

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-157		897	3	2	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Judiciary</i> 418 • <i>Judiciary</i> 446-447 				<u>House Pages:</u> <ul style="list-style-type: none"> • 1911-1912 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • 1157

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

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Thursday, April 29, 1971 67.

Will you remark further on the Bill. The Chair will indicate that the Amendment just adopted is technical. The question before you is acceptance of the Joint Committee's favorable report and passage of the Bill in concurrence with the Senate as amended by House Amendment Schedule "A". All those in favor will indicate by saying "aye". Opposed. The Bill is passed.

EFH

THE CLERK:

Page 9, Calendar No. 559, Substitute for S.B. No. 897, an Act concerning immunity from liability for uncompensated service of hospital utilization review committees.

JOHN V. CASSIDENTO:

Mr. Speaker, I move for acceptance of the Joint Committee's favorable report and passage of the Bill.

MR. SPEAKER:

Question's on acceptance and passage. Will you remark.

JOHN V. CASSIDENTO:

Mr. Speaker, this Bill gives immunity from civil action to any physician who serves without compensation on a Hospital Utilization Review Committee. He must have been appointed to such Committee by the staff of the hospital, and the Committee's function must be to review utilization of hospital facilities in the interest of efficiency. I might also add that the Federal Medicare Act directs that such a review committee be formed in order that the hospital be authorized to treat Medicare patients. I move for passage of the Bill.

MR. SPEAKER:

Thursday, April 29, 1971 68.

Will you remark further on the Bill. If not, the ques- EFH
tion's on acceptance of the Joint Committee's favorable report and
passage of the Bill in concurrence with the Senate. All those in
favor will indicate by saying "aye". Opposed. The Bill is passed.

THE CLERK:

Calendar No. 563, S.B. No. 1167, an Act validating a
notice of Joanne Schmeltz to the City of Danbury. (As amended by
Senate Amendment Schedule "A"). The Amendment is in your files,
File No. 240.

GEORGE W. HANNON, JR.:

Mr. Speaker, it appears that the gentleman bringing out
the Bill is not here. I wonder if we might pass this item tem-
porarily.

MR. SPEAKER:

Is there objection to the matter being passed temporar-
ily? Hearing none, so ordered.

THE CLERK:

Calendar No. 565, S.B. No. 1610, an Act concerning State
payment to the Torrington Area Health District.

ADDO E. BONETTI:

Mr. Speaker, I move for the acceptance of the Joint
Committee's favorable report and passage of the Bill in con-
currence with the Senate.

MR. SPEAKER:

The question's on acceptance and passage in concurrence.
Will you remark.

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CONNECTICUT
GENERAL ASSEMBLY**

SENATE

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the statute and whether the District was living up to certain language.

I would like to thank Senator Pac, for his cooperation in getting this bill out of committee and Senator Houley for also assisting. This will enable the five towns to get the funds that have been appropriated. The money is already there. There is no chance for a veto. I urge passage.

THE CHAIR:

Question is on passage of the bill. Will you remark further? If not, all those in favor signify by saying, "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 263. File No. 296. Favorable report of the joint committee on Judiciary. Substitute for Senate Bill 207. An Act Concerning Immunity from Liability for Uncompensated Service of Hospital Utilization Review Committees.

SENATOR CALDWELL:

Mr. President, I move the acceptance of the committee's favorable report and passage of the bill. It prohibits malpractice suits against physicians for any decision or act they make as members of a hospitalization utilization review committee, on which they serve without compensation.

THE CHAIR:

Question is on passage of the bill. Will you remark further? If not, all those in favor signify by saying, "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 264. File No. 325. Favorable report of the joint committee on the

**JOINT
STANDING
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JUDICIARY

**PART 2
393-688**

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THURSDAY

JUDICIARY COMMITTEE

FEBRUARY 25, 1971

S.B. #897 - AN ACT CONCERNING IMMUNITY FROM LIABILITY FOR UNCOMPENSATED SERVICE OF HOSPITAL UTILIZATION REVIEW COMMITTEES.

Under the Medical Law, all hospitals are required to have a Utilization Review Committee which is supposed to act as a prod to get patients out of hospitals at the earliest possible date, thereby making the necessary beds available for other people and ultimately saving in hospital costs. The physicians who are served on these committees, whether rightly or wrongly, have been much concerned about their own liability in the event that they come through with a recommendation that patient "A" be discharged from the hospital and the patient and his family does not want him to go out.

This has brought questions on whether hospitals should keep special insurance for this kind of service and it just seems to us, that any doctor who, as a matter of public service, agrees to serve on one of these committees that he should not be subject to actions by way of malpractice for decisions which he may make as a member of such a committee so we would support the Medical Societies Bill on that subject.

Rep. Carrozzella: Representative Morano.

