

## **Testimony in Support of HB 1735**

### **Expanded Right to Try**

*NH House Health, Human Services and Elderly Affairs Committee*

Good morning again. Bill Van Etten, StarfleetBio. I'm here to speak in support of HB 1735.

New Hampshire already has a Right to Try law—but it only covers terminal illness. HB 1735 expands that to include qualifying severe illness: chronic and debilitating conditions as defined by FDA standards. That's a significant and necessary change.

Think about what "terminal" means in practice. A patient with ALS, Huntington's, or severe Crohn's disease may not be terminal today—but they're facing progressive, irreversible decline with no good treatment options. Under current law, they have to wait until they're dying to access experimental treatments. That doesn't make sense.

HB 1735 also broadens the definition of individualized investigational treatment. The current law limits this to therapies produced exclusively for an individual patient based on their genetic profile. This bill removes that restriction, opening the door to a wider range of personalized approaches.

Critically, the bill provides liability immunity for manufacturers, pharmacists, facilities, and providers—as long as the diagnosis is confirmed by two physicians, there are no comparable FDA-approved options, informed consent is obtained, and there's no willful misconduct. Without that immunity, no one would participate. It's what makes the law functional.

This bill doesn't replace the FDA. It creates a parallel pathway for patients who have run out of options and are willing to accept the risks. That's their choice to make—not ours.

I urge the committee to support HB 1735. I would be happy to take any questions from the committee.

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