

SB72 ENROLLED



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



SB72 Enrolled

1 Enrolled, An Act,

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

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

18 (3) LICENSE. The same meaning as defined in Section
19 41-9A-1, Code of Alabama 1975.

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

24 (5) PHYSICIAN. An individual licensed to practice
25 medicine in this state.

26 (b) Neither the board nor the commission may revoke,
27 suspend, fail to renew, or take action against a physician's
28 license based solely on his or her recommended or prescribed



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29 off-label medical treatment, unless the physician's
30 recommended or prescribed off-label medical treatment presents
31 a threat of significant harm to his or her patients or to the
32 general public.

33 (c) This section shall not apply to the prescribing,
34 administration, or dispensing of any controlled substances, as
35 defined in Section 20-2-2, Code of Alabama 1975.

36 Section 2. This act shall become effective October 1,
37 2024.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB72

Senate 05-Mar-24

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 08-May-24

Senate concurred in House amendment 08-May-24

By: Senator Orr