varying circumstances which exist . . ." wrote American Medical Association Executive Vice President Dr. F. J. L. Blasingame.

In a sense the variation in attitude reflected a mainstream of the human experimentation argument.

The medical profession has generally taken the position that it must regulate itself and that stiff inflexible laws on experimentation would retard medical research and are unnecessary.

[From the Washington Daily News, June 25, 1968]

RIGHTS OF TEST PATIENTS VERSUS SOCIETY'S GOOD—MEDICAL TEST DILEMMA: WHOSE NEED GREATER?

(By Nicholas Horrock)

Willowbrook State School rambles lazily over wooded acres on the Jersey side of Staten Island in New York.

It is, many people guess, the largest institution for care of the mentally retarded in the world and its crowded dormitories house more than 5500 youngsters.

It has also become a symbol in a national controversy over the use of human in medical experimentation: over what one New York State Senator charges has turned the children of Willowbrook into "human guinea pigs."

ITS USE

Twelve years ago a team of research physicians from New York University began a series of investigations into the cause and treatment of hepatitis and measles. Among the methods employed in research was the purposeful giving of hepatitis and measles to children in the institution.

Outside of medical journals the testing received little critical or public attention until 1965 when a Harvard physician, Dr. Henry K. Beecher, mentioned the experiments in an attack on the medical ethics surrounding human research.

The following year, however, State Sen. Seymour B. Thaler, a lawyer and Democratic representative of Queen's residential Forest Hills area, charged the manner in which the tests were administered was unethical.

"The price of being poor or mentally incompetent in New York State," he argued in a recent interview, "is being a human guinea pig.

"I suspect this largely true thruout the country."

He claims that there is a widespread practice of using institutionalized patients and indigent persons in public hospitals to tryout medical techniques which physicians would not attempt on private patients or persons in a private hospital.

But along with Sen. Thaler's charges comes a dilemma. Can the medical research be regulated to protect humans enlisted for tests without stifling the progress for which so many millions are grateful?

Physicians, both those in research and in patient care, maintain that at some point all drugs and all new techniques must be tested on humans. They claim that if these tests had not been conducted such drugs as quinine and measles vaccine could not be used.

Last year Sen. Thaler introduced two bills designed to control human experimentation.

One of them, which a national drug publication suggested might be a "model for legislation in other states," called for voluntary informed consent in writing in all experimentation.

It barred parents from offering up their children to medical experimentation unless it was an "emergency" in "which immediate treatment was necessary for the physical or mental ailment with which the subject was suffering" and made court review mandatory for other experiments on minors.

The bill, Sen. Thaler said, "got nowhere. Everybody was against it." He said it met widespread opposition from medical societies and from the State Department of Mental Hygiene.

He then introduced what he regards as "compromise" bill calling for "registration" of all research projects, disclosure of where the financial support comes from, written consent of patient or guardian, review of projects by a State Health committee, and medical "insurance" for any subject who suffers further illness as a result of the test.