

The Connecticut Dermatology and Dermatologic Surgery Society  
Connecticut ENT Society  
Connecticut Society of Eye Physicians  
Connecticut Urology Society

February 27, 2013

**SUPPORTING Testimony**  
for the Public Health Committee

Proposed S.B. No. 361 AN ACT CONCERNING CERTIFICATE OF NEED REQUIREMENTS FOR  
MEDICAL DEVICES, EQUIPMENT AND NEW TECHNOLOGY.

Good Morning Senator Gerratana, Representative Johnson and other distinguished members of the Public Health Committee. My name is Dr. Steven Thornquist and I am a board certified ophthalmologist practicing in Trumbull, Connecticut. I am also an officer of the Connecticut State Medical Society. I am here to support S.B. No. 361 AN ACT CONCERNING CERTIFICATE OF NEED REQUIREMENTS FOR MEDICAL DEVICES, EQUIPMENT AND NEW TECHNOLOGY on behalf of over 1000 physicians in ENT, Dermatology, Ophthalmology and Urology and our patients.

Many of you on this committee recall that the medical community has a long history of supporting legislation seeking to repeal the Certificate of Need Statute. We have testified on numerous occasions that Certificate of Need limits Connecticut physicians from acquiring new technologies, but recently we have seen another major issue surrounding Certificate of Need, - Connecticut physicians cannot attract young physicians to their practices. In addition to the medical liability issues that plague our state, Connecticut is one of only two or three states that restrict practices from having imaging capability in physician offices through the regulation of Certificate of Need. This in addition to the medical liability crisis has identified Connecticut as one of the worst places for physicians to practice medicine. Young physicians often cite the undesirability of practicing without important imaging equipment in the office as a factor in locating elsewhere. Furthermore in interviews they suggest that they can go to New York, Massachusetts or Rhode Island where they can utilize multiple pieces of such equipment without the expense and hassle of obtaining a Certificate of Need. The cost of the certificate often exceeds the cost of the device and makes their practice less efficient and affordable to their patients. Unfortunately Section 19a-638a limits our ability to compete and control costs.

Section 19a-638a, of the general statutes specifies events that require a Certificate of Need

from the Office of Health Care Access of the Connecticut Department of Public Health. Paragraph 4 hones in specifically on “a CT scanner, PET scanner, PET/CT scanner or MRI scanner, cineangiography equipment, a linear accelerator or other similar equipment utilizing technology that is new or being introduced into the state.”

While the intent of the legislature was to control healthcare cost, there is no evidence that such has been realized. What is evident is that our citizens do not have easy access to newer technology available in other states and Connecticut is not competitive at attracting new physicians who today demand and look for those states who have the availability of these technologies to support their training and to deliver the care their patients deserve.

Finally , as we have been warning the legislature for over four years, if we do not get relief on issues affecting medical innovation and technology the domino effect of poor recruitment will lead to a decline in the quality of healthcare we provide to the citizens of Connecticut. The best and the brightest individuals will simply not come to Connecticut and our citizens of this State will bear the consequences. CON is anticompetitive, impedes innovation, and only serves the interests of an oligopoly who seek to maintain control of such technologies. Please support repealing this statute that limits quality and access to care and help Connecticut shape the best healthcare delivery system we can.

Thank you for your consideration, and the willingness to re-examine this issue.