

ACT 252

S.B. NO. 2978-82

A Bill for an Act Relating to the Hawaii Cancer Commission.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that over one-quarter of the American population will develop some form of cancer in their lifetime and one in five will die from it. Today, cancer is the second leading cause of death among Americans and in Hawaii approximately 1,000 residents die from various forms of cancer each year.

The legislature further finds that new developments in cancer research and anti-cancer agents in recent years offer great hope for cancer victims in the 1980's. One anti-cancer agent which appears promising is the virus-fighting substance called interferon, a biological response modifier. Impure samples of interferon reportedly have provided protection against most kinds of viruses and have been somewhat successful against animal tumors and some human cancers, including those of the breast, colon, prostate, and lymph system. Clinical trials indicate that in certain cases, partial responses and regressions have resulted from its use.

Two major effects which make interferon or biological response modifiers a candidate for antitumor activity is the inhibition of rapidly proliferating cells on the one hand and the enhancement of certain specialized cellular or immune function such as tumor cell killing. Natural killer cells are a newly described subset of lymphocyte which are increasingly implicated to play an important role in our body's defense against cancer and virus. Interferon has been shown to stimulate the

activity of natural killer cells and other effector cells.

The legislature further finds that natural interferon is painstakingly produced from the culture of living cells and, therefore, is in short supply and expensive. A course of treatment with interferon reportedly costs over \$30,000 for a single person.

More recently, recombinant interferon has been synthesized in *E. coli* bacteria using recombinant DNA technology. The natural and recombinant interferons are currently undergoing clinical trials. Such interferon is available only on a limited clinical research basis and would be less expensive than natural interferon when available. Treatment at the present time, therefore, is beyond the means of most cancer patients.

The legislature further finds that to the family of an individual afflicted with cancer, it is one of the most terrifying diseases. It not only destroys people, but also destroys entire families. In many cases, standard cancer treatments have been ineffective and cancer patients have found no other recourse and have lost all hope of surviving. While cognizant of the fact that interferon treatment is a recent development in the treatment of cancer, the legislature nevertheless firmly believes that it is in the interest and the responsibility of the State that treatment options be made available to victims of this devastating disease. Major pharmaceutical companies have undertaken millions of dollars of expenditures on interferon because of its promising effects. The legislature believes that interferon treatment offers cancer patients a viable treatment option and renewed hope.

The purpose of this Act is to provide for research and development of a clinical interferon-biological response modifier program for the patients of the State of Hawaii. This Act will provide a mechanism for the research and development, acquisition, and dispensing of natural or recombinant interferon, interferon inducers, as well as developing biological response modifiers in the treatment of selected patients with cancer and microbial diseases. Research in the immunobiology of the natural killer cell-interferon system shall be included in the interferon-biological response modifier clinical studies with patients. The effectiveness of therapy with interferon-biological response modifiers will be monitored through research on the activity of natural killer cells and other effector cells of the immune system.

**SECTION 2.** There is appropriated out of the general revenues of the State of Hawaii the sum of \$500,000, or so much thereof as many be necessary for fiscal year 1982-1983, to provide a grant-in-aid to the Hawaii Cancer Commission of the Hawaii Medical Association for the purposes of receiving and expending funds for the research and development of a clinical interferon-biological response modifier program and for the acquisition and dispensing of the anti-viral agent, interferon, and other biological response modifiers. No funds shall be made available under this Act unless and until three lay members representing the general public have been selected by the governor, in consultation with the director of health, and have been included as members on the Hawaii Cancer Commission of the Hawaii Medical Association for the purposes of representing the public interest in the expenditure of the funds herein appropriated. The governor shall so select within fifteen days after receipt from the commission of a written request for the names of

## **ACT 252**

the three lay members to be included as members of the commission. The commission shall submit an annual report to the governor and the legislature twenty days prior to the convening of the 1983, 1984, and 1985 sessions of the legislature.

**SECTION 3.** The sum appropriated shall be expended by the department of health for the purposes of this Act. Any unexpended on unencumbered balance of any appropriation made by this Act as of the close of business on June 30, 1985 shall lapse into the general fund.

**SECTION 4.** This Act shall take effect upon its approval.

(Approved June 15, 1982.)