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# SHAE SORTWELL

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STATE REPRESENTATIVE • 2<sup>nd</sup> ASSEMBLY DISTRICT

**Hearing Testimony**  
**Assembly Committee on Health**  
**January 17, 2024**  
**Assembly Bill 609**

Chairman Moses and members of the Assembly Committee on Health – thank you for giving me the opportunity to speak on AB 609, relating to prohibiting discrimination or retaliation against health care providers by health care entities and credentialing boards for ordering or discussing innovative or novel therapies.

For much of the last few years, there appears to be a coordinated effort to censor information and suppress the use of cheap, generic and off-label drugs for outpatient treatment, notably of COVID-19. Despite a substantial body of scientific evidence demonstrating efficacy and robust safety profiles for many of these treatments, in addition to the longstanding practice of clinicians prescribing medications for off-label use, there has been a growing number of incidents in Wisconsin and across the country where health care professionals have been either threatened with or subjected to disciplinary action or have had their jobs or licenses terminated for deviating from unaccountable federal bureaucrats’ treatment guidelines. I stress guidelines because they are not law.

Many continue to speculate as to the exact reasons why the judgment of these health care professionals has been actively suppressed. Are we not supposed to “trust the science” and the “expertise” of these highly educated professionals? Is it not contrary to the principals of science by suppressing the challenging of the status quo? Regardless of the forces behind this troubling trend, AB 609 seeks to reverse the unprecedented level of interference with the physician-patient relationship, whether it pertains to the treatment of COVID-19 or other diseases.

I want to thank the committee for your time and consideration. I am happy to answer any questions members of the committee may have.

# **Stephen L. Nass**

Wisconsin State Senator

## **AB 609 Prohibiting Discrimination against Health Care Providers for Prescribing Innovative or Novel Therapies**

Testimony of Senator Steve Nass

Assembly Committee on Health, Aging, and Long-Term Care

January 17, 2023 • 417 North (GAR), State Capitol

Thank you Chairman and committee members for allowing me to provide written testimony in support of AB 609. This bill will help protect health care providers and medical professionals from discrimination or retaliation from credentialing boards and employers for ordering or discussing innovative or novel therapies with their patients.

Since the start of the Covid-19 pandemic in 2020, there has been what appears to many observers to be a concerted and coordinated effort to censor alternate viewpoints and suppress the use of affordable, generic, and repurposed prescription drugs for the treatment of the Covid-19 virus. Despite a substantial body of clinical evidence supporting the efficacy and safety of many of these treatments, and the longstanding practice of doctors prescribing medications for off-label use, there have been an increasing number of examples in Wisconsin and across the country of health care professionals either being threatened with or subjected to disciplinary action for advising alternate treatment methods for Covid-19.

Healthcare professionals with first-hand experience treating Covid-19 patients through every phase of the virus have worked tirelessly to identify and utilize early treatment options to combat it in the early stages, to reduce the risk of hospitalization and increase recovery rates. Many of these innovative and life-saving treatments have met with hostility, threats, and suppression from government, the establishment healthcare industry, and public health agencies.

This bill will help protect innovation, scientific advancement, and free inquiry by doctors and other health care providers who seek to treat their patients with the best evidence-based approaches available to them, based on their professional experience.

*"In God We Trust"*

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AB 609 prohibits health care entities and credentialing boards from discriminating or retaliating against health care providers for ordering innovative or novel therapies if they meet the following conditions:

- 1) The health care provider orders the therapy based on his or her assessment of the patient and any available clinical data supporting the therapy;
- 2) They inform the patient of all reasonable alternative courses of treatment and the patient requests the innovative or novel therapy;
- 3) The ordered therapy, if the therapy is a drug, device, or biological product, is either approved or authorized for emergency use by the U.S. Food and Drug Administration (FDA).

In addition, the bill prevents any health care entity or credentialing board from restricting a health care provider from informing a patient of an innovative or novel therapy or treatment that may potentially benefit the patient.

The foundation of scientific inquiry involves the questioning and challenging of hypotheses and conclusions before, during, and after the research process. Free inquiry is integral to scientific progress and discovery.

Today, unfortunately, we have seen efforts to undermine and diminish this free inquiry through various forms of censorship, intimidation, or the application of the label “misinformation” – whether accurate or not.

These actions have been used against some medical professionals, attempting to silence them from challenging the political status quo, such as speaking in favor of the novel use of drugs and treatments to combat symptoms of the Covid-19 virus. Some medical professionals have had their jobs and licenses threatened if they challenge the views of the political and healthcare establishments as they try to treat their patients and provide information to the best of their scientific knowledge, ability, and judgement.

This bill will help to protect scientific inquiry and progress by prohibiting discrimination against doctors and other medical professionals for prescribing or discussing innovative or novel therapies with their patients. Thank you for the opportunity to provide testimony in support of AB 609. Please contact my office with any questions committee members may have on this legislation.