

EM



April 1, 2013

The Honorable Eric D. Coleman
The Honorable Gerald M. Fox
Co-Chairs, Joint Committee on Judiciary
Connecticut General Assembly
Room 2500, Legislative Office Building
Hartford, CT 06106

RE: OPPOSE HB 6687

Dear Co-Chairs Coleman and Fox:

As President of the American Society for Dermatologic Surgery Association (ASDSA), a surgical specialty organization representing over 5,700 physician members, I am writing to urge the Joint Committee on Judiciary to vote "no" on HB 6687, a measure that would significantly weaken existing requirements for "expert witness" testimony in medical malpractice lawsuits.

As proposed, HB 6687 would eliminate the requirement that an expert witness be of a "similar" field of the physician being sued. For example, the professional standards for making a skin cancer diagnosis for my dermatology practice could be opined upon by someone who has no specialty training in dermatology and may be of a field which is completely unrelated to skin cancer, such as family practice or internal medicine. Additionally, it does not provide a mechanism whereby the court could reasonably ascertain the writer's claim that he or she "possesses sufficient training, experience and knowledge so as to be able to provide such expert testimony" since the name of the writer is expunged.

The ASDSA is very concerned that these changes proposed in HB 6687 would significantly increase the likelihood of frivolous lawsuits, at considerable cost to legitimate physicians' reputation and financial well-being. Such lawsuits also have the potential to be very expensive for tax payers, and to clog up our legal system unnecessarily, while legitimate cases wait to be heard.

For these reasons, I ask the Joint Committee on the Judiciary to vote "no" on HB 6687. Thank you for your consideration. Should you have any questions or need further information, please feel free to contact Director of Advocacy and Public Policy Lisle Soukup at (847) 956-9126 or lsoukup@asds.net.

Sincerely,

Timothy C. Flynn, MD
ASDSA President

cc: Mitchel P. Goldman, MD, President-Elect, ASDSA
George J. Hruza, MD, Vice President, ASDSA



Thomas E. Rohrer, MD, Secretary, ASDSA
Abel Torres, MD, Treasurer, ASDSA
Susan H. Weinkle, MD, Immediate Past President, ASDSA
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