



Michael Sroczyński  
President

April 14, 2026

The Honorable Joseph J. Solomon, Jr.  
Chair, House Corporations Committee  
Rhode Island State House  
82 Smith Street  
Providence, Rhode Island 02903

**RE: Opposition to H.8401 – Medical Malpractice Insurance Regulation**

Dear Chairman Solomon,

On behalf of the Hospital Association of Rhode Island (HARI) and our member hospitals, I write to express our opposition to H.8401, an act related to the regulation of medical malpractice insurance.

We share the sponsor's goal of protecting patients and providers, and agree that strong, reliable medical malpractice coverage is essential to a safe and functioning healthcare system.

However, as written, this legislation would have severe and immediate consequences for Rhode Island's healthcare system. Hospitals and providers operate within a fragile but functioning medical malpractice framework that is essential to maintaining access to care. That framework exists in large part because the commercial insurance market has not consistently met the needs of providers in this space. If disrupted, there is no alternative market ready to absorb that risk.

H.8401 introduces new regulatory requirements that, taken together, jeopardize the viability of existing self-insurance structures that hospitals rely on today. The result is not theoretical—this bill risks leaving hospitals and physicians without viable malpractice coverage, which would directly impact their ability to operate and provide care in Rhode Island.

There is a more practical path forward that builds on what exists today—requiring proof of coverage to DBR and ensuring the Department has clear authority to enforce those requirements. While DBR has oversight under current law, it does not have clear mechanisms to act if an entity falls out of compliance. Addressing that gap would be a more targeted and effective solution.

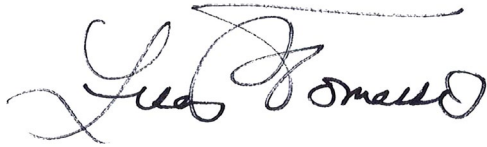
Finally, it is important to recognize that this legislation does not resolve the underlying issue it seeks to address. Insolvency—particularly in the context of bankruptcy—is governed by federal law, and the state has limited ability to control how assets are treated in those proceedings. As a result, additional state-level regulatory requirements cannot eliminate that risk. In fact, by constraining the very mechanisms that currently ensure coverage, this bill may increase system vulnerability while offering a false sense of protection.

Rhode Island's healthcare system depends on stability and predictability—particularly in areas as foundational as professional liability coverage. As written, this legislation introduces immediate operational risk without solving the underlying problem. HARI respectfully urges the Committee to

oppose H.8401 and instead pursue targeted solutions that strengthen oversight without destabilizing the system.

We appreciate the sponsor's engagement on this important issue and look forward to working with Representative Spears on a path forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Tomasso". The signature is fluid and cursive, with a long horizontal line extending from the top of the "L" across the top of the signature.

Lisa P. Tomasso  
Senior Vice President