



Give the People Light and they will find their own way.

The Wisconsin Light

Experimental Drugs Bill Introduced

[Madison]- A bill to make experimental AIDS treatments more available to people with HIV infection was introduced in late December, 1991, by four Wisconsin lawmakers.

State Representatives Steve Loucks (R-Mequon) and David Clarenbach (D-Madison) in partnership with Tim Carpenter (D-Milwaukee) and Peggy Rosenzweig (R-Wauwatosa) are sponsoring the bill to make experimental AIDS drugs more available by removing the liability for punitive damages from physicians who prescribe those treatments to consenting patients.

According to the authors, the use of such treatments has been discouraged by a lack of protection for physicians who might prescribe the experimental therapies.

At a State Capitol press conference held December 19, 1991, the plan was endorsed by the People Living with AIDS Coalition. "We who are living with a terminal illness have, for many years, offered ourselves as the guinea pigs for experimental drugs and devices, in hopes of giving ourselves some additional quality of life. But due to the length of time it takes for approval, many people do not survive," according to Jerry Smith, the Chair of the Coalition.

"Our government wants to decide what is and is not good for us. Let us and our health care providers make that choice, because for many of us, especially those of us with a terminal illness such as cancer, heart disease, and yes, AIDS, have nothing else to lose," Smith said.

"Many new medications and medical devices are being used with success in other parts of the world, and yet, many of these drugs and devices are basically unavailable in the U.S. at this point," noted Rep. Loucks. The lengthy and exacting testing requirements of the U.S. Food and Drug Administration (FDA) play a part in this situation, said the Representatives.

"Such procedural hurdles may stall the use of such innovative or experimental treatments in America for many years," added Loucks.

"It is important to test these treatments carefully, and we do not seek

Help from Bar Was Not Sought In Shooting

Executive Editor's Note: In the last issue of *Light* a story was run concerning the shooting in the parking lot behind the Wreck Room. I was responsible for that part of the story. I failed to make an effort to contact the Wreck Room. This was my responsibility, and I was wrong and I apologize to the Wreck Room for it. What follows is the missing other half of the story.

Jim Beck was shot on December 6, 1991. According to Bill Kindt, owner of the Wreck Room, the bartender on duty was Mark-Mark. Mark-Mark said that Beck walked into the Wreck Room and said that he had just been robbed. Beck confirmed that at the time, he did not know he had been shot. Mark-Mark said that Beck asked where the phone was. Kindt said that Mark-Mark reported that no assistance was asked for nor was he later contacted for help.

Kindt, who was not in the bar at the time, said that the next day he heard "rumors" that a man had been shot but said that he knew no details until he read about the shooting in *Light*.

Kindt said that he immediately investigated, asking both Mark-Mark and Steve, the bar manager what they knew. He said they too had heard only rumors. Neither of them had been asked for aid.

"The Wreck Room never has or ever will refuse assistance to anyone who asks for it," said Kindt. "If we don't know they need assistance, we can't render it. We're not mind readers."

Thompson Wins Guardianship; Kowalski to Come Home at Last



SHARON KOWALSKI AND KAREN THOMPSON

to alter the FDA's testing procedure. What we are seeking is a way to help people whose best hope for health may be a new or experimental treatment," explained Loucks.

Observing that many diseases such as AIDS and some forms of cancer are not always curable through the current FDA-approved treatments, Loucks added, "I want physicians to be able to prescribe experimental drugs in such cases, if that is what the patient wants. Removing the physicians' risk of punitive damages is one step in making this happen."

Clarenbach cited the bill as a major breakthrough in gaining quicker access to AIDS drugs. "Last session we passed our Bill of Rights for People with AIDS and HIV infection. This extends the principle that people living with AIDS need every current medical treatment," Clarenbach said.

Carpenter, who chairs the Assembly Health Committee, pledged quick action on the bill.

"We will schedule the bill for a January hearing and report it out to the full Assembly for a vote in February," Carpenter said.

The bill will not change the procedures for obtaining our prescribing experimental drugs, which are being administered in many programs across the country. Patients must sign consent forms when participating in such treatments. In the event of injury from the experimental drug, Loucks' bill would continue to allow patients to collect general damages for their injuries.

"The benefit of this bill is the removal of punitive damage risk from the situation," declared Loucks. Punitive damages are awarded to injured persons over and above their general damages for medical negligence; such awards are made with the intent of punishing the guilty party.

"In a situation where a gravely ill patient has accepted an experimental treatment and made an informed decision to accept the possibility of unplanned effects from that treatment, punitive damages have no place," declared Loucks.

"The focus of this bill is the patient," concluded Loucks. "With experimental drugs offering the best and even the final hope for so many people, we must do all we can to give these treatments a chance to save lives."

