

1.1 A bill for an act
1.2 relating to health; limiting the Board of Medical Practice implementing
1.3 disciplinary act against a physician for dispensing long-term antibiotic therapy
1.4 for chronic Lyme disease.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **LONG-TERM ANTIBIOTIC THERAPY FOR CHRONIC LYME**
1.7 **DISEASE.**

1.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the definitions in this
1.9 subdivision have the meanings given them.

1.10 (b) "Chronic Lyme disease" means the clinical diagnosis by a physician of the
1.11 presence of signs or symptoms compatible with acute, late stage, persistent, or chronic
1.12 infection with Borrelia burgdorferi, or with other strains of Borrelia that are recognized by
1.13 the national Centers for Disease Control and Prevention as a cause of Lyme disease, or
1.14 with complications related to such an infection.

1.15 (c) "Clinical diagnosis" means a diagnosis that is based on knowledge obtained
1.16 through medical history and physical examination alone or in conjunction with testing that
1.17 provides supportive data for the diagnosis.

1.18 (d) "Long-term antibiotic therapy" means the prolonged administration of oral,
1.19 intramuscular, or intravenous antibiotics, singly or in combination, for periods of time
1.20 greater than 28 days.

1.21 Subd. 2. **Long-term antibiotic therapy.** (a) The Board of Medical Practice shall
1.22 not impose disciplinary action as described in Minnesota Statutes, section 147.141,
1.23 against any physician solely on the basis of prescribing, administering, or dispensing

2.1 long-term antibiotic therapy to a patient who has been clinically diagnosed with chronic
2.2 Lyme disease.

2.3 (b) Nothing in this section shall prohibit the board from imposing disciplinary action
2.4 in accordance with Minnesota Statutes, chapter 147, against any physician who:

2.5 (1) fails to monitor the ongoing care of a patient receiving long-term antibiotic
2.6 therapy; or

2.7 (2) fails to keep complete and accurate ongoing records of the diagnosis and
2.8 treatment of a patient receiving long-term antibiotic therapy.

2.9 Subd. 3. **Expiration.** This section expires July 1, 2015.

2.10 Sec. 2. **EFFECTIVE DATE.**

2.11 Section 1 is effective the day following final enactment.