



**TESTIMONY OF
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BEFORE THE PUBLIC HEALTH COMMITTEE
Thursday, March 11, 2004**

HB 5531, An Act Concerning Regulation Of Outpatient Surgical Facilities

Good morning Senator Murphy, Representative Feltman and members of the Public Health Committee. My name is Pat Monahan and I am Vice President and General Counsel of the Connecticut Hospital Association (CHA). CHA appreciates this opportunity to testify in support of **HB 5531, An Act Concerning Regulation Of Outpatient Surgical Facilities**.

CHA supports HB 5531, which makes the provisions of Public Act 03-274 permanent, and requires outpatient surgical facilities using specified levels of sedation or anesthesia to continue the process of obtaining a license from the Department of Public Health (DPH) and a Certificate of Need (CON) from the Office of Health Care Access (OHCA). Public Act 03-274, which was enacted by the legislature last year, ensures that outpatient surgical facilities are subject to the same scrutiny and regulatory oversight as hospital-owned surgical facilities. Public Act 03-274 expires on July 1, 2004. HB 5531 is a critical step in protecting the safety of Connecticut's citizens in surgical settings and ensuring parity in the healthcare system.

Entities that are not hospitals, but provide the same surgical services as hospitals, should be subject to the same level of quality and regulatory oversight as hospitals. All hospitals in Connecticut are licensed by DPH and regulated by OHCA. If HB 5531 is not passed, many non-hospital surgical facilities providing the same surgical services as hospitals will be permitted to avoid standard licensing requirements and the CON process overseen by OHCA. Hospitals, by virtue of their structure, should not be subject to more rigorous requirements when providing the same services as non-hospital entities.

Connecticut's citizens have the right to expect the same level of care and quality in all outpatient surgical settings. Patients who undergo surgery in an outpatient setting with use of moderate or deep sedation or anesthesia have the right to know that their surgery will take place in a properly equipped surgical facility that has been licensed by DPH and approved by OHCA. If Public Act 03-274 is allowed to lapse, many non-hospital surgical facilities, providing the same services as hospitals, would escape regulatory oversight both in terms of quality and patient safety.

For the good of all surgical patients in Connecticut, all outpatient surgical facilities that perform similar services should be subject to equal regulatory oversight.

Thank you for your consideration of our position.

PJM:pas