



**Connecticut State Medical Society**  
**Testimony in Support of 5125**  
**An Act Concerning the Provision of Immunity from Civil Liability**  
**For Entities that Have Operated Pursuant to Health and Safety Guidelines**  
**During the COVID-19 Pandemic**  
**Presented to the Judiciary Committee**  
**March 22, 2021**

Senator Winfield, Representative Stafstrom, and distinguished members of the Judiciary Committee, on behalf of the physicians and physicians in training of the Connecticut State Medical Society (CSMS), thank you for the opportunity to provide this testimony in support of **House Bill 5125, An Act Concerning the Provision of Immunity from Civil Liability for Entities that Have Operated Pursuant to Health and Safety Guidelines During the COVID-19 Pandemic.**

CSMS thanks this Committee for bringing forward this important piece of proposed legislation. House Bill 5125 provides that no entity may be held liable for loss, damage, injury or death arising from exposure to or transmission of COVID-19 on the premises of the entity during the time of the COVID-19 pandemic. CSMS supports this legislation and appreciates the immunity protections that would be provided by this Bill, particularly for physician offices. However, CSMS would ask that this Committee take this legislation one step further and codify Governor Lamont's Executive Order 7U that provided liability protection for physicians providing medical care during the COVID-19 pandemic.

The COVID-19 pandemic created a public health emergency that rapidly altered the provision of health care services across Connecticut. In order to respond to the pandemic and the growing surge of confirmed or suspected COVID-19 patients, physicians operated to the full extent of their capabilities and stepped up to serve patients in drastically changed practice environments, with fewer resources available to them, and sometimes in completely different practice areas. Faced with a novel illness and a medical system stretched beyond capacity, physicians risked their own health and well-being to care for those suffering from COVID-19.

Recognizing the need for immediate liability protection, Governor Lamont issued Executive Order 7U which extended liability protection to physicians for any injury or death alleged to have been sustained because of the physician's acts or omissions undertaken in good faith while providing health care services in support of the State's COVID-19 response. We commend Governor Lamont for this forward-thinking Executive Order; however, it is important to recognize that Executive Orders are temporary measures with a specific end-date. Long-term protections are necessary for physicians through state legislation, and we implore this Committee to include such protections within this Bill.

COVID-19 has created a health care environment that is unprecedented and ripe for litigation. Anecdotally claims of medical negligence are already being pursued for COVID-19 treatment such as refusing to prescribe hydroxychloroquine, a drug which has not been proven to be effective in the fight against COVID-19.

CSMS supports this Bill, and we stand ready to work with this Committee in expanding liability protections for physicians who have been, and are continuing to, work tirelessly and selflessly fighting COVID-19 and caring for their patients.