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SYNOPSIS:

This bill would 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 an off-label medical treatment.

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,



29 Code of Alabama 1975.

30 (3) LICENSE. The same meaning as defined in Section  
31 41-9A-1, Code of Alabama 1975.

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

36 (5) PHYSICIAN. An individual licensed to practice  
37 medicine in this state.

38 (b) Neither the board nor the commission may revoke,  
39 suspend, fail to renew, or take action against a physician's  
40 license based solely on his or her recommended or prescribed  
41 off-label medical treatment, unless the physician's  
42 recommended or prescribed off-label medical treatment presents  
43 a threat of significant harm to his or her patients or to the  
44 general public.

45 Section 2. This act shall become effective October 1,  
46 2024.