A BILL TO BE ENTITLED

AN ACT TO ALLOW PHYSICIANS TO PRESCRIBE CERTAIN MEDICATIONS FOR OFF-LABEL USES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 of Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-12.8. Limited prescription or treatment authority for certain diseases.

(a) A physician licensed to practice medicine under this Article may prescribe a therapeutic drug approved by the United States Food and Drug Administration for off-label use to a patient for at-home, early-stage outpatient or hospital inpatient treatment of coronavirus infections causing respiratory syndrome–related illnesses. A physician acting in good faith in accordance with this section shall not solely constitute immoral or dishonorable conduct, as defined in G.S. 90-14(a)(1), or unprofessional conduct, as defined in G.S. 90-14(a)(6).

(b) Nothing in this section shall be construed to grant greater liability protection to a physician's actions in accordance with this section than provided in Article 1B of this Chapter or other applicable provisions of law in this State."

SECTION 2. The North Carolina Medical Board shall adopt temporary rules to implement the provisions of this act.

SECTION 3. There is appropriated from the General Fund to the Department of Health and Human Services the nonrecurring sum of ten thousand dollars ($10,000) to publicize the effects of the provisions of this act to health care providers.

SECTION 4. Section 3 of this act becomes effective July 1, 2022. The remainder of this act becomes effective October 1, 2022.