

April 27, 1979

LB 382

Illinois laetrile legalization statutes. This amendment of Senator Simon ensures that patients will be made aware of conventional cancer treatments available and of the official disapproval of laetrile by the FDA and the American Cancer Society and the American Medical Association. Thus the patient will truly make an informed judgment when opting for laetrile treatment. Section 6, this section is a more detail version of section 6 in the original bill. It borrows language from other state's statutes and Louisiana has the same in prohibiting hospitals and health care facilities from interfering with laetrile treatment. It also protects such health care facilities from harassment solely because the facility allowed the use of laetrile. It does not, and I emphasize that, it does not exempt the facility for liability arising from negligence or other actions. Section 7, this section is a more detailed version of section 6 in the original bill and this was taken from the Illinois statutes, is based on language from other state laetrile statutes which attempt to protect physicians from harassment solely because they prescribe or administer laetrile. Paragraph 2 specifically states this does not protect the physician from normal malpractice suits and disciplinary action by the State Health Department because of physician negligence, misrepresentation of drugs and other causes set forth in Nebraska statutes dealing with malpractice. Section 8, this is an entirely new section again borrowed from other states which ensures that the courts will not interpret this act so as to relieve health care facilities from the liability for negligence. It is more of a precautionary section rather than one which is absolute necessary. Section 9, this new section based on other states, Illinois and New Hampshire, makes it patently clear that the act does not require, and I want to emphasize that, it does not require a physician to prescribe laetrile nor does it require a health care facility to stock laetrile in its pharmacy. This is intended to allay the concerns of many of the opponents who feel that LB 382 passes the physicians will be compelled to administer laetrile. Section 10, this is another new section borrowed verbatim from the New Jersey laetrile statute which would permit pharmacists to dispense laetrile without fear of any harassment merely because they dispensed laetrile. Section 11, this is identical to section 8 of the original bill. Now I know there is going to be a lot of argument on the amended version of the laetrile bill and I would like to go over some of those before we go on to the next speakers. First of all, I am sure that they are going to say laetrile is ineffective as a cancer treatment, that it doesn't cure, control or alleviate cancer. The effectiveness

4131