

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	Senate File 233	House Committee:	PASSED 3/3/25 (14-6)
Committee:	Health and Human Services	House Floor:	PASSED 3/20/25 (89-0)
Floor Manager:	Rep. Brett Barker	Senate Floor:	PASSED 3/18/25 (48-0)
Date:	March 20, 2025		PASSED 4/22/25 (46-0)
Staff:	Natalie Ginty (5-2063)	Governor:	SIGNED 5/19/25

Right to Try

- The bill expands the definition of eligible patient in Iowa's right to try law and allows for individualized investigational treatment if they meet the written informed consent provisions.

Section by Section Analysis

Section 1 (Iowa Code 144E.2)

Defines "eligible facility" and "individualized investigational treatment".

Adds to the definition of "eligible patient" the following:

- Has a life-threatening or severely debilitating illness attested to by their physician
- Has exhausted all other FDA options by contraindication, potential or previous treatment failure, or actual or potential adverse reaction
- Has received the recommendation from a physician for an individualized investigational treatment
- Has given written informed consent to the treatment

Differentiates the written informed consent requirements for these individualized investigational treatment.

Those requirements are:

- An explanation of currently approved treatments for which the patient suffers
- Attestation that the patient agrees with the treating physician that those treatments are unlikely to work
- Information on the investigational treatment
- A description of the best and worst outcomes for using this investigational treatment
- Statement that health insurance is not required to pay for the treatment or consequences of the use of the individualized investigational treatment
- Hospice may be withdrawn if curative treatment is used
- Patient is liable for all expenses

Section 2 (Iowa Code 144E.3)

Allows manufacturers to provide these individualized investigational treatments.

Section 3 (Iowa code 144E.4)

Allows for health plans to pay for treatment, but does not require it.

Section 4 (Iowa Code 144E.5)

Patients heirs are not required to pay for this treatment if the patient dies.

Section 5 (Iowa Code 144E.5)

Provides the same provider recourses as in current law.

Section 6 (Iowa Code 144E.7)

Adds investigational treatment to the state interference section

Section 7 (Iowa Code 144E.8)

Adds investigational treatments to the private cause of action section.