

HB 1206 -- INDIVIDUALIZED INVESTIGATIONAL TREATMENT

SPONSOR: Stinnett

This bill establishes the "Hope for Missouri Patients Act", which permits eligible manufacturers within eligible facilities to make available individualized investigational drugs, biological products, or devices for eligible patients, but does not mandate the provision of these drugs, products, or devices to patients.

The bill allows facilities or manufacturers to either provide these items to patients without receiving compensation or to require a patient to pay the costs of the manufacture of these drugs, products, or devices. The bill additionally permits, but does not require, health plans, third-party administrators, or governmental agencies to provide coverage for the costs of or associated with these drugs, products, or devices, and provides that hospitals or facilities licensed by the Department and Health and Senior Services to provide new or additional services unless approved by the hospital or facility.

If a patient's death is proximately caused by treatment with these drugs, products, or devices, the patient's estate, heirs, or devisees are not liable for any remaining debt, but this is not construed to be an exemption to liability for any charges for non-experimental treatments provided to the patient.

No licensing board or disciplinary subcommittee is to revoke, fail to renew, suspend, or take any action against a health care provider's license based solely on the provider's recommendations to an eligible patient regarding access to, or treatment with, these drugs, products, or devices, nor will an entity responsible for Medicare certification do the same for a provider's Medicare certification.

The bill additionally prohibits any state official, employee, or agent from blocking or attempting to block a patient's access to these drugs, products, or devices; provides that counseling from a licensed health care provider consistent with medical standards of care is not a violation of this bill; and that a private cause of action against a manufacturer of these drugs, products, or devices is not established through the provisions of this bill.