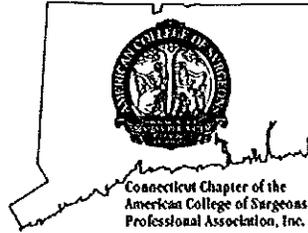
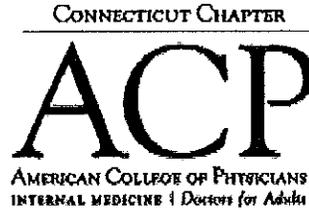


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**Connecticut State Medical Society Testimony in Support of Senate Bill 446 An Act Concerning
Insurance Coverage and Tort Reform
Insurance and Real Estate Committee
February 19, 2013**

Senator Crisco, Representative Megna and members of the Insurance and Real Estate Committee, on behalf of the ,almost 8,500 physicians and physician-in-training members of Connecticut State Medical Society (CSMS) and the Connecticut Chapters of the American College of Physicians (ACP) and the American College of Surgeons (ACS) thank you for the opportunity to present this testimony to you today on **Senate Bill 446 An Act Concerning Insurance Coverage and Tort Reform**.

The bill before you today offers a perplexing situation for physicians practicing in Connecticut. It appears to aim at reducing “health insurance mandates.” These can often be referred to as patient protections. CSMS has continually suggested that the need for “mandates” would be eliminated with statutes that ensured that any diagnostic test, preventive service or procedure, medical procedure, medical service, surgery or prescription that was determined medically necessary by a physician was covered by a health insurance product or plan for the protection of the patient. While a broad definition of medically necessary has been enacted into statute at the insistence of this committee, there unfortunately remains a need for patient protections now considered mandates because patients today still often have to fight with their health insurer for approval for coverage (often it takes going through the insurer’s medically necessary denial procedure or claims denial process before the medically necessary action is approved – often even after the treatment or medical care was provided). In those unfortunate situations where a necessary service is ultimately denied, no reimbursement under the policy is issued. This creates an untenable situation between physician and patient with the patient fully responsible for payment

Conversely, the bill before you today suggests a reformation of medical liability in Connecticut. While the title of the bill mentions tort reform, the body states the intent is to reform medical malpractice liability without great specificity as to what reform is being suggested, recommended or required. CSMS is unsure of what the intended outcome is of these “reforms” but we fully support the need to reform the tort system in Connecticut and we offer to be an integral partner in the steps necessary to reform the medical liability system in Connecticut so that it is fair, equitable and just for the patient and health care provider or professional involved in the medical treatment or outcome that is in question.