



160 St. Ronan Street, New Haven, CT 06511-2390 (203) 865-0587 FAX (203) 865-4997

**Testimony in opposition to
Senate Bill 243, An Act Concerning Certificates of Merit
Heather A. Smith, MD, MPH**

**Judiciary Committee
March 7, 2012**

Senator Coleman, Representative Fox and members of the Judiciary Committee, my name is Dr. Heather A. Smith. I am an Obstetrician-Gynecologist completing my training at Yale University and the Connecticut State Medical Society Resident Council Member. On behalf of the more than 2000 residents completing their medical training in Connecticut today, I urge you to oppose **Senate Bill 243 An Act Concerning the Certificate of Merit.**

When my colleagues and I complete our training, we need to consider where to establish practice. We do so with an average of over \$150,000 in student debt. That plays heavily into our decisions about where we wish to go. I have chosen the highest-risk specialty of delivering babies, which brings with it the highest medical liability rates of all medical specialties. If I choose to stay in Connecticut, I can expect to pay \$170,000 in premiums each year. That's the third-highest average rate in the country, behind Long Island and Miami-Dade in Florida.

Mine is also the medical specialty where there is the most need – especially in Connecticut. In the past few years, at least two hospitals saw their OB practices close. The CSMS 2008 Workforce Survey showed more than half of the state's OB/GYNs had reduced the number of high-risk services they provide and patients they see due to liability concerns. When that survey was taken, women were waiting a month for new-patient appointments, as obstetricians stopped delivering babies.

What do I have to look forward to when my residency is over? A 2007-2008 AMA survey found that 51 percent of obstetricians under the age of 40 had been sued. I have a 50-50 shot of being sued in my first 4 years of practice. I want to help women be healthy, and help them deliver healthy babies. Yet the reason I am here before you today is because the action you may take with Senate Bill 243 could decide whether I, or many of my colleagues, choose to stay in Connecticut or leave.

In theory, I am the kind of physician you want to attract here: I am young, I care about the health of Connecticut's women and infants, and I want to be here. I came here for my training. I'd like to stay. You have a need for more OB/GYNs. But passing Senate Bill 243 sends a signal loud and clear that it's okay if we find somewhere else that's offering us a better practice environment, with loan forgiveness programs or significantly lower medical liability insurance or a better liability climate.

As residents, we learn a lot from our more seasoned physician colleagues. They are desperately unhappy with the liability landscape in this state now. Senate Bill 243 will make it worse. It will virtually guarantee more medical residents leave Connecticut than stay.

The choice will be yours. But if you remember one witness who came before you in what promises to be a very long hearing today, I hope it is the young woman doctor who told you that she wanted to stay in Connecticut to deliver babies but simply couldn't if you passed Senate Bill 243.