



**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
PUBLIC HEALTH COMMITTEE
Wednesday, February 1, 2023**

SB 897, An Act Concerning A Patient's Directions Regarding Life Support Systems

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **SB 897, An Act Concerning A Patient's Directions Regarding Life Support Systems**. CHA supports the goals of the bill but has concerns about the bill as drafted.

Connecticut hospitals continue to meet the challenges posed by the COVID-19 pandemic and are now facing new challenges of treating sicker patients than they saw before the pandemic, with a dedicated but smaller workforce who are exemplary but exhausted. They are also experiencing significant financial hardships brought on by record inflation. Through it all, hospitals have been steadfast, providing high-quality care for everyone who walks through their doors, regardless of ability to pay.

CHA believes that patient choices need to be honored and as written SB 897 has the potential to confuse existing procedures that, for the most part, function properly to carry out those choices.

Over the past several decades, government and society have evolved their thinking to recognize what we now accept as a basic human right: patient self-determination for certain end-of-life choices affecting medical care. Although generally accepted in federal and state law now, the road to legal acceptance was jagged and developed through a mix of case law and statutory changes, which created a complex series of interwoven laws to clarify how these important patient rights are recognized.

As the journey continues to evolve, it is essential that we continuously re-evaluate if the statutory framework is working in the best interests of patients. But every change to the statutory scheme has the potential to throw out of balance the carefully constructed and interwoven pieces that make up the framework. Because people often make their living wills years if not decades before the documents become effective, we need to be very cautious not to make changes that have the potential to weaken a patient's previously declared choices.

SB 897 seeks to amend section 19a-576 only, even though it supplies only one part of the overall framework that directs how the relevant end-of-life choices are made and how patient wishes are determined. The bill's approach will create significant confusion that ultimately will interfere with honoring patient choices. SB 897 will conflict with a number of statutes, including but not limited to: 19a-571 that clarifies the priority of living wills and use of statutory forms over other sources of information about a patient's wishes; 19a-572 that expressly clarifies there is no presumption to failing to have a living will; and 19a-579a that describes the manner in which revocation of a living will is recognized.

With all of that in mind, CHA appreciates the purpose of the bill is to ensure that patient choice is the North Star for end-of-life decision making. We support clarifying that a healthcare representative's role is to carry out the patient's wishes, and not to substitute their own thought process. We believe that goal could be better achieved through clarification in other parts of the statutory framework with less risk of interfering with the statutory processes already in place.

Thank you for your consideration of our position. For additional information, contact CHA Government Relations at (203) 294-7310.