

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

March 28, 2000

LB 1405

side lose, but find a way that we can move forward and address the complex ethical issues that we have. During the previous debate, proponents of LB 1405 said that they want the research to continue. But we don't know how the research can continue, that was one of the issues that Senator Beutler raised. The university says that they cannot find the tissue. And I believe that there is good reason to believe that that is true. If the tissue were available, I cannot imagine that the university, under the firestorm that we have seen, would not be using it already. Part of the...part of the issue about it is the magic of fetal tissue; it is...it has no antibody response, it is not differentiated, that means it has already become a particular part of the body and can adapt; it also can be cryo preserved and reanimated. Those are the reasons that fetal tissue is...is looked to. But Senator Beutler's questions, I guess I would add another question or a subquestion to the one that he has about the search for cures requiring fetal tissue, and that is, does the cure lead us or does the therapy lead us to a point that says that we will actually require more fetal tissue, that fetal tissue will become in and of itself a part of the therapy? And that's a very important consideration, I believe, if we're really going to talk about this in a meaningful way. My amendment would say that any medical practitioner who prescribes a medicine or a therapy or a diagnostic procedure must disclose to the patient that that procedure came as a result of fetal tissue research or fetal tissue. And the purpose is to get this back to an individual decision about whether this is something that they feel comfortable in using. There are volumes of articles and books about the ethics and application of fetal tissue that come to no definite conclusion on the issue because there is this...

**SPEAKER KRISTENSEN:** One minute.

**SENATOR BROWN:** ...rift that we have seen in the opinion. But perhaps it is a conclusion in and of itself that this debate is so perfectly balanced, and maybe we do need to be, rather than saying, no, we're not going to do research, no, we're going to walk away from everyone, including those people who don't share the...who...who come to this believing that some good can come from an act that they may or may not agree with, still want the benefits of the technology, maybe there is someplace for us to