**** 69th Legislature 2025

1	SENATE BILL NO. 353
2	INTRODUCED BY K. BOGNER
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE RIGHT TO TRY ACT; LIMITING THE
5	TREATMENT OF MINORS WHO HAVE A TERMINAL ILLNESS WITH AN INVESTIGATIONAL DRUG,
6	BIOLOGICAL PRODUCT, OR DEVICE; AND AMENDING SECTION 50-12-104, MCA."
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8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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10	Section 1. Section 50-12-104, MCA, is amended to read:
11	"50-12-104. Patient requirements. (1) A patient is eligible for treatment with an investigational drug,
12	biological product, or device if the patient has:
13	(1)(a) considered all other treatment options currently approved by the United States food and drug
14	administration;
15	(2)(b) received a recommendation from the patient's treating health care provider for an
16	investigational drug, biological product, or device;
17	(3)(c) given written informed consent for the use of the investigational drug, biological product, or
18	device; and
19	(4)(d) documentation from the treating health care provider that the patient meets the requirements of
20	this section.
21	(2) A minor is not eligible for treatment with an investigational drug, biological product, or device
22	unless the minor has a terminal illness that is attested to by the minor's treating health care provider."
23	- END -

