

April 27, 1979

LB 382

This just would expand those functions and it would provide the Department of Health to certify laetrile as to its identity and purity and it goes on to just lay out that, well, I will read it. "This provision shall apply to laetrile manufactured, used or brought into the State of Nebraska. The Department of Health shall also promulgate rules and regulations to certify laetrile and set purity standards. Such rules and regulations shall be promulgated after consultation with licensed physicians representative of all areas of the State of Nebraska. Such rules and regulations shall be developed: (a) to certify substances which are to be prescribed and administered as laetrile. (b) to provide for the labeling of laetrile. Standards developed may differentiate between laetrile in tablet form and laetrile in injectable form. (c) to provide for the packaging of laetrile. (d) to provide for the storage of laetrile. (e) to provide for purity standards." So really all this does is more clearly identify what rules and regulations the Health Department should and would develop and would just more clearly identify their role in the administration of laetrile. Then I would also add section 13 in which would be said "Any person in violation of this act shall be guilty of a Class II misdemeanor." That basically is that there is no penalty provision. We have different rules and regulations in this bill but no penalty. So that would be added. We would renumber the original sections and, oh, my last concern is on page 3. On page 3, lines 10 through 14 would be struck and then it would read on line 14, section 6 would be moved down there and then it would say, "A health care facility" and then it would continue with the rest of that section. The lines 10 through 14 that are taken out say that no hospital, clinic, nursing home or other health care facility in this state or any employee or agent thereof shall restrict or forbid the use of or refuse to administer or dispense laetrile when prescribed or administered in accordance with this act. Basically, we are talking about freedom of choice and yet we have in this bill no freedom of choice for the hospitals in this state, basically, and I think that they ought to be allowed, if they decide within their administration and their efforts to meet the health care needs of the patients, that they don't want to allow the use of laetrile, then I think they ought to have the freedom of choice to make that decision. And so those are my amendments and I don't think they change dramatically the intent of the amendments drawn up by Senator Labeledz. I think that they only clarify and meet some of my additional concerns. I think that if these amendments are adopted and the Labeledz amendments are adopted I could support the bill. I have perhaps other concerns