

Testimony of Dr. Viji Kurup, President
Connecticut State Society of Anesthesiologists
In Opposition to Senate Bill 1028

The Honorable Eric D. Coleman, Senate Chair
The Honorable William Tong, House Chair
Joint Committee on Judiciary
Legislative Office Building, Room 2500
Hartford, Connecticut 06106

Dear Chairmen Coleman and Tong, Ranking Members Kissel and Rebimbas and Members of the Judiciary Committee,

On behalf of the over 700 members of the Connecticut State Society of Anesthesiologists, I am writing to express our opposition to Senate Bill 1028, An Act Concerning the Tolling of the Statute of Limitations for a Negligence Action Brought by a Minor.

The Connecticut State Society of Anesthesiologists (CSSA) is a professional association of physicians who are engaged in the practice of anesthesiology in the State of Connecticut. The Society's mission is to raise and maintain the standards of the specialty of anesthesiology and to make available to more people the benefits to be derived from the services of qualified anesthesiologists.

CSSA believes that the General Assembly should review all of Connecticut's medical liability rates and develop alternatives to the tort system, as outlined in the 2003 Program Review and Investigations Committee (PRI) study. Specifically the study recommended that "a multi-stakeholder task force be appointed to determine the feasibility of developing systematic alternatives to the current tort system, including an enterprise liability system and no-fault approach to medical malpractice."

By extending the statute of limitations for a minor to bring a lawsuit to eight years from the act or within one year after the age of majority, Senate Bill 1028 will negatively impact the health care system by driving doctors out of the state and increasing the cost of medical malpractice insurance, impacting patient care. Furthermore, this would also necessitate preservation of medical records for all pediatric patients. After eight years, memories are unreliable and witnesses inaccurate. So any finding of negligence would potentially be in error.

Connecticut continues to top the list of states with one of the highest average premium medical malpractice insurance rates in the country. It is one of the states with the highest total indemnity payments and average indemnity payouts.

CSSA respectfully urges the Committee to reject SB 1028 and conduct a comprehensive study of alternatives to Connecticut's medical liability claims.

Sincerely,

Viji Kurup, MD
President
Connecticut State Society of Anesthesiologists