

HCS HB 1685 -- INVESTIGATIONAL DRUGS

SPONSOR: Neely

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Professional Registration and Licensing by a vote of 24 to 0.

This bill allows, but does not require, a manufacturer of an investigational drug, biological product, or device to make available the manufacturer's investigational drug, biological product, or device to eligible patients.

A manufacturer may:

- (1) Provide an investigational drug, biological product, or device to an eligible patient without receiving compensation; or
- (2) Require an eligible patient to pay the costs of or associated with the manufacture of the investigational drug, biological product, or device.

The bill does not require a health care insurer to provide coverage for the cost of any investigational drug, biological product, or device but a health care insurer may provide coverage for an investigational drug, biological product, or device.

A state agency or regulatory board cannot revoke, fail to renew, or take any other action against a physician's license issued under Chapter 334, RSMo, based solely on the physician's recommendation to an eligible patient regarding prescription for or treatment with an investigational drug, biological product, or device. Any official, employee, or agent of this state who blocks or attempts to block access of an eligible patient to an investigational drug, biological product, or device is guilty of a class A misdemeanor.

The bill contains a severability clause and if a provision or its application to any person or circumstance is held invalid, the invalidity does not affect its other provisions or applications.

PROPOSERS: Supporters say that this bill allows severely ill individuals to take certain drugs which have gone through the first phase of FDA approval. In most cases, it takes years for the FDA to approve certain drugs and many of these individuals can't wait. This bill allows drug companies to make these drugs available and give individuals the "right to try."

Testifying for the bill were Representative Neely; Mo McCulloh; Melissa Hile; Pat Ishmale; and Ross Nichols.

OPPONENTS: There was no opposition voiced to the committee.