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**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 891 by Representative Stokes

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**1** AMENDMENT NO. 1

2 On page 1, line 3, delete "1300.386," and insert in lieu thereof "1300.385,"

**3** AMENDMENT NO. 2

4 On page 1, line 7, after "required;" and before "to prohibit" insert "to provide for limitation  
5 of liability;"

**6** AMENDMENT NO. 3

7 On page 1, line 8, delete "to provide for a penalty;"

**8** AMENDMENT NO. 4

9 On page 1, line 12, delete "1300.386," and insert in lieu thereof "1300.385,"

**10** AMENDMENT NO. 5

11 On page 2, line 17, after "person" delete the remainder of the line and insert in lieu thereof  
12 "to whom all of the following criteria apply:"

**13** AMENDMENT NO. 6

14 On page 2, delete lines 19 and 20 in their entirety and insert in lieu thereof the following:

15 "(b) As determined by the person's physician, has no comparable or  
16 satisfactory treatment options that are approved by the United States Food and Drug  
17 Administration and available to diagnose, monitor, or treat the person's disease or  
18 condition, and the probable risk to the person from the investigational drug,  
19 biological product, or device is not greater than the probable risk from the person's  
20 disease or condition."

**21** AMENDMENT NO. 7

22 On page 2, line 23, delete "informed"

**23** AMENDMENT NO. 8

24 On page 3, at the end of line 5, change "measures," to "procedures,"

**25** AMENDMENT NO. 9

26 On page 3, delete 6 in its entirety and insert in lieu thereof the following:

27 "will result in death in the near future or a state of permanent unconsciousness from  
28 which recovery is unlikely. This diagnosis shall be confirmed by a second  
29 independent evaluation by a board-certified physician in an appropriate speciality."

**30** AMENDMENT NO. 10

1 On page 3, delete lines 24 through 28 in their entirety and on page 4, delete lines 1 through  
2 7 in their entirety and insert in lieu thereof the following:

3 "§1300.385. Limitation of liability

4 Notwithstanding any provision of law to the contrary, a physician who  
5 prescribes an investigational drug, biological product, or device to an eligible patient  
6 pursuant to the provisions of this Part shall be immune from civil liability, including  
7 but not limited to any cause of action arising under R.S. 40:1299.41 et. seq., for any  
8 adverse action, condition, or other outcome resulting from the patient's use of the  
9 investigational drug, biological product, or device."

10 AMENDMENT NO. 11

11 On page 4, line 13, after "House Bill No." delete the remainder of the line and insert in lieu  
12 thereof "667 of"