

HOUSE BILL NO. HB0164

Medical prescriptions-off-label purposes.

Sponsored by: Representative(s) Brown, G, Allemand,
Guggenmos, Haroldson, Johnson, Kelly, Lien,
Lucas, Neiman, Ottman, Pendergraft, Schmid,
Strock and Wasserburger and Senator(s)
Hutchings and Ide

A BILL

for

1 AN ACT relating to professions and occupations; authorizing
2 prescribers to prescribe medications for off-label
3 indication as specified; authorizing pharmacists to
4 dispense medications for off-label indication as specified;
5 providing prescribers and pharmacists immunity from
6 disciplinary action as specified; providing definitions;
7 requiring rulemaking; and providing for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 33-1-401 through 33-1-403 are created
12 to read:

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14

ARTICLE 4

1 PRESCRIBING AND DISPENSING DRUGS FOR OFF-LABEL INDICATION

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3 **33-1-401. Definitions.**

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5 (a) As used in this article:

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7 (i) "Disciplinary action" means any action taken
8 by a health related licensing board against a licensee,
9 including but not limited to revocation, limitation,
10 suspension or denial of a license or any other disciplinary
11 action taken by a health related licensing board against a
12 licensee;

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14 (ii) "Off-label indication" means drug
15 treatments for conditions other than those stated in the
16 labeling approved by the United States food and drug
17 administration;

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19 (iii) "Pharmacist" means any person licensed by
20 the board of pharmacy under title 33, chapter 24 of the
21 Wyoming statutes to practice pharmacy;

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1 (iv) "Prescriber" means a physician or a
2 physician assistant licensed under title 33, chapter 26 of
3 the Wyoming statutes, a dentist licensed under title 33,
4 chapter 15 of the Wyoming statutes, an optometrist licensed
5 under title 33, chapter 23 of the Wyoming statutes or an
6 advanced practice registered nurse licensed under title 33,
7 chapter 21 of the Wyoming statutes.

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9 **33-1-402. Prescribing drugs for off-label indication;**
10 **exception.**

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12 (a) Notwithstanding any other law, a prescriber may
13 lawfully prescribe a United States food and drug
14 administration approved prescription drug for off-label
15 indication, and a pharmacist is authorized to dispense a
16 prescribed drug for off-label indication within their scope
17 of practice pursuant to a valid prescription order.

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19 (b) This section shall not apply to prescriptions for
20 substances that are:

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1 (i) Listed as schedule I or schedule II
2 controlled substances under federal law or the Wyoming
3 Controlled Substances Act of 1971;

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5 (ii) Intended to transition a minor's biological
6 sex as determined by the sex organs, chromosomes and
7 endogenous profiles of the minor or affirm the minor's
8 perception of the minor's sex if that perception is
9 inconsistent with the minor's biological sex;

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11 (iii) Intended to induce an abortion.

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13 **33-1-403. Professional conduct.**

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15 (a) Notwithstanding any other law, a prescriber or
16 pharmacist shall not face any adverse action from a health
17 related licensing board or employer, including disciplinary
18 action, loss of employment, hospital privileges or
19 credentials, solely on the basis that a prescriber
20 prescribed a United States food and drug administration
21 approved prescription drug for off-label indication, or a
22 pharmacist dispensed a prescription drug prescribed for

1 off-label indication pursuant to a valid prescription order
2 pursuant to this article.

3

4 (b) Notwithstanding any other law, any
5 recommendation, prescription, use or opinion of a
6 prescriber or pharmacist related to medical treatment that
7 is not regulated by a health related licensing board, the
8 department of health, a professional association or the
9 United States food and drug administration, shall not be
10 considered unprofessional conduct.

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12 **Section 2.** The Wyoming state board of medicine, the
13 board of dental examiners, the Wyoming state board of
14 examiners in optometry, the board of nursing and the state
15 board of pharmacy shall adopt all rules necessary to
16 implement this act.

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18 **Section 3.** This act is effective July 1, 2025.

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(END)