

OPINION

BAGLEY'S VIEW » "PROTESTING PROTESTS"



As stem cell biologists, we're concerned Utah law will lead to boom in snake oil sales

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On May 1, Utah's law SB 199, Placental Tissue Amendments, goes into effect. Despite the innocuous-sounding name, this law puts the people of Utah at risk by promoting the sale of unproven placental "stem cell" products that are not approved by the Food and Drug Administration (FDA). The Legislature thus endorsed the idea that the safety and effectiveness of medical products need not be proven before sale to the people of Utah.

This law opens a door for bad actors seeking to sell fake stem cell products. No placental stem cell product has ever been proven to be effective for the treatment of any medical condition in controlled clinical trials. Moreover, illegally-marketed unproven stem cell therapies have harmed consumers.

There are hundreds of companies in the United States that illegally market "stem cell therapies" that have not been shown to be safe and effective in clinical trials. Often these companies make broad claims about the ability of these products to cure many conditions. However, there is no one-size-fits-all stem cell therapy that can cure a wide range of medical conditions involving different tissues. Such claims are not only unsupported by clinical data, they are often not even biologically plausible.

As stem cell biologists, we know that very few medical conditions can currently be successfully

treated using stem cells. These conditions mostly involve the transplantation of blood-forming stem cells, such as in a bone marrow transplant. This is done to treat certain blood cancers as well as rare genetic conditions, such as sickle cell disease. However, these therapies can only be safely and effectively administered in major medical centers and can have life-threatening side effects. Most other kinds of stem cells have never been shown to be effective for the treatment of anything.

Sadly, there are now several examples of healthcare providers who preyed on desperate patients by selling fake stem cell therapies. Utah's SB 199 could lead to a boom in the sale of snake oil in Utah.

Federal regulations represent the main protection against fake stem cell therapies. The FDA prohibits the marketing of stem cell products whose safety and effectiveness have not been proven in clinical trials. The Federal Trade Commission enforces laws against misleading advertising. Both agencies have brought successful cases against companies that sold unproven stem cell therapies, including placental products. However, the growing number of such companies has created an escalating problem akin to a game of Whac-A-Mole.

Utah's SB 199 not only makes it legal for companies to sell

unproven placental stem cell products in Utah but it attempts to undermine federal regulation by explicitly stating that "A health care provider... may perform a stem cell therapy that is not approved by the United States Food and Drug Administration." The FDA not only examines the evidence supporting safety and effectiveness, it also examines the manufacturing process to ensure consistent quality. Companies that do not follow FDA regulations sometimes also cut corners on quality control, leading to products that are contaminated with pathogens.

Stem cell research is likely to yield more cures in the future; however, it takes decades to develop safe and effective new therapies. There are many different types of stem cells, with different biological properties that must be precisely matched to the condition being treated. Years of pre-clinical research is required in animal models, followed by early-stage testing in patients and concluding with larger scale testing in controlled clinical trials. A number of stem cell therapies are currently being tested in this pipeline. Other therapies were once considered promising but were found to be unsafe or ineffective in clinical trials.

Individual patients and physicians rarely have the time, expertise or data access needed to evaluate the safety

and effectiveness of experimental medical products. While SB 199 requires that providers disclose that products are not FDA approved, this is already done by many companies that sell unproven therapies. This does not dissuade consumers from buying such therapies when the disclosure is coupled with misleading claims about effectiveness. "Buyer beware" is not an effective strategy when it comes to experimental medical products. The people of Utah are at risk of being harmed by a law that undermines federal regulation and promotes the sale of unproven therapies.

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THE PUBLIC FORUM

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Homage to Utah's hockey past

A capacity crowd turned out at the Delta Center to welcome the new NHL Team. To many it was a surprise, to others it was the legacy of the original professional hockey team — the Salt Lake Golden Eagles.

The Golden Eagles came to Salt Lake City in 1969 and Utah's love affair with hockey began as soon as they played their first game. As a youngster I attended games and played hockey in a youth league. Since then, I have been a lifelong hockey fan, due to the Golden Eagles influence.

The Golden Eagles won five championships. They made appearances all over the valley and were involved with the community. They were a solid organization that lasted 25 years. The Golden Eagles were Utah's hockey team! Then they were sold.

Hockey in Utah has continued to flourish with the Utah Grizzlies and during the 2002

Winter Olympics. This would not have happened without the Golden Eagles.

Smith Entertainment Group is looking for a name for this "new" team. Name then the Utah Golden Eagles! Some say you cannot have two "golden" team names — so make it the Utah Eagles. Or the "Utah Screamin' Eagles." It pays homage to Utah's hockey past and revives a team name that is still alive in the hearts of many.

It began with the Golden Eagles and should continue their legacy of hockey in Utah!

Everett Brown
Salt Lake City

Justice delayed, justice denied

After graduating law school, I had the privilege of spending a year clerking for a federal appeals judge.

When discussing how to decide a case, I sometimes asked him if he thought about how his decision would affect future cases. He always would tell me, "I am not deciding the next case, I am deciding this case."

In their questioning during the recent immunity case, several of the conservative

Justices ignored this principle. For example, Justice Samuel Alito said multiple times he was not interested in discussing the facts of this case, but instead wanted to focus on potential future hypotheticals. Justice Neil Gorsuch said he thought the court needed to "fashion a rule for the ages."

Based on these comments, it is reasonable to fear that the court might ignore the fact that this case was before them due to the behavior of former President Donald Trump, not some future president.

Whatever the line is concerning acts that might confer immunity on a president, Trump's alleged acts concerning what occurred on Jan. 6, 2021, are clearly outside of that line.

The worst possibility is that their decision, much delayed already, could allow further delay in bringing the case to trial, and deprive voters of knowing whether or not the former president, who is also the presumptive current Republican nominee, has been found guilty of serious criminal offenses relating to one of the bedrocks of our democracy: the peaceful transfer of power.

Ira Rubinfield
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