

March 11, 2025

Representative Robert E. Craven, Sr.
Chair, House Judiciary Committee
Rhode Island State House
Providence, RI 02903

Re: House 5912 – An Act Relating To Courts And Civil Procedure – Procedure Generally – Evidence

Dear Chair Craven:

This statement in opposition to H.5912 is submitted by the American Property Casualty Insurance Association (APCIA).¹ House 5912 would require all civil cases to use only the amount billed by health care providers, prohibiting introduction of any evidence showing the health care provider accepted any other amount in satisfaction of the bill. These amounts can differ considerably because of negotiated rates, discounts, or write-offs.

It is common for “list prices” to be significantly higher (often 3-4 times) than the amounts actually paid by patients or their insurers, a delta that was recognized in the Affordable Care Act and recent federal requirements for hospitals and insurers to post charges and various negotiated rates.² This is the case in many industries. Consider, for example, a driver who crashes a new car will receive the current market value rather than the full price paid or the MSRP.

Prohibiting consideration of actual costs or amounts paid will significantly and punitively inflate damages with no compensatory purpose. Outsized medical damages impact the costs of products, services and insurance. It also provides a perverse incentive to health care providers to bill at even higher rates since there can be no counter in the judicial process. Consequently, all Rhode Island consumers and insureds will likely pay directly to underwrite these increased medical expenses. At the same time, this creates more disputes and litigation that impact the civil justice system.

Finally, only 15 states follow the H.5912 model. Notably, nearby states Maine, Massachusetts and Connecticut at least allow for a post- verdict reduction to paid or written-off amounts.

For all of the above reasons, APCIA urges this committee to hold H.5912 for further study.

Very truly yours,



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¹ Representing nearly 65% of the U.S. property casualty insurance market, APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent all sizes, structures, and regions, which protect families, communities, and businesses in the U.S. and across the globe. Several APCIA members are located in Rhode Island and many more do business here. Together, APCIA members write almost 68.5% of the commercial insurance sold in the state.

² <https://www.cms.gov/healthplan-price-transparency/plans-and-issuers>
<https://www.cms.gov/priorities/key-initiatives/hospital-price-transparency/hospitals>