



Howard M. Dulude
Interim President

March 11, 2025

The Honorable Robert E. Craven, Sr.
Chairman, House Committee on Judiciary
Rhode Island State House
82 Smith Street
Providence, Rhode Island 02903

Re: OPPOSE – H.5903/H.5912

Dear Chairman Craven:

The Hospital Association of Rhode Island (HARI) and its members oppose H.5903 and H.5912, which together repeal the abrogation of the collateral source rule in medical malpractice cases. This change would allow plaintiffs to recover the billed amounts for medical services, rather than the actual amounts paid by them or their insurers.

R.I. Gen. Laws § 9-19-34.1, targeted for repeal by H.5903, was enacted in 1976 as part of the Medical Malpractice Reform Act to address a healthcare crisis. It was later revised in 1986 when the Medical Malpractice Joint Underwriting Association faced insolvency. Today, Rhode Island confronts a similar crisis, with the commercial insurance market retreating and many hospitals forced into self-insurance due to limited access to professional liability insurance.

The modest relief provided by § 9-19-34.1, allowing collateral benefits to be admissible in malpractice actions, has helped stabilize the professional liability market and healthcare system. The law ensures juries consider the actual economic damages incurred, rather than inflated billed amounts.

Repealing this provision would only exacerbate the financial strain on hospitals. Now is the time to support hospitals, not remove critical financial protections. HARI urges careful consideration of the significant implications of these proposals.

We appreciate your attention to this matter and look forward to working with Chair Baginski, you, and this committee to strengthen Rhode Island's healthcare system.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Tomasso", written in a cursive style.

Lisa P. Tomasso
Senior Vice President