



MARYLAND
CATHOLIC
CONFERENCE

March 21, 2024

House Bill 676
Right to Try Act – Individualized Investigational Treatments
Senate Finance Committee

Position: Information

The Maryland Catholic Conference (MCC) is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

House Bill 676 alters certain provisions of law authorizing certain activity by manufacturers of investigational drugs, biological products, or devices under the Right to Try Act to apply to manufacturers of certain individualized investigational treatments; altering the definition of "eligible patient" under the Right to Try Act to include individuals who have life-threatening or severely debilitating illnesses, rather than only individuals who have terminal illnesses; etc.

Further examination of similar Right to Try legislation is necessary to ensure the integrity of the integration, particularly to ascertain that treatments used before U.S. Food and Drug Administration (FDA) approval did not result in premature death or excessive harm. Concerns also arise about the potential for healthcare facilities and professionals to face severe litigation due to the expedited nature of the experimental process in shortened clinical trials. Additionally, there is a worry that patients may be exposed prematurely to pain and suffering through experimental treatments lacking the rigorous evaluation conducted by the FDA. Adherence to proper protocols and procedures offers families assurance and hope in considering treatment options. Given the inherent trial-and-error nature of science, this bill could jeopardize the medical profession and biomedical sciences.

Introducing individualized investigational treatment may create prejudice, as patients could potentially be held liable for all expenses, extending even to the patient's estate. This could impose economic burdens on individuals with illnesses and restrict accessibility for those unable to cover the financial expenses associated with treatment development. There is a need for additional information regarding potential costs and economic implications for patients.

The Catholic Conference, committed to preserving the integrity of all human life, draws inspiration from St. Pope John Paul II's teachings emphasizing the sacred responsibility of preserving life on earth. St. Pope John Paul II teaches, "After all, life on earth is not an 'ultimate' but a 'penultimate' reality; even so, it remains a sacred reality entrusted to us, to be preserved with a sense of responsibility and brought to perfection in love and in the gift of ourselves to God and to our brothers and sisters."¹ When exploring experimental drugs and devices, it is crucial to uphold the scientific integrity of the discovery process and avoid prematurely exposing individuals to potentially lethal treatments.

For these reasons, the MCC asks the committee to consider this information on **HB 676**.

Thank you for your consideration.

¹ Complex Considerations: 'Right to Try' Laws Raise Ethical Concerns (chausa.org)