CONNECTICUT
HOSPITAL
ASSOCIATION

TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
JUDICIARY COMMITTEE
Friday, March 25, 2011

SB 1207, An Act Concerning Offers Of Compromise

The Connecticut Hospital Association (CHA) appreciates the opportunity to submit testimony concerning **SB 1207, An Act Concerning Offers Of Compromise**. CHA opposes the bill.

Under current law, an offer to compromise for a specific settlement amount may be filed by a plaintiff in a medical malpractice action 60 days after the plaintiff has disclosed medical records, or provided an authorization to review medical records, and has provided the name of each expert that plaintiff intends to use to support the claim.

SB 1207 would revise existing Section 52-192a of the general statutes to eliminate any obligations of the plaintiff to provide a medical basis for determining whether the offer to settle is well-founded, and would put the defendant in a position of having to reject all offers. SB 1207 would unjustly disadvantage defendants and give them an impossible choice: accept the offer without an appropriate basis to measure its merit, or reject the offer and automatically be exposed to penalty interest on the claim.

This radical and unwarranted change to existing law would increase the pressure on an already stretched medical malpractice system.

CHA understands the need for a fair and appropriate malpractice system, but we must object to SB 1207.

Thank you for your consideration of our position.

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

JDI:pae