

Introduced: 4/12/85
Referred: Health, Education &
Social Services, Judiciary and
Finance

1 IN THE HOUSE

BY MARROU

2

HOUSE BILL NO. 371

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

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A BILL

6 For an Act entitled: "An Act relating to medical treatment for the ter-
7 minally ill."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08.64 is amended by adding a new section to article 4
10 to read:

11 Sec. 08.64.369. TREATMENT OF THE TERMINALLY ILL. (a) A physi-
12 cian may not be subject to disciplinary action by the State Medical
13 Board for prescribing or administering any drug to a terminally ill
14 patient under the physician's care who has requested the substance.

15 (b) A hospital or health facility may not interfere with the
16 physician-patient relationship by restricting or forbidding the use of
17 any drug when prescribed or administered by a physician to a terminal-
18 ly ill patient who has requested the substance.

19 (c) In this section "drug" means medicine for the treatment,
20 cure, or relief of a disease, infirmity, bodily injury, or defect and
21 includes a controlled substance classified under federal or state law.

22 * Sec. 2. AS 17.20.130 is amended to read:

23 Sec. 17.20.130. EXEMPTIONS. AS 17.20.110 does not apply to a
24 drug

25 (1) intended solely for investigational use by experts
26 qualified by scientific training and experience to investigate the
27 safety in drugs provided the drug is plainly labeled "for investi-
28 gational use only"; or

29 (2) licensed under the Virus, Serum, and Toxin Act of July

1 1, 1902 (U.S.C. 1934 ed. title 42, chap. 4); or
2 (3) prescribed or administered to a terminally ill patient
3 by a physician authorized to practice medicine in the state under
4 AS 08.64.