

HB278 INTRODUCED



1 HB278
2 6HQH13Z-1
3 By Representative Rigsby
4 RFD: Health
5 First Read: 13-Feb-25



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SYNOPSIS:

Existing law requires Ivermectin to be dispensed by a pharmacist only on the prescription of a licensed physician.

This bill would permit a physician, a physician assistant, or a certified registered nurse practitioner to give a pharmacist a standing order that has been approved by the State Board of Pharmacy to dispense Ivermectin to individuals without a prescription. The standing order would contain a protocol providing the pharmacist with guidelines for providing Ivermectin to individuals who request it.

This bill would prohibit health care providers and pharmacists from participating in any program or receiving any benefit that would induce them to encourage patients or the public to use Ivermectin.

This bill would also prohibit health care providers qualified to give a standing order and pharmacists who follow a standing order from being subject to disciplinary action from the respective governing licensing board as a result of dispensing Ivermectin.



HB278 INTRODUCED

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A BILL

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TO BE ENTITLED

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AN ACT

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34 Relating to prescription drugs; to provide for the
35 dispensing of Ivermectin by a pharmacist without an individual
36 prescription pursuant to a standing order issued by a
37 physician, physician assistant, or certified registered nurse
38 practitioner; to protect physicians, physician assistants,
39 certified registered nurse practitioners, and pharmacists from
40 licensure disciplinary action due to dispensing Ivermectin.

41 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

42 Section 1. For the purposes of this act, the following
43 terms have the following meanings:

44 (1) HEALTH CARE PROVIDER. A physician licensed by the
45 Medical Licensure Commission pursuant to Article 8, Chapter 24
46 of Title 34, Code of Alabama 1975; a physician assistant
47 licensed by the State Board of Medical Examiners pursuant to
48 Article 7, Chapter 24 of Title 34, Code of Alabama 1975; or a
49 certified registered nurse practitioner licensed and certified
50 by the Board of Nursing pursuant to Article 5, Chapter 21 of
51 Title 34, Code of Alabama 1975.

52 (2) STANDING ORDER. A prescription order that is not
53 patient specific.

54 Section 2. A pharmacist may dispense Ivermectin without
55 a prescription to an individual who is 19 years of age or
56 older, or to an unemancipated individual under 19 years of age



HB278 INTRODUCED

57 upon written consent of the individual's parent or legal
58 guardian, pursuant to a standing order that has received the
59 approval of the State Board of Pharmacy and is signed by a
60 health care provider.

61 Section 3. The standing order shall include all of the
62 following:

63 (1) A risk assessment protocol for use by the
64 pharmacist to screen an individual who requests Ivermectin and
65 which includes a plan for treating adverse events.

66 (2) A standardized information sheet that provides the
67 following information for the individual who is dispensed
68 Ivermectin:

69 a. Indications and contraindications for the use of
70 Ivermectin.

71 b. Instructions for using Ivermectin.

72 c. A statement on the importance of follow-up care and
73 health care referral information.

74 (3) A form for the pharmacist to record the completion
75 of the risk assessment protocol and the dosage dispensed to
76 the individual.

77 Section 4. No health care provider who signs a standing
78 order, and no pharmacist who dispenses Ivermectin pursuant to
79 a standing order, shall participate in any program or accept
80 anything of value that induces the health care provider or
81 pharmacist to affirmatively commend or endorse the use of
82 Ivermectin to an individual or the public.

83 Section 5. (a) The governing licensing board shall not
84 take disciplinary action against a health care provider who



HB278 INTRODUCED

85 signs a standing order for Ivermectin which has been approved
86 by the State Board of Pharmacy based on a pharmacist's
87 dispensing of Ivermectin pursuant to that standing order.

88 (b) The State Board of Pharmacy shall not take
89 disciplinary action against a pharmacist based upon any of the
90 following:

91 (1) The pharmacist's failure in good faith to correctly
92 interpret and follow the standing order upon dispensing
93 Ivermectin.

94 (2) A defect in the standing order upon which the
95 pharmacist relies when dispensing Ivermectin.

96 (3) The pharmacist's refusal to dispense Ivermectin
97 upon the request of an individual, notwithstanding the
98 existence of a standing order for Ivermectin signed by a
99 health care provider and authorized by the State Board of
100 Pharmacy covering the pharmacist's employer or practice.

101 Section 6. The State of Board of Pharmacy shall adopt
102 rules to implement and administer this act.

103 Section 7. This act shall not constitute standards of,
104 nor be construed as evidence for, the practice of medicine or
105 the practice of pharmacy. Nothing in this act shall alter,
106 amend, or supersede any provision of Section 6-5-333, Code of
107 Alabama 1975, or the Alabama Medical Liability Act of 1987
108 commencing with Section 6-5-540, Code of Alabama 1975, or the
109 Alabama Medical Liability Act of 1996, commencing with Section
110 6-5-548, Code of Alabama 1975, or any amendment to any of the
111 foregoing, or any judicial interpretation of the foregoing.
112 Evidence of compliance or noncompliance with this act shall



HB278 INTRODUCED

113 not be admissible to prove the negligence or the breach of any
114 other standard of care of any party in any civil action.

115 Section 8. This act shall become effective on October
116 1, 2025.