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Testimony re: Comm. Bill No 5644- An Act Concerning Emergency Medical Services
Justin Donnelly- Chairman of the Board of Finance, Town of Suffield

Thank you Senators Hartley and Daily, Representatives Dargan and Jutila and ranking members Senator Guglielmo and Representative Geigler for the opportunity to address this subject.

I am an attorney and member of the bar in the State of Connecticut. For over 40 years a significant portion of my legal career has been devoted to the representation of municipalities including the Metropolitan District Commission and various towns such as Suffield and Waterbury. In addition I have had the privilege of representing the Blue Hills Fire District for over 20 years. It is no surprise that I have a particular concern for statutes pertaining to municipalities and particularly statutes pertaining to fireman.

Subsection (a) of CGS 7-314(a) is a definition statute. As you can see it contains a veritable laundry list of activities that constitute "fire duties"

The proposed expansion of the existing definition is important. It is important because the existing definitions are included and incorporated into another statute directly applicable to paid and/or volunteer firemen as well as ambulance attendants. That statute applies specifications to those heroes.

CGS 7-308 (a) makes explicit the duty of a the municipality to indemnify Fire fighters and ambulance personnel if they cause personal injury or property damage as a consequence of their negligence while they are in the performance of "fire duties".
CGS 7-308(a) incorporates the definition of fire duties contained in CGS 7-314(a).

In this second decade of the 21st century the role of firefighters has expanded far beyond the construct of the 1960's. Today in many municipalities firefighters are performing as emergency dispatchers. In so doing they are providing what is known as "pre arrival instructions". These may include for example, CPR or Heimlich maneuver instructions. Fire fighters are also medical first responders, using their fire trucks to drive to the scene and provide emergency medical assistance at the scene. Thus, firefighters are providing both pre arrival and on scene emergency aid in carrying out their assigned duties.
It is improvident that a statute meant to protect firefighters fails to reflect the 21st century reality of fire service.

CGS 7-308(a) also allows the same attorney to defend both the municipality and the firefighter. This provision provides no significant services to the municipality. In the present climate many municipalities are self insured usually for \$million. As self insured, not only is the municipality providing all the costs of defense as well as indemnification. Thus the proposed legislation provides protection as well as fiscal savings.

Good Samaritan Statutes

This legislation saw the wisdom of providing immunity to the "good Samaritan"
As presently drafted, it is not clear that firefighters and police officers who are also certified as EMT's or MRT's are covered by the immunity provided by this statute.

It also does not explicitly cover the provision of pre arrival instructions. Without this amendment those municipalities providing emergency dispatch services with firefighters are exposed to liability for dispatcher negligence as well as liability for on scene medical care by fire fighters who are EMT's or MRT's.

Summation

These proposed amendments do not tread new ground; rather they make certain that previously provided protections are without doubt to apply to present day realities. When the legislature acted it was the right thing to do- so too it would be the right thing to act on these amendments.