By Jamakaya

[Clearwater, MN]- Eight years after being severely brain-injured in a car accident and becoming the focus of a national campaign by Gay and disability rights activists, it appears that Sharon Kowalski is finally being allowed to "come home." Kowalski spent part of the holiday season with her long-time companion, Karen Thompson, at their home in rural Minnesota.

The lengthy court battles over visitation rights and guardianship between Thompson, Kowalski's parents and a third party ended December 17 when the Minnesota Court of Appeals, calling the lesbian couple "a family of affinity which ought to be accorded respect," granted full guardianship of Kowalski to Thompson.

Unbeknownst to the court, the decision was rendered on the 12th anniversary of a ceremony in which Thompson and Kowalski exchanged rings and pledged their lifelong commitment to each other.

Important Precedent

"This seems to be the first guardianship case in the nation in which an appeals court recognized a homosexual partner's rights as tantamount to those of a spouse," said Thompson's attorney, M. Sue Wilson.

The Court of Appeals reversed an earlier decision that granted guardianship to a former high school coach of Sharon's, a person St. Louis County Judge Robert Campbell believed would be a "neutral third party."

But in a strongly worded statement, the Appeals Court declared: "Thompson's suitability for guardianship was overwhelmingly clear from the testimony of Sharon's doctors and caretakers."

The Appeals Court also disagreed with Judge Campbell's description of the 35 year old Kowalski as a "child" who could not express her own wishes: "All the medical testimony established that Sharon has the capacity reliably to express a preference in this case, and she has clearly chosen to return home with Karen Thompson if possible."

Thompson and Kowalski lived together for four years before Sharon's accident.

The guardian appointed by Judge Campbell has until January 16 to file her own appeal to the Minnesota Supreme Court. As of press time—January 8—that had not occurred. Some legal observers believe further action is unlikely given the unanimous and strongly worded opinion by the Court of Appeals.

'Life Won't Be Simple'

In an interview with *Wisconsin Light*, Thompson said she was "greatly relieved" by the ruling. "We now have the ability to make our own decisions without consulting the court all the time. It doesn't mean life is going to be simple, but we've overcome a big hurdle."

After learning of the decision, Kowalski's first comment was an unequivocal "I want to come home."

Kowalski is currently in the Trevilla of Robbinsdale rehabilitation facility in suburban Minneapolis. But Thompson said: "I plan to have Sharon home as often as I can. She just loves it here, especially out along the [Mississippi] river."

Since the decision, said Thompson, "Sharon's blossoming. She's getting much more motivated. She's even beginning to laugh out loud alot."

Thompson and Kowalski face some tough decisions however.

"Every move for a brain-injured person is very difficult," Thompson told the *Light*. "It took many months for Sharon to adjust to the personnel and surroundings at Trevilla, where she's doing very well right now. So despite her desire to return home, the move could be very disruptive for her. I must be sure to have the proper support system in place so we don't fail."

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Milwaukee City Council to Vote on Pride Parade Funds January 21

By Jamakaya

[Milwaukee]- On January 21, the Common Council is scheduled to make a final decision about whether Milwaukee's Gay/Lesbian Pride Committee will receive a \$5,000 grant of city festival funds.

The Council's Economic Development Committee voted 3-2 on January 8 to deny the funds to the Pride Committee. Aldermen Michael Murphy introduced the motion to deny the funding, and was joined by John Kalwitz and Chris Krajniak voted against the funding. Aldermen Marvin Pratt and Steve Cullen supported the funding by voting against the motion.

Cullen said that voting against the funds for the Gay/Lesbian Pride Celebration "feeds on ignorance and hatred and fear, and I don't want to be a part of it. This city needs to look at ways we can be accepting of things we don't understand."

If the full Council votes against the funding, the Pride Committee will be the only group rejected among the 38 diverse community organizations which are slated to receive city festival funds.

The Milwaukee Festival Fund Board initially recommended the \$5,000 allocation last Fall. Other events slated for funding include the Riverwest Art

Walk, the St. Patrick's Day Parade, the Puerto Rican Festival, Farm Fest, Downer Days, a Kwanzaa Celebration and the Veteran's Day Parade.

Dennis Bunch, Vice-President of the 1992 Gay/Lesbian Pride Committee told the *Light* that he was disappointed at the action of the Common Council committee and hoped that the full Council would support the funding.

"The Pride Celebration is not just open to Gays and Lesbians but to all people who want to participate and learn about the Gay community," said Bunch, who extended an invitation to all Council members to attend this year's event on June 14.

Bunch also noted that the anti-Gay backlash brought on by the Jeffrey Dahmer case made it even more imperative for the parade and rally to be successful and for more Milwaukeeans to attend. "It's an opportunity to build some understanding, and the city ought to support it," said Bunch.

He encouraged Gays, Lesbians and their supporters to call Council members to lobby in favor of the funds. Council members can be reached by calling City Hall at (414) 278-2221. Their home numbers are listed in the telephone directory.