

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 1085

Short Title: Health Care Provider/Off-Label Uses Meds. (Public)

Sponsors: Representatives Hanig and Potts (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Appropriations, if favorable, Rules, Calendar, and Operations of the House

May 27, 2022

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW PHYSICIANS TO PRESCRIBE CERTAIN MEDICATIONS FOR
3 OFF-LABEL USES.

4 The General Assembly of North Carolina enacts:

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

7 "**§ 90-12.8. Limited prescription or treatment authority for certain diseases.**

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

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

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

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

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

