



CONNECTICUT
HOSPITAL
ASSOCIATION

**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
JUDICIARY COMMITTEE
MONDAY, FEBRUARY 29, 2016**

**SB 247, An Act Concerning A Cause Of Action For Loss Of Consortium By A Minor
Child With Respect To The Death Of A Parent**

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **SB 247, An Act Concerning A Cause Of Action For Loss Of Consortium By A Minor Child With Respect To The Death Of A Parent**. CHA opposes the bill.

Before commenting on the bill, it's important to point out that Connecticut hospitals provide core healthcare services to all of the people in Connecticut, 24 hours a day, regardless of ability to pay. Connecticut hospitals offer safe, accessible, equitable, affordable, patient-centered care that protects and improves peoples' lives.

Although the purpose set forth in SB 247 implies that the bill is meant to codify an opinion of the Connecticut Supreme Court in *Campos v. Coleman*, the bill in fact far exceeds the holding and express limitations of the Campos case.

In the Campos matter, the Supreme Court expressly stated that claims for parental consortium are recognized under Connecticut's common law, but that no such common law case, or recovery, is possible for a minor's alleged loss of consortium in a wrongful death action.

The bill does not codify what the Campos Court found the law to be – the bill seeks to expand the law significantly beyond the Court's ruling to create an entirely new action for loss of parental consortium in a wrongful death case.

With respect to the application of parental consortium claims in wrongful death cases, SB 247 should be made to apply only to actions filed on or after October 1, 2016. Further, no parental loss of consortium claim should be permitted to be filed outside of the wrongful death case, which is not clear from the "or joined" language in Section 2.

Thank you for your consideration of our position. For additional information, contact CHA Government Relations at (203) 294-7310.