

SB72 ENGROSSED



1 SB72
2 8B7S2HF-2
3 By Senators Orr, Melson
4 RFD: Healthcare
5 First Read: 07-Feb-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to off-label medical treatment; to prohibit the Alabama Board of Medical Examiners and the Medical Licensure Commission of Alabama from taking adverse action against a physician who prescribes or recommends off-label medical treatments.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the following terms have the following meanings:

(1) BOARD. The Alabama Board of Medical Examiners, as provided in Division 1 of Article 3 of Chapter 24, Title 34, Code of Alabama 1975.

(2) COMMISSION. The Medical Licensure Commission of Alabama, as provided in Article 8 of Chapter 24, Title 34, Code of Alabama 1975.

(3) LICENSE. The same meaning as defined in Section 41-9A-1, Code of Alabama 1975.

(4) OFF-LABEL MEDICAL TREATMENT. The use of a drug, biological product, or device approved by the United States Food and Drug Administration (FDA) in any manner other than the use approved by the FDA.



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29 (5) PHYSICIAN. An individual licensed to practice
30 medicine in this state.

31 (b) Neither the board nor the commission may revoke,
32 suspend, fail to renew, or take action against a physician's
33 license based solely on his or her recommended or prescribed
34 off-label medical treatment, unless the physician's
35 recommended or prescribed off-label medical treatment presents
36 a threat of significant harm to his or her patients or to the
37 general public.

38 Section 2. This act shall become effective October 1,
39 2024.



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40
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42 Senate

43 Read for the first time and referred07-Feb-24
44 to the Senate committee on
45 Healthcare
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47 Read for the second time and placed21-Feb-24
48 on the calendar:
49 0 amendments
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51 Read for the third time and passed05-Mar-24
52 as amended
53 Yeas 31
54 Nays 0
55 Abstains 0
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Patrick Harris,
Secretary.

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