

CHAPTER NO. 454.

SENATE BILL NO. 97

INTRODUCED BY HIMSL, STORY, HAFFERMAN, KOLSTAD, GALT,
THOMAS, FASBENDER, TURNAGE, O'HARA, LOWE, THIESSEN,
SEVERSON, JERGESON, REGAN, B. BROWN, STEPHENS,
HEALY, PETERSON, R. SMITH, RASMUSSEN,
MEHRENS, STIMATZ, ETCHART,
NELSON, HAZELBAKER

IN THE SENATE

January 15, 1979	Introduced and referred to Committee on Public Health, Welfare, and Safety.
February 19, 1979	Committee recommend bill do pass. Report adopted.
February 20, 1979	Printed and placed on members' desks.
February 21, 1979	Second reading, do pass.
February 22, 1979	Considered correctly engrossed.
February 23, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 27, 1979	Introduced and referred to Committee on Human Services.
March 8, 1979	Committee recommend bill be concurrent in as amended. Report adopted.
March 12, 1979	Second reading, concurred in.
March 15, 1979	Third reading, concurred in as amended.

IN THE SENATE

March 16, 1979	Returned from second house. Concurred in as amended.
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March 17, 1979

Second reading, pass consideration.

March 19, 1979

Second reading, amendments adopted.

March 20, 1979

Third reading, amendments adopted. Sent to enrolling.

Reported correctly enrolled.

1 *Assembly* BILL NO. *91*
 2 INTRODUCED BY *Diemel, Stoy, Hefferman, Kolstad*
 3 *Walt Brown, Zubeider, Turpin, O'Hara, Nelson*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE *Jarvis*
 5 MANUFACTURE, SALE, POSSESSION, AND DISTRIBUTION OF LAETRILE;
 6 AND PROVIDING AN EFFECTIVE DATE."
 7 *Nealy, Peterson, R. Smith, Bob Brown, Rasmussen*
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *McHenry*

9 Section 1. Laetrile defined. As used in this [act],
 10 "laetrile", also known as 6-17, means a cyanogenetic
 11 glycoside, which is processed from the seeds of certain
 12 fruits, including apricots, peaches, and plums.
 13 Section 2. Laetrile authorized. The manufacture, sale,
 14 possession, and distribution of laetrile is lawful within
 15 this state.
 16 Section 3. Hospital may not interfere. A hospital or
 17 health care facility may not interfere with the
 18 physician-patient relationship by restricting or forbidding
 19 the use of laetrile when prescribed or administered by a
 20 physician and requested by a patient.
 21 Section 4. Physician not subject to disciplinary
 22 action. A physician may not be subjected to disciplinary
 23 action by the board of medical examiners for prescribing or
 24 administering laetrile to a patient under his care as an
 25 adjunct to recognized, customary, or accepted modes of

1 therapy in the treatment of any malignancy, disease,
 2 illness, or physical condition.

3 Section 5. Laetrile not endorsed — permitted as a
 4 dietary supplement. [Sections 1 through 6]:

5 (1) are not an endorsement of laetrile for the
 6 treatment of any malignancy, disease, illness, or physical
 7 condition;

8 (2) do not prevent a physician from prescribing
 9 laetrile as a dietary supplement to a patient not suffering
 10 from any known malignancy, disease, illness, or physical
 11 condition.

12 Section 6. Laetrile optional. [Sections 1 through 6]
 13 do not require:

14 (1) a physician, pharmacist, pharmacy, manufacturer,
 15 or distributor to manufacture, sell, or distribute laetrile;

16 (2) a physician to prescribe laetrile for any patient.

17 Section 7. Effective date. This act is effective on
 18 passage and approval.

-End-

-2- *SB 91*
 INTRODUCED BILL

1 *Amended* BILL NO. *97*
 2 INTRODUCED BY *Dimick, Stoney, Hoffer, Nelson*
 3 *Walt Brown, Fiebeler, Turpin, O'Hara, Nelson*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE *Surgeon*
 5 MANUFACTURE, SALE, POSSESSION, AND DISTRIBUTION OF LAETRILE;
 6 AND PROVIDING AN EFFECTIVE DATE."
 7 *Nealy, R. Smith, Bob Brown, Rasmussen*
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *Dechen*

9 Section 1. Laetrile defined. As used in this [act],
 10 "laetrile", also known as B-17, means a cyanogenetic
 11 glycoside, which is processed from the seeds of certain
 12 fruits, including apricots, peaches, and plums.

