



CONNECTICUT CENTER  
FOR PATIENT SAFETY  
QUALITY HEALTHCARE IS A RIGHT.

### **An Act Concerning Certificates of Merit**

The CT Center for Patient Safety strongly endorses the passage of Senate bill 243. The underlying law requires that each malpractice lawsuit filed be accompanied by a signed certificate from a “similar health care provider” who would certify that they had reviewed the case and there was merit to the claim. It also is unclear how detailed the certificate needs to be and if it is found lacking at all the case is dismissed without a chance to correct the certificate.

We have found out that what has happened since 2005 is that a motion to dismiss has been filed in nearly every malpractice case challenging the sufficiency of the certificate of merit, meaning defense attorneys are looking to knock out legitimate claims by injured patients!

It is my understanding that the doctors and hospitals and defense lawyers want not a single change to the statute, and one can see why when the current language has allowed them to file harassing motions trying to knock out the claims of those legitimately harmed by medical malpractice!

The sensible fix found in this legislation is necessary to make sure victims with legitimate claims have access to the courts. This bill simply clarifies that any qualified doctor can sign the certificate, clarifies how detailed it needs to be and afford victims with legitimate claims a chance to correct a mistake so that they don't get knocked out of court on a technicality.

On behalf of victims of malpractice across the state I urge your strong support.

**Jean Rexford, Executive Director**