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## STATEMENT

PROPERTY CASUALTY INSURERS ASSOCIATION OF AMERICA (PCI)

S.B. No. 247 – AN ACT CONCERNING A CAUSE OF ACTION FOR LOSS OF  
CONSORTIUM BY A MINOR CHILD WITH RESPECT TO THE DEATH OF A PARENT

### JUDICIARY COMMITTEE

February 29, 2016

The Property Casualty Insurers Association of America (PCI) appreciates the opportunity to comment on S.B. 247, An Act Concerning a Cause of Action for Loss of Consortium by a Minor Child with Respect to the Death of a Parent. Our comments are provided on behalf of the member companies of PCI, a national property casualty trade association with over 1,000 member companies. PCI member companies provide 43 percent of Connecticut's property/casualty insurance coverage.

While this bill purports to codify the right of a minor child to bring a parental consortium claims in accordance with the *Campos v. Coleman* (319 Conn. 36) decision, PCI is concerned that the bill would eliminate one of the explicit limitations to parental consortium recovery set forth in the *Campos* decision. The *Campos* decision specifically limited parental consortium liability to damages arising from injury to the parent during the parent's life and precluded damages arising from the parent's death. S.B. 247 does not include this limitation and PCI opposes this major expansion of the *Campos* decision.

The *Campos* decision already significantly expands potential liability in cases involving the injury or death of a parent and to even further expand this potential liability, as contemplated by this legislation, would be highly objectionable. Parental consortium claims, even as limited by the *Campos* decision, can be significant and higher than other consortium claims due to, among other factors, the fact that parents may have multiple children. Higher damage awards may impact insurance premiums and could result in insurance affordability issues in Connecticut.

To expand potential parental consortium liability beyond the limits of the *Campos* decision less than six months of the issuance of the decision may lead to the appearance of runaway liability costs in Connecticut. PCI would submit that this is not the right message to send to Connecticut citizens and businesses.

For all of the foregoing reasons, PCI urges your Committee not to favorably advance SB 247.