

**Public Health Committee
Support of SB1, with Amendment
Testimony submitted by Kevin Brophy, CT Legal Services
March 17, 2021**

My name is Kevin Brophy. I am the Managing Attorney of the Elder Law Unit of Connecticut Legal Services, a non-profit legal aid agency. On behalf of my low-income elderly clients, I am requesting **SB 1** be revised to add the attached language. This language would require DPH to issue statewide anti-discrimination guidance prohibiting the discriminatory rationing of healthcare in times of crisis.

Several Connecticut hospitals have issued highly problematic guidelines, which effectively discriminated against older adults, people with disabilities, and Black, brown, indigenous and Asian people. These discriminatory provisions included the application of tests of likely survival for **five years** after discharge, a test directly discriminating against older people and Black and brown people with inherently shorter lifespans. It also added extra points because an adult needed assistance with all activities of daily living or had a severe and irreversible neurological condition. Higher scores meant lower priority to receive life-sustaining treatment.

The attached proposed language includes protections already adopted in other states and by one of CT's leading hospitals. Please include the attached language in SB 1.

Thank you for your time and interest.

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