

LOVAS FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.C.R. 2005

(Reference to printed resolution)

1 Page 1, line 19, strike "WHO MEETS" insert "TO WHOM"

2 Line 20, after "FOLLOWING" insert "APPLY"

3 Line 21, after "(a)" insert "THE PERSON"; after "ILLNESS" insert "AS DETERMINED
4 BY THE PERSON'S PHYSICIAN AND A CONSULTING PHYSICIAN"

5 Strike lines 22 and 23, insert:

6 (b) THE PERSON'S PHYSICIAN HAS DETERMINED THAT THE PERSON HAS NO
7 COMPARABLE OR SATISFACTORY UNITED STATES FOOD AND DRUG ADMINISTRATION
8 APPROVED TREATMENT OPTIONS AVAILABLE TO DIAGNOSE, MONITOR OR TREAT THE
9 DISEASE OR CONDITION INVOLVED AND THAT THE PROBABLE RISK TO THE PERSON FROM
10 THE INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT OR DEVICE IS NOT GREATER THAN
11 THE PROBABLE RISK FROM THE DISEASE OR CONDITION."

12 Line 24, after "(c)" insert "THE PERSON"

13 Line 27, after "(d)" insert "THE PERSON"

14 Line 32, after "(e)" insert "THE PERSON"

15 Between lines 39 and 40, insert:

16 "3. "PHYSICIAN" MEANS THE PHYSICIAN WHO IS PROVIDING MEDICAL CARE OR
17 TREATMENT TO THE ELIGIBLE PATIENT FOR THE TERMINAL ILLNESS BUT DOES NOT
18 INCLUDE A PRIMARY CARE PHYSICIAN."

19 Renumber to conform

20 Page 2, between lines 15 and 16, insert:

21 "3. REQUIRE AN ELIGIBLE PATIENT TO PARTICIPATE IN DATA COLLECTION
22 RELATING TO THE USE OF THE INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT OR
23 DEVICE."

24 Line 16, after "INSURER" insert "OR ANY STATE AGENCY"

25 Line 21, after "license" insert "or health care institution license"

1 Page 2, line 22, before "NOTWITHSTANDING" insert "A."

2 Between lines 27 and 28, insert:

3 "B. NOTWITHSTANDING ANY OTHER LAW, A STATE AGENCY MAY NOT TAKE ANY
4 ACTION AGAINST A HEALTH CARE INSTITUTION'S LICENSE BASED SOLELY ON THE
5 INSTITUTION'S PARTICIPATION IN THE TREATMENT OR USE OF AN INVESTIGATIONAL
6 DRUG, BIOLOGICAL PRODUCT OR DEVICE UNDER THIS CHAPTER."

7 Amend title to conform

PHIL LOVAS

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02/26/2014
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C: mjh