



Elizabeth Yang, M.D.

Testimony Before the Judiciary Committee

On April 1, 2013

H.B. No. 6687(RAISED) AN ACT CONCERNING CERTIFICATE OF MERIT.

S.B. No. 1154 (RAISED) AN ACT CONCERNING THE ACCIDENTAL FAILURE OF SUIT STATUTE.

Good Afternoon Senator Coleman, Representative Fox and distinguished members of the Judiciary Committee. My name is Elizabeth Yang, and I am an ophthalmology resident at Yale School of Medicine in my second year of specialty training. To give you some background, I have completed a full undergraduate education, 4 years of medical school, and an internship year in internal medicine. I am in my second year out of three for ophthalmology residency and will be applying to a retina fellowship, which entails an additional 2 years. That is at least 8-10 years of post-undergraduate training that is required to become an eye surgeon, and this amount of dedicated training is not exclusive to the field of ophthalmology. As someone in such a specialized field, it is impossible for me to know what the standards of care are in completely dissimilar fields, such as in otolaryngology or emergency medicine, much less cardiology or neurosurgery. Thus, I am here to urge you to oppose HB6687 and SB1154, which discredit our years of training and make it easier for frivolous lawsuits against physicians to make it to court.

According to the Connecticut State Medical Society survey of 2010, 25% of family practice physicians and 22% of internists in Connecticut were contemplating a career change. This reflects in part the fact that Connecticut has some of the highest medical liability rates in the country and has not made any meaningful effort in tort reform. My colleagues and I are currently undergoing training in an increasingly litigious environment, and we are aware and very much concerned about how this will impact us as we embark on our new careers in medicine. An AMA survey from 2007-2008 showed that 61% of physicians over the age of 55 have been sued at least once, and I can only imagine that the numbers have been increasing. Given the odds that most of us physicians will be on the receiving end of a lawsuit at some point in our careers, I am hesitant to even consider staying to practice in a state that does not make an effort to prevent unmeritorious lawsuits from appearing in court. Should these bills be passed, they would undermine the very term, "certificate of merit."

Years ago, I decided to go into medicine because I knew I wanted to help people, as is the case with most physicians. Now, in this climate of uncertainty and apprehension as to where the practice of medicine is heading, we are asking for your help in making changes for the better. We want to maintain the fairness and equality in the current system, which would in turn help provide a more stable and favorable work environment to attract young physicians like myself to stay in Connecticut, where there will be a growing need for more doctors as both the the population and current practicing physicians begin to age.

I thank you for your time in considering our concerns and opinions on this issue and urge you to strongly oppose HB 6687 and SB 1154.