



May 19, 2018

The Honorable Paul Ryan
Speaker of the House
United States House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20515

The Honorable Nancy Pelosi
Minority Leader
United State House of Representatives
Washington, DC 20515

The Honorable Charles Schumer
Minority Leader
United States Senate
Washington, DC 20515

Dear Senator McConnell, Speaker Ryan, Minority Leader Schumer and Minority Leader Pelosi,

As you know, last summer the United States Senate passed federal right-to-try legislation by unanimous consent. In March of this year, the House passed its own version with broad bipartisan support. While it is encouraging that both chambers clearly understand the importance of this legislation, the bill is stuck in an unfortunate impasse. We write to you today, urging you to resolve these differences and send a bill to the president's desk.

Gridlock in Washington remains the only barrier standing between terminally ill patients and the hope they both need and deserve. These patients and their families have no more time to waste.

Working across party lines, forty states have passed right-to-try legislation, some with unanimous consent of their legislatures. But federal legislation is needed to provide our laws with real thrust. Though our laws remove some state level regulatory burdens, stakeholders can be reluctant to provide access or to administer experimental treatment due to concerns of federal liability. A federal law will ensure the FDA and other federal agencies do not interfere with the implementation of state laws. Federal legislation would also help patients unable to travel to a right-to-try state.

Tens of thousands of patients facing a terminal diagnosis stand to benefit from right-to-try legislation, as it would expand to them access to experimental treatments that have passed FDA's safety standards but have not yet met the requisite efficacy standards. Currently, the FDA can take up to 15 years to approve a new drug available to the general public. In many instances, drugs awaiting final approval were proven safe years earlier. Patients who would benefit from federal right-to-try legislation are fighting to save their lives – they don't have the time to wait for Washington regulators to act.

When Matt Bellina, a U.S. Navy veteran, husband and father of two, was diagnosed with ALS, his life was changed forever. There is no cure for ALS, and Matt is unable to access investigational treatments that show promise due to FDA regulations. Facing what amounts to a death sentence, Matt is not allowed to potentially save his own life.

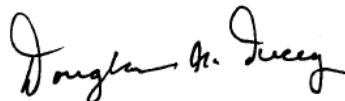
Reflected in the strong, bipartisan support that right-to-try has earned across the country, expanding access to potentially life-saving treatment and medication is simply the right thing to do. Importantly it can be done in a way that does not shift health policy precedent or undermine patient safety standards. Tens of thousands of patients and their families are counting on Congress to move this legislation forward. President Trump stands ready to sign it into law.

Now is the time for the House and Senate to resolve whatever issues are stalling this process. We understand compromises must be reached to ensure patients who use this pathway continue to have access to hospice and insurance coverage and how best to incentivize companies through liability protections to expand access to their experimental treatments. However, these issues are not insurmountable and can be resolved quickly. We strongly urge you to pass right-to-try legislation. Terminally ill patients and their families deserve nothing less.

Sincerely,




Governor Christopher T. Sununu
New Hampshire



Governor Douglas A. Ducey
Arizona



Governor Edward J. Baza Calvo
Guam



Governor Jeff Colyer
Kansas



Governor Matt Bevin
Kentucky



Governor Phil Bryant
Mississippi



Governor Susana Martinez
New Mexico



Governor Henry McMaster
South Carolina



Governor Dennis Daugaard
South Dakota