

Honolulu, Hawaii
February 2, 2016

RE: H.B. No. 1013
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1013
entitled:

"A BILL FOR AN ACT RELATING TO EXPERIMENTAL TREATMENTS,"

begs leave to report as follows:

The purpose of this measure is to establish the Right to Try
Act, which, among other things:

- (1) Authorizes manufacturers to make investigational drugs, biological products, or devices that have not yet been finally approved by the United States Food and Drug Administration, available to terminally ill patients who have written, informed consent; and
- (2) Exempts from liability and sanctions, the manufacturer of investigational drugs, biological products, or devices as well as persons who are involved in a patient's participation in such experimental treatments for terminal illness.

The Hawaii Association for Justice and Goldwater Institute commented on this measure.

Your Committee respectfully requests the House Committee on Consumer Protection & Commerce, should it consider this measure, to consider whether the definition of "terminal illness" should be further defined, narrowed, or expanded.

HB1013 HD1 HSCR HLT HMS 2016-1433-1



Your Committee has amended this measure by:

- (1) Making technical, nonsubstantive amendments for clarity, consistency, and style; and
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1013, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1013, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Health,



DELLA AU BELATTI, Chair



