



Via Email to HouseJudiciary@rilegislature.gov

April 8, 2025

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

RE: Statement in Opposition to House Bill 5661-- AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE IN PARTICULAR ACTIONS -- DEATH BY WRONGFUL ACT

Dear Chair Craven:

The Rhode Island Insurance Federation ("RIIF") and American Property Casualty Association ("APCIA") submit this statement in opposition to House Bill No. 5661, which expands the statute of limitations with respect to any wrongful act resulting in the death of a child in utero or within six (6) months after the birth of the child, to ten (10) years after the death of the child.

The Federation was recently formed to advocate for the property and casualty insurance industry in Rhode Island. Federation members write approximately 60% of the total property casualty insurance premiums in the state, and importantly for this legislation over 73 percent of the professional medical liability market. The American Property Casualty Association has been steadfast in its advocacy in Rhode Island for many years and APCIA's membership represents over 75 percent of the property-casualty market in Rhode Island.

Losing a child is an incredible loss for any family, and we understand the necessity of allowing these parents an opportunity to grieve. We also appreciate the need for justice in these circumstances, whether it is civil or criminal in nature. However, we must ensure those scales of justice remain balanced throughout the legal process.

Statutes of limitations exist to protect defendants from unfair legal actions and unfair decisions that increase legal expenses and insurance premiums and undermine the success of professions and industries in Rhode Island. These statutes exist to ensure that relevant key evidence, including records, witnesses and memories, is reliable and available to the defense against such claims. Increasing the length of time to initiate a claim directly contradicts this stated purpose. Statutes of limitations have a long history in Rhode Island and throughout America, both as specific legislative acts and case law. Expanding this statute of limitations to 10 years could have significant impacts on defendants, especially in medical malpractice cases, to properly defend themselves.

For the aforementioned reasons, APCIA and RIIF respectfully ask that this bill be held by the Committee.



Jonathan Schreiber
Associate Vice President, State Government Relations
APCIA
Jonathan.schreiber@apci.org



Christopher S. Stark
Executive Director
Rhode Island Insurance Federation
cstark@rhodeislandinsurancefederation.org