Model Resolution

This resolution calls on insurance companies to reimburse patients for the limited number of experimental drugs available from the FDA. Coverage for experimental medication is usually in the insurance company’s best interest, since drug therapy is less expensive than alternative treatments. This resolution not only helps suffering patients to afford experimental medication, but also sends a political message to the FDA. The message is clear: experimental drugs reduce costs and help suffering patients who are desperate for treatment.

WHEREAS, health costs have been adversely impacted by human immunodeficiency virus (HIV), cancer, leukemia, and other diseases, because their victims require expensive hospitalization and treatment; and

WHEREAS, accelerated research efforts in the past few years have resulted in the development of various drugs which can reduce the severity of symptoms and prolong life, or at least suspend the progression of viral infection; and

WHEREAS, most new drugs, however, are expensive and are not covered by health insurance primarily because they are still experimental and the licensing process is slow; and

WHEREAS, because sufferers of these illnesses are desperate for a remedy, many have turned to unlicensed, illegal, and possibly unsafe drugs from overseas; and

WHEREAS, there are dozens that have been proven to be effective in the laboratory but are now undergoing tests on humans at research centers throughout the country; and

WHEREAS, if these drugs are indeed effective in combating HIV, cancer, leukemia, and other diseases, treatment by the administration of such drugs would probably be less expensive in the long run and would decrease the need for lengthy hospitalization;

NOW THEREFORE BE IT RESOLVED, that the health insurance industry is encouraged to provide coverage for experimental drugs, where such drugs have already been approved by the Food and Drug Administration (FDA) for other indications, and where peer review research and scientific literature support their use in FDA no-indicated uses; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be transmitted to all health insurers licensed by the state.

Adopted by the Health and Human Services Task Force in March, 2002. Approved by the ALEC Board of Directors in April, 2002.