

AS ADOPTED BY SENATE, OCTOBER 30, 2019

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL 333.22215.

SENATE CONCURRENT RESOLUTION NO.14

Senators VanderWall, Shirkey, Bizon, Nesbitt, Theis, McBroom, Zorn, Lauwers, Bumstead, Horn, Stamas, LaSata, Outman, Victory, MacDonald and Daley offered the following concurrent resolution:

1 A concurrent resolution to disapprove the proposed final
2 action taken by the Certificate of Need Commission on the
3 Certificate of Need (CON) Review Standards for Immune Effector Cell
4 Therapy (IECT) Services.

5 Whereas, The Certificate of Need Commission voted on September
6 19, 2019, to approve a proposed final action on the Certificate of
7 Need (CON) Review Standards for Immune Effector Cell Therapy (IECT)
8 Services. The standards would require providers to receive state
9 approval and third-party accreditation to deliver IECT services to
10 Michigan patients. The proposed final action was submitted on

1 September 24, 2019 to the joint legislative committee established
2 by MCL 333.22219; and

3 Whereas, Pursuant to MCL 333.22215, the Legislature may
4 disapprove a proposed final action of the CON Commission within 45
5 days after the date of submission to the members of the joint
6 legislative committee. Legislative disapproval shall be expressed
7 by concurrent resolution adopted by each house of the Legislature.
8 A proposed final action by the CON Commission to develop, approve,
9 disapprove, or revise CON review standards for the initiation,
10 replacement, or expansion of covered clinical services is not
11 effective if it has been disapproved; and

12 Whereas, The Certificate of Need (CON) Review Standards for
13 Immune Effector Cell Therapy (IECT) Services would limit patient
14 access to innovative, new cancer treatments. Through their review
15 and approval process, the U.S. Food and Drug Administration already
16 requires comprehensive safety criteria and standards for facilities
17 providing cell therapies. It is unnecessary to require additional
18 onerous and costly approvals and accreditations on facilities that
19 go beyond federal government requirements. Additional requirements
20 may discourage or prevent sites from providing IECT services in
21 Michigan; now, therefore, be it

22 Resolved by the Senate (the House of Representatives
23 concurring), That we disapprove the proposed final action taken on
24 the Certificate of Need (CON) Review Standards for Immune Effector
25 Cell Therapy (IECT) Services by the Certificate of Need Commission
26 on September 19, 2019; and be it further

27 Resolved, That copies of this resolution be transmitted to the
28 Governor, the Director of the Michigan Department of Health and
29 Human Services, and the Chairperson of the Certificate of Need

1 Commission.