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HOUSE BILL NO. 512

Offered January 13, 2010

Prefiled January 12, 2010

A BILL to amend the Code of Virginia by adding a section numbered 54.1-3408.2, relating to long-term antibiotic treatment for Lyme disease.

Patrons—Rust, Bulova, Cline, Comstock, Ebbin, Knight, Kory, Lewis, Marshall, R.G., May and Spruill;
Senator: Vogel

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 54.1-3408.2 as follows:**

§ 54.1-3408.2. Prescription for long-term antibiotic use for Lyme disease.

A. A licensed physician may prescribe, administer, or dispense long-term antibiotic therapy to a patient for a therapeutic purpose that treats such infection upon making a clinical diagnosis that such patient has Lyme disease or displays symptoms consistent with a clinical diagnosis of Lyme disease, provided such clinical diagnosis and treatment are documented in the patient's medical record by such licensed physician. The Board of Medicine shall not initiate a disciplinary action against a licensed physician and such physician shall not be subject to disciplinary action by the Board of Medicine solely for prescribing, administering, or dispensing long-term antibiotic therapy to a patient clinically diagnosed with Lyme disease, provided such clinical diagnosis and treatment has been documented in the patient's medical record by such licensed physician.

B. Nothing in this section shall be construed to grant any person immunity from investigation or disciplinary action for any other violation of this title.

C. The authority granted in this section to prescribe, administer, and dispense antibiotic therapy shall also apply to other tick-borne infections.

D. For the purposes of this section:

"Long-term antibiotic therapy" means the administration of oral, intramuscular, or intravenous antibiotics, singly or in combination, for periods of time in excess of four weeks.

*"Lyme disease" means the clinical diagnosis by a licensed physician of the presence in a patient of signs or symptoms compatible with acute infection with *Borrelia burgdorferi*; or with late-stage or persistent or chronic infection with *Borrelia burgdorferi*; or with complications related to such an infection or such other strains of *Borrelia* that are recognized by the National Centers for Disease Control and Prevention as a cause of Lyme disease. Lyme disease includes an infection that meets the surveillance criteria set forth by the National Centers for Disease Control and Prevention, and other acute and chronic manifestations of such an infection, as determined by a licensed physician pursuant to a clinical diagnosis that is based on knowledge obtained through medical history and physical examination alone or in conjunction with testing that provides supportive data for such clinical diagnosis.*

INTRODUCED

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