Medical advances blocked, Dole says

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WASHINGTON — The Department of Health, Education and Welfare has adopted a "calculated policy" to block further development of new medical devices and drugs to treat cancer, arthritis, hepatitis and emphysema, Sen. Robert Dole, R-Kan., charged Wednesday.

Dole said "people are being condemned to needless suffering" because HEW has not released the patent right to drugs and devices developed with government grants.

"For more than a year now, potentially lifesaving medical technology from the world's most renowned medical research laboratories supported by the National Institutes of Health has been shut down," Dole said.

"HEW has decided to pull the plug on the development of biomedical research and withhold from the American public potential cures and revolutionary new diagnostic techniques for treating such diseases as cancer, arthritis, hepatitis and emphysema."

Dole and Sen. Birch Bayh, D-Ind., announced the introduction of legislation that would give universities, non-profit organizations and small businesses patent rights to inventions achieved with government grants and contract support.

The present government policy mandates that the government take title to all inventions it has had a hand in funding.

Peter LeBassi, HEW general counsel, said in August the delay in release of rights for about 30 cases was only a matter of paperwork. But he said a month later nothing has been released, Dole said.

"We are not witnessing in HEW 'an avoidable bureaucratic delay' but a calculated policy of 'search and destroy' aimed at innovations from this country's scientific research programs," Dole said.

For example, Dole said, a petition submitted in 1977 by the Weissman Institute of Israel for ownership rights for a revolutionary new blood test for detecting cancer of the breast, digestive tract and pancreas, developed under a contract with the National Cancer Institute, has been denied.