

TESTIMONY
BEFORE THE
JUDICIARY COMMITTEE
LEGISLATIVE OFFICE BUILDING
MARCH 7, 2012

My name is Eric George and I am Associate Counsel for the Connecticut Business & Industry Association (CBIA). CBIA represents approximately 10,000 businesses throughout Connecticut and the vast majority of these are small companies employing less than 50 people.

While the federal government has passed health care reform and Connecticut has begun the process of establishing its federally-required health insurance exchange, more still needs to be done to lower costs and more needs to be done to improve the health of our citizens. Employers find health care costs rising faster than other input costs. Some providers are unable to generate sufficient patient revenue to cover costs. Some patients cannot get timely access to optimal care. And too many individuals remain without health insurance, engage in unhealthy behaviors and live in unhealthy environments.

For the business community, the issues of health care quality, cost and access are critical. After numerous years of double-digit and near-double-digit increases, health insurance has quickly become a product that many people and companies find they can no longer afford. In addition, the cost of health care directly affects businesses' ability to create new jobs.

Therefore, CBIA asks this committee to reject **SB 243, AN ACT CONCERNING CERTIFICATES OF MERIT**. **SB 243** would undo the good, sound public policy achieved by this legislature in 2005 when it passed reforms to Connecticut's good faith certificate process. Those 2005 reforms ensure that potential plaintiffs have a reasonable basis before they file a medical malpractice lawsuit. This reduces the number of frivolous medical malpractice lawsuits that clog-up Connecticut's judicial system and raise healthcare costs.

By weakening Connecticut's good faith certificate process, **SB 243** would make it far easier to frivolously sue doctors, forcing those physicians to legally defend themselves. It is very likely that this will increase doctors' practice of "defensive medicine", which also increases our healthcare costs.

Again, please reject **SB 243** and thank you for the opportunity to offer CBIA's comments on this legislation.