

HB 2643 -- ACCESS TO INDIVIDUALIZED INVESTIGATIONAL TREATMENT

SPONSOR: Stinnett

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Emerging Issues by a vote of 12 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 9 to 0.

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 of Health and Senior Services are not required 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.

This bill similar to as HB 1206 (2025).

PROPOSERS: Supporters say that many people suffer because the FDA does not prioritize, test, or run clinical trials on new, potentially effective drugs. Allowing new studies to move forward in the scientific community would create opportunities for highly individualized treatments for people with unique maladies. Supporters further state that without the provisions of this bill, doctors will be unable to provide the most specialized care that they can offer.

Testifying in person for the bill were Representative Stinnett; Bill Mundhausen; Donna Patty; Frank Gillham; Gretchen Peters; Karen Sears; Madison Stephens; Barry Goldwater Institute for Public Policy Research; Tyler Stillings; Arnie Dienoff; and Americans For Prosperity.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.