

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

**H.B. 1085**  
**May 26, 2022**  
**HOUSE PRINCIPAL CLERK**

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**HOUSE BILL DRH10591-NBa-168**

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

Sponsors: Representative Hanig.

Referred to:

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.

