



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

LATE

**Testimony COMMENTING on SB857
RELATING TO ACCESS TO TREATMENT FOR TERMINALLY ILL PATIENTS.**

SEN. JOY SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

Hearing Date: February 6, 2023

Room Number: 225

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The Department of Health acknowledges that over 40 states and the
3 federal government have enacted “right to try” laws since 2014. Similar to those jurisdictions,
4 SB857 authorizes access to experimental drugs but does not guarantee it, and provides
5 protections for health insurance companies from financial burden, indemnification for
6 pharmaceutical companies, and licensing safeguards for clinicians recommending unapproved
7 treatments in good faith.

8 The department recommends data collection to determine the efficacy of a system based on
9 voluntary participation, in particular one that involves for-profit entities incorporated out-of-
10 state.

11 This measure amends chapter 321, though it has no bearing on public health as the “right to try”
12 is a consumer or patient rights issue.

13 Thank you for the opportunity to testify.

14 **Offered Amendments:** N/A.

15

SB-857

Submitted on: 2/3/2023 10:28:54 PM

Testimony for HHS on 2/6/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shana Wailana Kukila	Individual	Support	Remotely Via Zoom

Comments:

Aloha Senators,

Access to healthcare is a fundamental human right, and should be codified into law here in Hawai'i.

The right to access healthcare should include the rights of the terminally ill to receive investigational treatments, womens' reproductive freedoms, access to indigenous healing practices, the right to access clean drinking water, and the rights of access to mental health care for ALL. These are just some examples of what the right to access healthcare looks like.

Mahalo for your consideration,

Shana W. Kukila

Hilo, HI

SB-857

Submitted on: 2/3/2023 11:56:48 PM

Testimony for HHS on 2/6/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this bill.

SB-857

Submitted on: 2/4/2023 5:31:26 PM

Testimony for HHS on 2/6/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nikos Leverenz	Individual	Support	Written Testimony Only

Comments:

Chair San Buenaventura, Vice Chair Aquino, & Committee Members:

I write in strong support of this "right to try" bill to assist those with terminal illnesses in obtaining needed relief.

Mahalo for the opportunity to provide testimony.

LATE

SB-857

Submitted on: 2/6/2023 12:22:08 AM

Testimony for HHS on 2/6/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruth Love	Individual	Support	Written Testimony Only

Comments:

It makes sense to allow terminal patients a possible hail Mary. Also, a side benefit may be the ability to study efficacy of the medication on the patients illness. We may also be able to determine best dosing with these patients which may benefit other future patients. For example, my Grandmother was given the option to be a research guinea pig at John's Hopkins for cancer care. She was aware she was dying but felt participating in the research of chemotherapy dosing might benefit others. She was right. It benefited 2 of her granddaughters.

Thank you,

Mrs Ruth Love