



Howard M. Dulude
Interim-President

March 25, 2025

The Honorable Joseph J. Solomon, Jr.
House Corporations Committee
Rhode Island State House
82 Smith Street
Providence, Rhode Island 02903

Re: OPPOSE – H.5812

Dear Chairman Solomon:

The Hospital Association of Rhode Island (HARI) and its members oppose H.5812, an act which requires insurance policies for property damage, personal injuries, and indemnification to state policy limits and prohibits any amount of the policy to be used to pay costs to defend a claim.

If enacted this legislation would restrict insurers from issuing “defense within limits” insurance policies, which reduce the overall available policy limits by the amount paid for defense costs and expenses. This type of policy allows greater predictability for the insurer as to its ultimate loss exposure, which is critical to ensuring the fiscal viability of insurance companies.

For hospitals, the availability of defense within limits policies is critically important because of the severity of the risk involved in the provision of healthcare services, particularly in a litigation environment as favorable to plaintiffs as Rhode Island. Hospitals are struggling to keep up with not only mounting insurance costs, but the ability to access professional liability insurance on the commercial market at all. The continued availability of defense within limits policies is vital to the financial health of our hospitals.

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

Sincerely,

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

Lisa P. Tomasso
Senior Vice President