

1 HB468
2 167161-2
3 By Representatives Nordgren, Butler, Hanes, Johnson (R),
4 Millican, Rich, Sessions, Davis, Faust, Shiver, Baker,
5 Fincher, Brown, Treadaway, Ball, Farley, Williams (JD), Wood,
6 Moore (B), McMillan, Johnson (K), Hammon, Drake, Patterson
7 and Hurst
8 RFD: Health
9 First Read: 09-APR-15

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8 SYNOPSIS: This bill would authorize physicians to
9 prescribe, administer, or dispense long-term
10 antibiotic therapy for a therapeutic purpose to
11 eliminate infection or to control a patient's
12 symptoms upon making a clinical diagnosis that the
13 patient has Lyme disease, another tick borne
14 disease, or displays certain symptoms.

15 This bill would provide that a physician
16 prescribing long-term antibiotic therapy to a
17 patient clinically diagnosed with Lyme disease or
18 other tick borne disease is not subject to
19 discipline by the Alabama Board of Medical
20 Examiners and would require the board to post this
21 information on its public website.

22
23 A BILL
24 TO BE ENTITLED
25 AN ACT
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1 Relating to Lyme disease; to authorize physicians to
2 prescribe, administer, or dispense long-term antibiotic
3 therapy to eliminate infection or to control a patient's
4 symptoms upon making a clinical diagnosis that the patient has
5 Lyme disease or a tick borne disease; to provide that a
6 physician prescribing long-term antibiotic therapy to a
7 patient clinically diagnosed with Lyme disease or other tick
8 borne disease is not subject to discipline by the Alabama
9 Board of Medical Examiners; and to require the board to post
10 certain related information on its public website.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. For the purposes of this act, the
13 following terms shall have the following meanings:

14 (1) LONG-TERM ANTIBIOTIC THERAPY. The administration
15 of oral, intramuscular, or intravenous antibiotics singly or
16 in combination, for periods of time in excess of four weeks.

17 (2) LYME DISEASE. The clinical diagnosis of a
18 patient by a physician of the presence of signs or symptoms
19 compatible with acute infection with *Borrelia burgdorferi*;
20 late stage, persistent or chronic infection with *Borrelia*
21 *burgdorferi*; complications related to such infection; or with
22 other strains of *Borrelia* that become identified or recognized
23 by the National Centers for Disease Control and Prevention as
24 a cause of Lyme disease. The term also includes an infection
25 that meets the surveillance criteria set forth by the National
26 Centers for Disease Control and Prevention and a clinical
27 diagnosis of Lyme disease that does not meet the National

1 Centers for Disease Control and Prevention surveillance
2 criteria but presents other acute and chronic signs or
3 symptoms of Lyme disease as determined by the treating
4 physician.

5 Section 2. (a) A licensed physician may prescribe,
6 administer, or dispense long-term antibiotic therapy for a
7 therapeutic purpose to eliminate infection or to control a
8 patient's symptoms upon making a clinical diagnosis that the
9 patient has Lyme disease, displays symptoms consistent with a
10 clinical diagnosis of Lyme disease, or has another tick borne
11 disease, if such clinical diagnosis and treatment are
12 documented in the patient's medical record by the prescribing
13 licensed physician.

14 (b) A diagnosis under subsection (a) shall be based
15 on knowledge obtained through medical history and physical
16 examination only or in conjunction with testing that provides
17 supportive data for the clinical diagnosis.

18 Section 3. (a) A physician prescribing long-term
19 antibiotic therapy to a patient clinically diagnosed with Lyme
20 disease or other tick borne disease is not subject to
21 discipline by the Alabama Board of Medical Examiners if the
22 diagnosis and treatment have been documented and monitored in
23 the physician's medical record for that patient.

24 (b) The Alabama Board of Medical Examiners shall
25 post and maintain on its public website the following
26 statement: "No licensee may be subject to disciplinary action
27 solely for prescribing, administering, or dispensing long-term

1 antibiotic therapy for a patient clinically diagnosed with
2 Lyme disease or other tick borne disease, if the diagnosis and
3 treatment have been documented and monitored in the
4 physician's medical record for that patient."

5 Section 4. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.