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Hearing Testimony
Senate Committee on Health
February 14, 2024
Senate Bill 1020

Chairwoman Cabral-Guevara, my co-author, and members of the Assembly Committee on Health – thank you for giving me the opportunity to speak on SB 1020, relating to informed consent for medical research.

Recently, the Biden administration's Food and Drug Administration (FDA) finalized a rule to waive informed consent protections in "minimal-risk" clinical trials of human subjects.

Informed consent has been a staple in clinical and research trials for decades and is the foundation of research ethics. Walking back its protections and eliminating legal rights of patients creates a high risk for abuse to occur. We should not trust that Big Pharma and the Biden administration would operate in good faith once this protection is removed and start experimenting on the public. The US government has a history of non-consensual experimentation, especially on those with disabilities, prisoners, and minorities.

SB 1020 will protect Wisconsinites in standard clinical and military settings from being experimented on without their consent.

A physician that violates these ethics is guilty of unprofessional conduct and may have their license revoked or suspended by the Medical Examining Board.

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

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RACHAEL A. CABRAL-GUEVARA

STATE SENATOR • 19TH SENATE DISTRICT

Testimony before the Senate Committee on Health

Senator Rachael Cabral-Guevara

February 14, 2024

Thank you committee members for allowing me to testify on Senate Bill 1020, an important bill that will safeguard individuals from undergoing medical research without their consent.

The Food and Drug Administration recently finalized a rule that allows medical research to be conducted on people without consent if it presents a "minimal risk." This not only raises an ethical question, it also poses a risk to privacy and the right for a patient to be given the full picture.

The previous standard for non-consensual research was rightly reserved for circumstances that were life-threatening or under specific waivers. "Minimal risk" may be easily construed too vaguely and should not be the standard for non-consensual research.

As a society that values medical ethics and informed consent for our patients, this bill will help preserve those important principles. Requiring consent from a patient or their representative before performing research is a basic expectation to set for our providers.

Thank you again for allowing me to testify on this important piece of legislation and I am hopeful you will support it.

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