

April 24, 2025

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

Re: House 5904 – An Act Relating to Courts and Civil Procedure – Procedure Generally - Evidence

Dear Chairman Craven:

The American Property Casualty Insurance Association (APCIA)<sup>1</sup> opposes H.5904 because it would decrease the accuracy of life expectancy calculations. The result will be that some individuals will be undercompensated while others are overcompensated.

Life expectancy is a projection. Litigants have no way of knowing the actual life span of any individual. They could live a long and healthy life or be hit by a bus tomorrow. However, life expectancy can be projected with accuracy that bears out over many cases. The best and most fair way to reach the most accurate projection is to consider many actuarially sound and independently predictive variables. This assures that no single variable has a disproportionate impact on the calculation. Eliminating variables creates unfair subsidies as litigants lose accuracy and put more weight on other factors.

H.5904 would prohibit consideration of several data points that have long been shown to have predictive value in determining life expectancy.<sup>2</sup> Considering this data, H.5904 is likely to result in under-compensation of women, Asian-American (4% of RI population), and Latino (18% of RI population) residents, who typically live longer lives. Alternatively, it will cause over-compensation of males and Black (6% of RI population) residents, who typically have shorter life expectancies.

Furthermore, this bill also presents administrative challenges. Life expectancies change over time. By replacing existing statutory language restricting evidence to annually updated Federal resources with a static table, Rhode Island law will need to be updated regularly or risk being even less accurate.

APCIA appreciates the opportunity to provide feedback on this bill. For the foregoing reasons we request that H.5904 be held for further study.

Very truly yours,



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<sup>1</sup> Representing 67% 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 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. APCIA members are integral to the state of Rhode Island. They write 76% of the property casualty insurance sold in this state. The P&C insurance industry employs over 3,200 Rhode Islanders, provides annual assistance of \$1.5 billion in claim payments to help customers in the state, and contributes over \$160 million annually to the state in premium taxes.

<sup>2</sup> See e.g. <https://www.health.harvard.edu/blog/why-men-often-die-earlier-than-women-201602199137>, noting that the average female life span is about 5 years older than for men in the U.S.  
<https://pmc.ncbi.nlm.nih.gov/articles/PMC9256789/>, showing national life expectancy by racial and ethnic groups from 2000-2019. The average life expectancy in 2019 was 75.3 for Black residents, 78.9 for White, and 82.2 years for Latino residents.