



Senate Committee on Public Health and Welfare

February 14, 2025

Proponent SB 250

My name is Elizabeth Patton, I am the State Director for Americans for Prosperity-Kansas and on behalf thousands of Kansas activists, we support SB 250 the Right to Try for Individualized Treatments Act, commonly referred to as Right to Try 2.0. This represents a critical step forward in empowering patients to access potentially life-saving treatments tailored to their unique needs. As evidenced by the success of the original Right to Try legislation, which has been enacted in 41 states and federally since 2018, there is a clear demand for legislative measures that prioritize patient autonomy and access to innovative therapies.

Right to Try 2.0 builds on this foundation by expanding eligibility to include patients with life-threatening or severely debilitating conditions, not just those with terminal illnesses. This is particularly crucial in an era where rapid advancements in medical science have made personalized treatments a reality, yet the traditional FDA approval process lags, often taking years or even decades. The urgency of this legislation cannot be overstated. Approximately 30 million Americans are living with rare diseases, 80% of which are genetic and 95% lack any FDA-approved treatment. For these individuals, time is of the essence. They should not be forced to wait indefinitely for a treatment that could potentially save or significantly improve their lives. Right to Try 2.0 creates a pathway for patients to access investigational, individualized treatments after exhausting all other approved options, thereby offering a lifeline when it is most needed.

Moreover, Right to Try 2.0 is designed with patient safety as a top priority. All treatments must comply with federal regulations for the protection of human subjects in research, ensuring that patients are safeguarded while pursuing these investigational therapies. Facilities providing these treatments are required to hold a Federalwide Assurance (FWA), which demonstrates compliance with safety standards. This framework not only empowers patients but also ensures that their safety and well-being are paramount. It is essential to recognize that this legislation does not mandate that manufacturers provide treatments or that physicians recommend them. Participation in the Right to Try 2.0 program is entirely voluntary, respecting the autonomy of healthcare providers and the pharmaceutical industry. This collaborative approach allows for informed decision-making by patients and their healthcare teams, ensuring that they can pursue options that are best suited for their unique ailments. We must remember that healthcare is not one-size-fits-all.

The advancements in genomic medicine and individualized therapies require a regulatory framework that adapts to the needs of patients rather than constricting them. Right to Try 2.0 addresses this need by allowing for innovative treatments tailored to each patient's genetic profile, providing hope to those who have exhausted all other avenues. I urge the committee to support the

Right to Try for Individualized Treatments Act. This legislation is not just about policy; it is about prioritizing patients, promoting innovation in healthcare, and expanding access to potentially life-saving treatments.

By supporting Right to Try 2.0, we can ensure that every patient has the opportunity to pursue the best possible care tailored to their unique circumstances. Thank you for your consideration.

Sincerely,

Elizabeth Patton

State Director

Americans for Prosperity- Kansas