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2021

ONE HUNDRED SEVENTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 110

Introduced by Lathrop, 12.

PURPOSE: The purpose of this interim study is to investigate the advertisement and use of unproven stem cell injections as a therapy for health disorders. Stem cells of the body are capable of developing into any of the body's 200 different kinds of cells and, with proper study, development, and approval, may offer the potential to combat diseases that have few or no treatments. The only stem-cell-based products that have approval from the federal Food and Drug Administration are those made from blood-forming cells that are derived from umbilical cord blood, peripheral blood, or bone marrow. These are used primarily to treat patients with cancer or other disorders of the blood or immune system. Any other advertised use of stem cells is not approved by the federal Food and Drug Administration and the advertising of such unapproved uses violates state and federal law. It has been documented across the United States that patients who have received unapproved stem cell therapy have suffered serious infections, blindness, tumor growth, or even death. Older individuals are particularly vulnerable to misleading marketing statements regarding stem cell therapy as they may not be good candidates for other treatment options, but are desperate for relief. More than 500 clinics across the United States, including several in Nebraska, offer unproven stem cell therapies which cost tens of thousands of dollars and are not covered by private or public insurance. Such clinics do not possess approval from the federal Food and Drug Administration, nor scientific substantiation for the claims made within their advertising campaigns, and are harming Nebraskans. Other states have implemented new laws to establish consumer protections for those in the public who are unaware of potential risks, dangerous side effects, and lack of effectiveness of such unapproved stem cell therapy. By informing

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the public that certain treatments have not been proven safe or effective, Nebraskans can make more informed decisions about their healthcare.

The issues addressed by this interim study shall include, but not be limited to:

(1) Stem cells and stem cell products;

(2) The approval process for stem cell therapies by the federal Food and Drug Administration;

(3) Current clinical trials for stem cells and stem cell products;

(4) Products and services offered at stem cell clinics located in Nebraska and the advertising techniques used to promote such products and services; and

(5) The role the state can play in protecting the public from potential adverse effects of unproven stem cell therapies, including the state agencies that can work together to share information.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.