of such recoveries. Current law that allows the introduction of evidence of the actual medical expenses incurred assures that claimants only recover their actual out-of-pocket medical expenses, not amounts billed, but discounted or otherwise reduced by agreement. It also permits a party to be able to challenge the reasonableness of the charges and necessity of the care rendered. Why shouldn't the trier of fact be able to hear that a medical providers' bill was not paid in full because they charged twice what any other providers charge or that a medical provider only received "x" amount of dollars for their services? HB 6492 will result in inflated settlements and damage awards, driving up costs in Connecticut.

The IAC urges rejection of HB 6492.