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Susan Donovan, Chairwoman

Rhode Island State House

82 Smith Street

Providence, RI 02903

RE: H 6210 - Relating to Courts and Civil Procedure – Evidence

Dear Chairwoman Donovan,

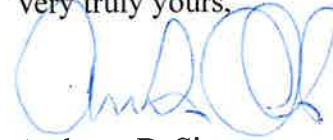
On behalf of the Rhode Island Association for Justice (“RIAJ”), this letter is in opposition of H 6210, which would provide that statements made by a healthcare provider to a patient, a patient’s relative or representative regarding medical malpractice that injures a patient shall be inadmissible as evidence of admission of liability or as evidence against interest in any claim or action taken against the provider. The bill goes beyond expressing sympathy or condolences to patients and/or their relatives or representatives. In Section (b)(1) of H 6210, a statement of “commiseration”, and “regret” are excluded from evidence, these statements are probative evidence as to fault and should be admissible.

The practical effect of this bill would be harmful for patients. The bill will make it more difficult for patients that have been injured by doctors to be made whole again, all the while protecting one class of professionals from liability. This bill attempts to limit evidence beyond current provisions in the general laws or Rhode Island Rules of

Evidence for healthcare providers. There should be no exception for one class of professionals.

On behalf of the Rhode Island Association for Justice, I respectfully request that H 6210 be denied by the House Health and Human Services Committee.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Anthony DeSisto', with a stylized, cursive flourish at the end.

Anthony DeSisto
On behalf the Rhode Island
Association for Justice