

HOUSE CONCURRENT RESOLUTION NO. 107

BY MERTZ

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3 A House Concurrent Resolution encouraging the United  
4 States Congress to enact legislation to improve  
5 access to medical treatment.

6 WHEREAS, health care should be provided in a manner  
7 which allows a patient maximum choice based upon the  
8 recommendation of a health care practitioner who, in  
9 turn, is allowed maximum latitude in exercising the  
10 practitioner's independent professional judgment in  
11 the selection and recommendation of a treatment which  
12 meets the needs of the individual patient; and

13 WHEREAS, the maximum latitude allowed a health care  
14 practitioner in the selection and recommendation of a  
15 treatment for an individual patient should include the  
16 ability to recommend drugs and medical devices not  
17 approved by the United States Food and Drug  
18 Administration, if in the practitioner's independent  
19 professional judgment the drugs and medical devices  
20 are the best option for saving life, improving health,  
21 or alleviating suffering relative to the individual  
22 patient; and

23 WHEREAS, many drugs and medical devices not  
24 approved by the United States Food and Drug  
25 Administration for manufacture, sale, or distribution  
26 in the United States, including those legally  
27 available outside the United States, may be the best  
28 or only treatment option for an individual patient;  
29 and

30 WHEREAS, existing state laws provide adequate

HCR 107

1 protection for practitioner-recommended patient use of  
2 drugs and medical devices not approved by the United  
3 States Food and Drug Administration; NOW THEREFORE,

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
5 SENATE CONCURRING, That the Congress of the United  
6 States is urged to enact HR 2635, the Access to  
7 Medical Treatment Act, or similar legislation, which  
8 provides adequate consumer protection and safeguards  
9 but which allows access to medical treatment,  
10 including drugs and medical devices, that has not been  
11 approved by the United States Food and Drug  
12 Administration; and

13 BE IT FURTHER RESOLVED, That copies of this  
14 Resolution be sent to the President of the United  
15 States, to the President and Majority and Minority  
16 Leaders of the United States Senate, to the Speaker,  
17 Majority Leader, and Minority Leader of the United  
18 States House of Representatives, and to members of the  
19 Iowa congressional delegation.

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