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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1741 Session of 2021

INTRODUCED BY KEEFER, COX, RYAN, KAUFFMAN, HERSHEY, ROTHMAN, BERNSTINE AND ZIMMERMAN, JULY 30, 2021

REFERRED TO COMMITTEE ON HEALTH, JULY 30, 2021

AN ACT

Providing for prescribing and dispensing drugs approved by the United States Food and Drug Administration for off-label use to treat coronavirus infections causing respiratory-syndrome-related illnesses.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the Coronavirus Infection Medication Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Coronavirus." Any of the various RNA-containing spherical viruses of the family coronaviridae.

"Dispense." The preparation of a prescription or nonprescription drug in a suitable container appropriately labeled for subsequent administration to or use by a patient or other individual authorized to receive the drug.

"Licensing board or commission." An administrative board or commission under the Bureau of Occupational and Professional Affairs in the Department of State.

"Pharmacist." As defined in section 2(10) of the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act.

"Prescriber." A person who is licensed, registered or otherwise lawfully authorized to prescribe a controlled substance or any other drug or device in the course of professional practice or research in this Commonwealth.

Section 3. Drugs for off-label use to treat coronavirus infections causing respiratory-syndrome-related illnesses.

(a) Authorization.--A prescriber may prescribe, and a pharmacist shall dispense, in accordance with a prescription drug order and with the informed consent of a patient, a therapeutic drug approved by the United States Food and Drug Administration, including hydroxychloroquine sulfate and ivermectin, for off-label use to the patient for prophylaxis or for at-home, early-stage outpatient or hospital inpatient treatment of coronavirus infections causing respiratory-syndrome-related illnesses.

(b) Exposure not required.--A patient's suspected exposure to coronavirus infections causing respiratory-syndrome-related illnesses shall not be required for a prescriber to prescribe, and a pharmacist to dispense, a drug to the patient for prophylaxis as authorized under subsection (a).

(c) Screening not required.--A patient's positive screening results test shall not be required for a prescriber to prescribe, and a pharmacist to dispense, a drug to the patient

for at-home, early-stage outpatient treatment as authorized under subsection (a).

Section 4. Administrative or disciplinary actions.

An action taken by a prescriber or pharmacist in accordance with section 3 shall not be considered unlawful, unethical, unauthorized or unprofessional conduct by a licensing board or commission. A licensing board or commission may not take an administrative or disciplinary action against a prescriber or pharmacist for an action taken in accordance with section 3.

Section 5. Effective date.

This act shall take effect immediately.