

January 14, 1980

LB 382

not the case. Judge Bohanon quoted the FDA again of the Commissioner's report on the laetrile hearings noting, this is his, again, quote, "There can be few patients taking laetrile in this country today who do not know that the government and most experts consider it worthless." In LB 382, we do have the informed consent form where it has to be signed by the patient. This, of course, would help. The detailed informed consent now required by the amended version of LB 382 ensures that all patients will be made fully aware of all conventional treatments for his or her illness and that the patient would be notified of the medical establishment disapproval of laetrile. I don't want to take up too much of the time because I know we are coming pretty close to voting on the bill. The debate we had last year, and I am sorry there are some new Senators here that were not present at the time, but I am sure they had ample opportunity to read the debate, to read the amendments. The bill is in good shape now. I urgently request and hope that you will vote on this bill today. There is one more thing I did want to bring up because I think Senator Cullan did bring it up. The Supreme Court ruling on June 19th, 1979, and I am taking this from an article in the newspaper. "Monday's Supreme Court ruling in turn did not discuss the privacy issue. Conceivably the Appeals Court could rule that terminally ill cancer patients have a constitutional right to obtain laetrile and the controversy could return to the Supreme Court. In Oklahoma, lawyer Kenneth Coe said that Monday's ruling will have no immediate impact. The net effect of the ruling is zero. The two strongest arguments we have got are the ones that are left and we are going back to the 10th Circuit Court to argue these out."

SPEAKER MARVEL: Your time is up.

SENATOR LABEDZ: Thank you.

SPEAKER MARVEL: Senator Simon. The motion is to advance the bill.

SENATOR SIMON: Mr. President, members of the body, I rise to oppose LB 382. We have been told that twenty-one other states have adopted similar type of legislation and, therefore, we should follow suit. I might point out an analogy and say that if twenty-one other states walked out to the edge of a bridge and jumped off, it doesn't mean that this state should follow suit. We have a history in Nebraska of being independent, of thinking for ourselves, and whether one state or forty-nine other states have passed this type