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Terminally Ill Texans Given A Better Chance to Fight and Win
The Andrea Sloan 'Right to Try' bill passes Senate Unanimously

Austin – Senator Paul Bettencourt, author along with twenty of his fellow Senators, unanimously passed HB 21, the “Right to Try” legislation, unanimously 31-0. The bill has solid bi-partisan support.

Senator Bettencourt said, **"I am honored to have the support of every Texas Senator to let patients and doctors fight terminally ill diagnoses."**

Under current law, the FDA has a compassionate use exception policy that allows for terminally ill patients to receive drugs and treatments prior to being FDA approved if the treating physician certifies that certain conditions are met. Under HB 21, the FDA’s lengthy and unduly burdensome application process that takes approximately 30 days or longer is eliminated and replaced with a more efficient mechanism that results in the patient receiving the needed medication in a much more expeditious manner. The time saved can make *the* critical difference – in living instead of dying – for a patient because it allows them to start treatment when they are stronger and their bodies are healthy enough to fight and succeed with safe, ground breaking treatments.

“In these fairly uncommon situations, time is the great predator. If HB 21 is signed by the Governor, Texas will be the 21st state no longer standing in the way of a potential cure or at least extending lives,” Bettencourt stated.

Senator Bettencourt’s legislation is not a mandate for drug companies to provide experimental drugs. Importantly, the FDA retains its role in ensuring patient safety by requiring that any experimental drug that a physician recommends for his terminal patient has successfully passed Phase 1 of the FDA’s clinical trial process, meaning that the drug is generally deemed safe.

"I am honored and grateful for the opportunity to work with Representatives Kyle Kacal and Ken King to pass the ‘Right to Try’, a truly compassionate measure," Senator Bettencourt stated.

HB 21 is named after Andrea Sloan, an Austin attorney who battled ovarian cancer and waited for several months for an experimental drug her doctors believed could extend her life. She ultimately did obtain the experimental drug she and her physician sought, and tests showed that the drug was achieving its purpose; unfortunately, the delay in obtaining the drug took its toll, and her body was too weak to fight off pneumonia.

When the legislature convened, Sen. Bettencourt filed a Senate version (SB 694) of HB21. Five states had already passed Right to Try laws similar to the Senator’s; in only a couple of months, fifteen more states have passed Right to Try laws. Texas legislators in both the Senate and the House who passed the Right to Try legislation champion this as a way to help patients facing the direst of medical circumstances have a fighting chance at winning their battles and indefinitely prolonging their lives.

‘This bill is simply about giving terminally ill patients a better chance to hopefully one day be well enough to say ‘hello’ again, instead of a ‘goodbye’ to their loved ones,' said Bettencourt.