

My name is John Torello. I am from Cheshire, CT. I am writing to testify against House Bill # 5434. My concern is that while this bill may protect medical professionals, it may do so at the cost of patient safety. To be clear, I am supportive of the people that work in emergency rooms and deliver these critical services. Unfortunately, things in emergency rooms can go wrong due to error or negligence. Legal action may be the only recourse for families to adequately care for the victims of these errors.

In 2006, my wife gave birth to premature twin sons. They each had respiratory issues, which is fairly common with preemies. Initially, Matthew, the smaller of the boys, had more significant issues. Fortunately, he followed the usual trajectory of an infant with his issues and had a slow steady recovery. Today he is a healthy, precocious five and a half year old boy with mild asthma. Michael had similar issues, but took a turn for the worse, which led him to become jaundiced. For reasons we still don't understand his jaundice was never treated. The treatment is non-invasive phototherapy (lights). When jaundice goes untreated it causes severe brain damage called Kernicterus.

Kernicterus is classified by the National Quality Forum as a "never event". The injury has resulted in damage to his hearing, and severe cerebral palsy. In stark contrast to his brother, Michael cannot walk, sit up, hold his head up, eat, speak or control his movement. The brain damage did not affect his cognitive abilities, but his disabilities have severely limited him. He is effectively trapped within his own broken body. His poor tone also exacerbates his respiratory issues, and acid reflux, causing him to suffer. The substance that caused the jaundice and damaged his brain also damaged his teeth. By the time he was two, he had several teeth removed and several more root canals.

His disabilities require nursing, physical therapy, occupational therapy, speech and language therapy, oral-motor therapy and special education services. His medical treatment requires services of a pediatrician, pulmonologist, gastroenterologist, orthopedist, 2 neurologists, dentist and ophthalmologist.

We were fortunate to be able to take legal action. While this cannot replace what was taken away from Michael, his siblings and us, his parents, it has provided us with the means to care for him properly.

Per the US center for disease control, more people die from preventable medical error each year than from breast cancer, violent crimes and motor vehicle accidents combined. Victims of medical errors and negligence often have much longer and more frequent stays in hospitals. These stays are costly and have lifelong consequences for victims and their families.

I hope the committee remembers the story of my son, Michael, when they make decisions on this bill and others. Protections for one person's livelihood should not come at the cost of another person's life. I am happy to speak in more detail about these issues at any time. Thank you for your attention.