13 Section 2. Laetrile authorized. The manufacture, sale,
 14 possession, and distribution of laetrile is lawful within
 15 this state.

16 Section 3. Hospital may not interfere. A hospital or
 17 health care facility may not interfere with the
 18 physician-patient relationship by restricting or forbidding
 19 the use of laetrile when prescribed or administered by a
 20 physician and requested by a patient.

21 Section 4. Physician not subject to disciplinary
 22 action. A physician may not be subjected to disciplinary
 23 action by the board of medical examiners for prescribing or
 24 administering laetrile to a patient under his care as an
 25 adjunct to recognized, customary, or accepted modes of

*Hybrid
 for
 Stoney
 Hyatt
 Dechen*

1 therapy in the treatment of any malignancy, disease,
 2 illness, or physical condition.

3 Section 5. Laetrile not endorsed — permitted as a
 4 dietary supplement. [Sections 1 through 6]:

5 (1) are not an endorsement of laetrile for the
 6 treatment of any malignancy, disease, illness, or physical
 7 condition;

8 (2) do not prevent a physician from prescribing
 9 laetrile as a dietary supplement to a patient not suffering
 10 from any known malignancy, disease, illness, or physical
 11 condition.

12 Section 6. Laetrile optional. [Sections 1 through 6]
 13 do not require:

14 (1) a physician, pharmacist, pharmacy, manufacturer,
 15 or distributor to manufacture, sell, or distribute laetrile;
 16 (2) a physician to prescribe laetrile for any patient.

17 Section 7. Effective date. This act is effective on
 18 passage and approval.

-End-

SENATE BILL NO. 97

INTRODUCED BY HIMSL, STORY, MAFFERMAN, KOLSTAD, GALT,
THOMAS, FASBENDER, TURNAGE, O'HARA, LOWE, THEISSEN,
SEVERSON, JERGESON, REGAN, B. BROWN, STEPHENS,
HEALY, PETERSON, R. SMITH, RASMUSSEN,
MEHRENS, STIMATZ, ETCHART,
NELSON, HAZELBAKER

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
MANUFACTURE, SALE, POSSESSION, AND DISTRIBUTION OF LAETRILE;
AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Laetrile defined. As used in this [act],
"laetrile", also known as 8-17, means a cyanogenetic
glycoside, which is processed from the seeds of certain
fruits, including apricots, peaches, and plums.

Section 2. Laetrile authorized. The manufacture, sale,
possession, and distribution of laetrile is lawful within
this state.

Section 3. Hospital may not interfere. A hospital or
health care facility may not interfere with the
physician-patient relationship by restricting or forbidding
the use of laetrile when prescribed or administered by a
physician and requested by a patient.

SECTION 4. THERE IS A NEW MCA SECTION THAT READS:

Health care facility liability. No hospital, health
care facility, or employee thereof shall be held liable for
the administration of laetrile to any person at the
direction of a licensed physician.

Section 5. Physician not subject to disciplinary
action. A physician may not be subjected to disciplinary
action by the board of medical examiners for prescribing or
administering laetrile to a patient under his care as an
adjunct to recognized, customary, or accepted modes of
therapy in the treatment of any malignancy, disease,
illness, or physical condition.

Section 6. Laetrile not endorsed -- permitted as a
dietary supplement. [Sections 1 through 6]:

(1) are not an endorsement of laetrile for the
treatment of any malignancy, disease, illness, or physical
condition;

(2) do not prevent a physician from prescribing
laetrile as a dietary supplement to a patient not suffering
from any known malignancy, disease, illness, or physical
condition.

Section 7. Laetrile optional. [Sections 1 through 6]
do not require:

(1) a physician, pharmacist, pharmacy, manufacturer,
or distributor to manufacture, sell, or distribute laetrile;

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1 (2) a physician to prescribe laetrile for any patient.
2 Section 8. Effective date. This act is effective on
3 passage and approval.

-End-

Committee on Human Services Amendments to Senate Bill 97,
3rd reading copy, as follows:

1. Page 1.

Following: line 20

Insert: "SECTION 4. THERE IS A NEW MCA SECTION THAT READS:

Health care facility liability. No hospital, health care
facility, or employee thereof shall be held liable for the
administration of laetrile to any person at the direction of
a licensed physician."

Renumber: subsequent sections

AND AS AMENDED BE CONCURRED IN