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**Testimony in opposition to
House Bill 6687, An Act Concerning Certificates of Merit
Jillian Fortier, MD**

**Judiciary Committee
April 1, 2013**

Senator Coleman, Representative Fox and members of the Judiciary Committee, my name is Dr. Jillian Fortier and I am a general surgery resident living in Newington and completing my training at the University of Connecticut General Surgery Residency as well as sitting on the Connecticut State Medical Society Council as a Resident Physician Member. On behalf of the more than 2,000 resident physicians completing their medical training in Connecticut today, I urge you to oppose **House Bill 6687 An Act Concerning the Certificate of Merit.**

When my colleagues and I complete our residency and fellowship training, we face the decision of where to establish our new practices and what patient population we wish to serve. We do so with a national average of over \$161,000 in student loan debt, although my personal student loan debt, having attended the University of Connecticut School of Medicine, is over \$200,000. The stressful reality of paying down these student loans weighs heavily into our decisions about where we will establish practice. If I stay here in Connecticut to practice as a General Surgeon, I can expect to pay more than \$65,000 in liability insurance premiums each year. That's one of highest average rates of liability insurance premiums in the country, comparable to Long Island, Cook County, Illinois and Miami-Dade, Florida.

As I move towards the end of my residency, I would love to remain in Connecticut, where I was born and raised, and where my family still resides. However, the liability climate towards physicians in this state is hostile. Connecticut provides very little protection from a liability standpoint to the physicians who have dedicated both years of their youth and hundreds of thousands of dollars of student loan debt in order to serve the people of this state. In fact, the Certificate of Merit is the only substantial protection currently in place for me and my medical colleagues. That is it – one simple piece of paper is standing between me and the baseless lawsuits that threaten my ability to care for my patients. House Bill 6687 seeks to strip away that one protection I have. The action you may take with House Bill 6687 could decide whether I, and many of my resident colleagues, choose to stay in Connecticut or to leave for a more welcoming and stable environment.

In theory, I am the kind of physician that Connecticut should want to retain. I have been locally trained in these communities to which I feel connected, and care deeply about the health and well being of my patients. Since my medical school days at the University of Connecticut School of Medicine in Farmington, I have been involved in community health outreach programs and am passionate about the education of young medical students and doctors following in my footsteps.

Furthermore, my relative youth compared to the average practicing Connecticut physician will benefit the state, as a majority of our state's doctors are approaching retirement age. I am also trained in cutting edge surgical practice and technology, such as robotics and advanced minimally invasive procedures. I have every reason to want to stay and practice general surgery in Connecticut. However, passing House Bill 6687 would send a signal loud and clear that this decision would not be in my best interest from a financial and liability standpoint. With such high liability premium rates, I would struggle to pay off my student loans and make a decent living to support a life and family that I have had to put off during my days of medical training. If this were to be passed, I would be forced to seek a different state in which to establish my practice, which could offer me a better practice environment with lower medical liability insurance rates and a better liability climate.

As resident physicians, we learn a lot from our more seasoned attending physician colleagues. It is quite clear that they are desperately unhappy with the liability landscape in Connecticut now, which forces many of them to retire early or to cross state borders for employment where they can escape the hostility of the current liability climate. This, in turn, leads to decreased access to care for the people of Connecticut at the time when baby boomers are reaching retirement age and needing more medical care than ever. Passing House Bill 6687 will make matters worse. It will virtually guarantee that more medical resident physicians would leave Connecticut after coming here for training than stay in state for their medical practices.

The choice will be yours. In your consideration of House Bill 6687, please remember your young and compassionate home-grown, home-trained physicians who would love to stay in Connecticut to treat, and serve the communities in which we feel so connected. Know that House Bill 6687, and any bill that furthers the current malignant nature of the liability climate in Connecticut is sure to drive these young physicians such as myself across state borders and away from the people of Connecticut who so depend on our care. Thank you.