

SENATE BILL NO. 296

INTRODUCED BY F. THOMAS

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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THAT PHYSICIANS MAY NOT BE DISCIPLINED FOR TREATING LYME DISEASE WITH LONG-TERM ANTIBIOTICS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Lyme disease treatment -- disciplinary action prohibited.** (1) The board shall post and maintain on its website the following statement: No physician may be subject to disciplinary action solely for prescribing, administering, or dispensing long-term antibiotic therapy for a patient clinically diagnosed with Lyme disease if the diagnosis and treatment has been documented and monitored in the physician's medical record for the patient.

- (2) As used in this section, the following definitions apply:
  - (a) "Clinical diagnosis" means a clinical diagnosis by a physician that is based on knowledge obtained through medical history and physical examination alone or in conjunction with testing that provides supportive data for the clinical diagnosis.
  - (b) "Long-term antibiotic therapy" means the administration of oral, intramuscular, or intravenous antibiotics, singly or in combination, for a period of more than 4 weeks.
  - (c) "Lyme disease" means the clinical diagnosis by a physician of the presence in a patient of signs and symptoms compatible with acute infection with *Borrelia burgdorferi*, with late stage or persistent chronic infection with *Borrelia burgdorferi*, or with complications related to such an infection and other acute and chronic manifestations of such an infection as determined by the physician.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 37, chapter 3, part 2, and the provisions of Title 37, chapter 3, apply to [section 1].

**NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

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