

March 26, 1979

LB 382

SENATOR VENDITTE: I think it is, Senator Lewis. I think it is important from this standpoint in that, for example, if you go to the doctor's office this afternoon and he gives you a shot of penicillin for maybe let's say an inflammatory condition of the skin.

SENATOR LEWIS: If he knows I am allergic to penicillin, certainly he is going to have a suit in about five minutes.

SENATOR VENDITTE: Certainly he is, but yet on the same token, Senator Lewis, looking and having complete knowledge of your medical history, he prescribes that medication knowing full well that it is in his best knowledge going to help and aid you in getting rid of that skin condition. Then let's say, for example, you die at 5:30 this afternoon. You know, there is just no recourse.

SENATOR LEWIS: Let me ask the other question. I think the answer is you are wedded to that particular provision. Secondly, do you oppose the Wesely amendment to providing that the advertisement will be keenly controlled in terms of the affects, in terms of the solutions?

SENATOR VENDITTE: Yes, I would certainly agree to that.

SENATOR LEWIS: Mr. President, I am going to make some remarks and seldom do I make personal remarks on the floor except to refer to my good mother in Ada. You know, one of my very best childhood friends who later married my brother died at 33 of cancer and most of you were here when I went home for that particular sad event. For two years she went through the surgery, the chemotherapy and finally I think they were even using mustard gas. Certainly I am concerned that no family be subjected to any hoax but I am just as firmly convinced that if there is some reasonable evidence, there is some reasonable evidence that people can be helped when there appears to be no help, that something should be done about that. I certainly agree, Senator Wesely, that a doctor is fully responsible, is fully responsible for the prescription and diagnosis of the patient and I would object to that particular part of the bill, Senator Venditte, and when the bill gets to the floor, I will attempt to amend it in that fashion. Certainly, Senator Wesely, I agree with you that I do not want anybody, any manufacturer of any substance, preying on people in this state with some kind of false hopes. I would certainly support any move to make sure, Senator Chambers, of truth in advertisements when in regard to that issue. I think this is a tough issue for everyone. I think that it is