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**SB 932 - AN ACT ESTABLISHING A STATUTORY CAUSE OF ACTION FOR INJURY
TO PERSON OR PROPERTY BASED ON NEGLIGENT INFLICTION OF
EMOTIONAL DISTRESS**

Statement of the American Insurance Association

March 6, 2017

The American Insurance Association (AIA) is a leading national trade association representing approximately 320 major property and casualty insurance companies that collectively underwrite nearly \$125 billion in direct property and casualty premiums nationwide, including in the State of Connecticut. AIA must respectfully oppose Senate Bill 932, which would permit a person, injured in person or property as the result of the negligent act of another person, to bring a civil action against the person who committed such act to recover damages for negligent infliction of emotional distress.

First, the creation of a new and separate statutory cause of action for a defendant's negligent action is not necessary. Plaintiffs who suffer emotional distress from the negligence of defendants already have the ability to bring personal injury claims in the State of Connecticut. The courts currently permit such claims, and in particular there is precedent from Connecticut's Supreme Court. Further, this bill introduces no new criteria to ensure greater objectivity in the determination of emotional distress.

The concern with the proposed legislation is that it may lead to greater uncertainty regarding the interplay with current case law and could result in increased litigation. Unnecessary litigation is typically a cost driver and thus, there may be an unintended consequence of impacting the affordability of insurance in the state.

Thank you for the opportunity to provide comments and share our concerns on this issue. For the foregoing reasons, AIA urges the Committee to reject proposed Senate Bill 932.

Alison Cooper
Vice President, Northeast Region