CONNECTICUT HOSPITAL ASSOCIATION

TESTIMONY OF CONNECTICUT HOSPITAL ASSOCIATION SUBMITTED TO THE PUBLIC HEALTH COMMITTEE Friday, March 16, 2012

HB 5434, An Act Concerning The Professional Standard Of Care For Emergency Medical Care Providers

The Connecticut Hospital Association (CHA) appreciates this opportunity to present testimony concerning **HB 5434, An Act Concerning The Professional Standard Of Care For Emergency Medical Care Providers**. CHA supports this bill.

Before outlining our concerns, it's important to detail the critical role hospitals play in the health and quality of life of our communities. Our state's hospitals are more than facts and figures, and dollars and cents. Hospitals, at their core, are all about people. All of our lives have, in some way, been touched by a hospital: through a life saved by prompt action in an emergency room, the birth of a child, or the compassionate end-of-life care for someone we love. Or perhaps our son, daughter, husband, wife, or friend works for, or is a volunteer at, a Connecticut hospital.

Hospitals are essentially people taking care of people. Each year, Connecticut hospitals treat nearly 1.6 million people in their emergency rooms, care for the more than 430,000 patients admitted to their facilities, and welcome more than 38,000 babies into the world. Hospitals provide care to all people regardless of their ability to pay. In fact, every three minutes, someone without health insurance comes to a Connecticut hospital in need of emergency, inpatient, or outpatient surgical services. Connecticut hospitals are the ultimate safety net providers and offer care 24 hours a day, seven days a week, 365 days a year.

Every day, healthcare professionals in hospitals see the consequences and health implications for individuals and families who lack access to care and coverage. Emergency departments are filled with individuals who cannot find a physician to care for them because they are uninsured or underinsured – or they are Medicaid beneficiaries and few physicians will accept the low rates paid by Medicaid. Throughout Connecticut, our emergency rooms are treating both those who have delayed seeking treatment because of inadequate or no coverage, and those who have no other place to receive care.

Thus, as front line caregivers, Connecticut hospitals are absolutely committed to initiatives that improve access to high quality care, expand health insurance coverage, and reduce healthcare costs.

HB 5434 increases the burden of proof to clear and convincing evidence in most medical malpractice actions involving care and treatment provided in a hospital emergency department. The bill also raises the threshold for liability to "reckless disregard" for healthcare providers who render emergency care in hospitals, and for those who render emergency care as Good Samaritans.

The crisis surrounding rising medical liability insurance costs continues to endanger Connecticut's healthcare infrastructure. Increased insurance costs have resulted in funds being diverted from patient care and quality improvement, and a reduction in the number and availability of physicians in specialty service areas. It has additionally compromised the ability of hospitals to ensure on-call and emergency department coverage.

CHA appreciates this Committee's interest in exploring all possible solutions to reducing Connecticut's medical malpractice costs, which may in turn reduce healthcare costs.

Protecting the general public's continued access to quality healthcare when and where they need it continues to be the most important reason for enacting effective and expedient reforms as outlined in HB 5434.

Thank you for your consideration of our position.

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