



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.5908

Dear Chairman Craven:

The Hospital Association of Rhode Island (HARI) and its members oppose H.5908, an act which makes punitive damages available by statute in all civil actions and seeks to lower the common law standard for awarding such damages from requiring "wrongful conduct that was malicious or intentional" to a significantly reduced standard of "conduct the actor knew or should have known was dangerous."

This shift essentially introduces a negligence standard for punitive damages, which starkly contradicts the Rhode Island Supreme Court's long-standing position that punitive damages are an extraordinary sanction, disfavored in the law. The Court has emphasized the importance of maintaining a high threshold for punitive damages to ensure they are reserved for truly egregious conduct.

Moreover, punitive damages are uninsurable under Rhode Island law. This reality means that hospitals would be compelled to cover such losses directly from operating funds. At a time when hospitals are already navigating unprecedented financial strain, this change would further imperil their ability to provide critical care services. Punishing accidental conduct does not serve the interests of justice and could have detrimental impacts on the stability and sustainability of healthcare institutions across the state.

For these reasons HARI opposes H.5908 and urges you to consider the significant implications of this proposal.

We appreciate your consideration and look forward to working with Chairman Shanley and this committee to strengthen the Rhode Island healthcare system.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Tomasso", with a stylized flourish at the end.

Lisa P. Tomasso
Senior Vice President

Hospital Association of Rhode Island

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