Rep. Morano: Mr. Chairman, my name is Michael L. Morano - I am State Representative from Greenwich and I am here this morning to speak on behalf of H.B. #6579.

H.B. #6579 - AN ACT CONCERNING GARNISHMENT OF BANK ACCOUNTS.

Your committee will well remember that the success of this Bill was one I introduced several years ago and in your wisdom, you adopted part of it, and I am here today to ask you to adopt all of it.

I think the archaic attachment laws of this State should all be taken off the books. I think everybody deserves a day in court and I do not think an attachment should be at the whim of a secretary or a lawyer sitting in his office to make it easier for him to attach an account without a court order.

The Bill is self-explanatory and I am sure in your wisdom when you review it before the Executive Committee that you will give it a favorable report. Thank you very much.

Rep. Carrozzella : Thank you, Mr. Cooney

Ms. Spalding: My name is Elizabeth Spalding, I am a resident of Connecticut and I would like to speak on Bill #6502.

H.B. #6502 - AN ACT CONCERNING THE DISSOLUTION OF MARRIAGE.

I am presently involved in marital litigation in two States Connecticut and California with related collateral legal matters in Illinois, New York, and Nevada, a total of five States.

After reading #6502, I would like to present these thoughts to the Committee, Bill #6502 does not allow the Connecticut Court to subpoena effectively outside this State, and information of any nature it considers important or relevant to the divorce custody and support proceedings as outlined in the Bill in Sections 13, 15, 16, 17, 18, 19, 20, 23, 24 and 25. It does not designate in what matter such out-of-state information can be effectively obtained and brought into the Courts of this State.

And, further, Bill #6502 does not specifically recommend or designate the proper forum for bi-state or multi-state marital litigation.

Sen. Rome: I think you should be aware of one of your counselors in the five States ought to discuss the matter of jurisdictional problems under which we cannot operate. These are Federal matters - Constitutional matters that you are bringing up.

Ms. Spalding: That is the problem that the area wants to get

Sen. Rome: Bill #6502 cannot aim at that problem.

Ms. Spalding: But there is no other Bill in the State that can either.

Sen. Rome: No Bill in this State, this would not have to be by another forum and not within this state.

Ms. Spalding: But that is what I am trying to find is what is the forum.

Sen. Rome: I think you ought to consult with your counsel, but it cannot be done by State Law, in my opinion.

Rep. Carrozzella: Ray Lyddy to be followed by Norman Tasker.

Mr. Lyddy: Thank you Mr. Chairman, my name is Raymond Lyddy from Bridgeport representing the Connecticut State Medical Society and I would like to call the Committee's attention to two Bills S.B. #896 and #897, both of which the Connecticut State Medical Society are 100% in favor of.

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BC
THURSDAY

JUDICIARY COMMITTEE

FEBRUARY 25, 1971

S.B. #896 - AN ACT CONCERNING STERILIZATION AND CONSENT THERETO.

I was hopeful that Doctor Wardner would be here, I am not sure that he may be hear yet, but he was to direct detailed remarks toward this because of his knowledge in that area. Briefly, I might say this, that the criminal code, when it comes into effect in October, leaves the question of sterilization yes or no completely blank. There will be nothing in our law concerning whether or not sterilization would be legal, illegal or whatever.

The medical society felt there should be some law indicating that a sterilization procedure should be performed only by doctors of medicine and duly licensed under the Chapter of the Statutes and only after legal consent to such procedures has been obtained.

In other words, they do not just want sterilization procedure to be able to be performed by anyone and I think this should be taken deep consideration by the Committee.

We would also like to reserve the right to present a more detailed position in writing to the Committee by people more knowledgeable in this area than myself.

S.B. #897 - AN ACT CONCERNING IMMUNITY FROM LIABILITY FOR UNCOMPENSATED SERVICE OF HOSPITAL UTILIZATION REVIEW COMMITTEES.

This is a Bill which was presented previously by Senator Finney. This has to do with Hospital Review Committees. They are committees set up in hospitals asking the doctors to serve on them so that they can best utilize the facilities of the hospital. Question of suggestion, of helpfulness, in best serving the public. Doctors are very reluctant to serve on these committees because in three States, there have been suits brought against doctors - members of these committees and they serve without compensation.

We feel that it would be extremely helpful if a law could be enacted giving the doctors who serve on this committee, immunity from any suit because of their service on that committee and really, it is for the benefit of the public and certainly we should extend this courtesy and this protection to the doctors. I appreciate this opportunity, thank you.

Rep. Carrozzella: Thank you. Norman Tasker to be followed by Lt. Sullivan. Norman Tasker - Lt. Sullivan.

Lt. Sullivan: Mr, Chairman, Members of the Committee, I am here to speak in favor of H.B. #6113 which has to do with changing the status of municipal employees from a licensee to an invitee.