



# RHODE ISLAND MEDICAL SOCIETY

Chairperson Joseph Solomon  
House Corporations Committee  
Rhode Island House of Representatives  
Rhode Island State House  
82 Smith Street  
Providence, RI 02903

Support with Considerations – H 8401

April 14, 2026

Dear Chair and Members of the Committee,

On behalf of the Rhode Island Medical Society (RIMS), I write regarding H8401.

RIMS supports the goal of this legislation to ensure the stability and reliability of medical malpractice coverage in Rhode Island. This issue is not theoretical. We have seen firsthand what can happen when coverage structures are not adequately protected.

In the case of CharterCare, physicians have been left navigating significant uncertainty related to malpractice coverage. There are still physicians today with open, unresolved cases who do not have clarity about how those claims will ultimately be handled. At the same time, patients and families involved in those cases are also impacted, facing delays and uncertainty in the resolution of their claims.

This experience underscores the need for stronger oversight, particularly around reserve adequacy, claims-paying ability, and what happens in the event of financial distress or organizational change. Greater transparency and clearer safeguards are essential to protect both patients and physicians.

At the same time, it is critical that any new framework be workable for hospitals and health systems that are operating in good faith. Rhode Island's healthcare system relies heavily on nonprofit institutions whose mission is centered on patient care and community benefit. These organizations should not be unintentionally penalized as the state addresses gaps created by isolated but significant failures.

It is also important to ensure that hospitals can continue to appropriately indemnify affiliated physicians. Many physicians rely on hospital-based coverage arrangements for malpractice protection, and any new requirements should allow these models to continue, provided they meet appropriate standards, without creating disruption.

As drafted, the bill raises several concerns that warrant refinement. Requirements tying coverage approval to licensure will require clear coordination between the Department of Business Regulation and the Department of Health to avoid disruption. Allowing claims to be settled without physician consent raises concerns about professional and reputational impact. The bill should also address how existing, or "legacy" claims will be managed to ensure continuity and fairness.

RIMS believes this legislation presents an important opportunity to strengthen oversight and restore confidence in the system. We look forward to working with the Committee to ensure it achieves these goals in a way that protects patients, supports physicians, and remains workable for healthcare institutions.

Thank you for your consideration.

Sincerely,

Nadine Himelfarb, MD  
President