

House Research Act Summary

CHAPTER: 58

SESSION: 2009 Regular Session

TOPIC: Clinical drug trials

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Overview

This law amends the civil commitment act by prohibiting individuals who are on a stayed commitment from giving consent to participate in a clinical drug trial, unless the court grants permission under specified and limited circumstances.

Section

1 **Court release.** Amends § 253B.095, subd. 1. Requires the court, in its order for a stayed commitment, to include a condition that the patient is prohibited from giving consent to participate in a clinical drug trial while the court order is in effect.

However, the court may grant permission for the patient to participate in a specific psychiatric clinical drug trial if the treating psychiatrist testifies or submits an affidavit that treatment options have been ineffective, and the patient may benefit from the trial. Prohibits the treating psychiatrist from being the researcher conducting the drug trial.

Requires the court to determine the patient is competent to choose to participate, is freely choosing to participate, that there is no coercion being exerted to participate, and that a reasonable person may choose to participate in the clinical drug trial.