



# House of Representatives

General Assembly

**File No. 583**

January Session, 2009

Substitute House Bill No. 6200

*House of Representatives, April 9, 2009*

The Committee on Public Health reported through REP. RITTER of the 38th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE USE OF LONG-TERM ANTIBIOTICS FOR THE TREATMENT OF LYME DISEASE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2009*) (a) As used in this section,  
2 (1) "long-term antibiotic therapy" means the administration of oral,  
3 intramuscular or intravenous antibiotics, singly or in combination, for  
4 periods of time in excess of four weeks; and (2) "lyme disease" means  
5 the clinical diagnosis by a physician, licensed in accordance with  
6 chapter 370 of the general statutes, of the presence in a patient of signs  
7 or symptoms compatible with acute infection with borrelia  
8 burgdorferi; or with late stage or persistent or chronic infection with  
9 borrelia burgdorferi, or with complications related to such an infection;  
10 or such other strains of borrelia that, on and after July 1, 2009, are  
11 recognized by the National Centers for Disease Control and Prevention  
12 as a cause of lyme disease. Lyme disease includes an infection that  
13 meets the surveillance criteria set forth by the National Centers for  
14 Disease Control and Prevention, and other acute and chronic

15 manifestations of such an infection as determined by a physician,  
16 licensed in accordance with the provisions of chapter 370 of the  
17 general statutes.

18 (b) On and after July 1, 2009, a licensed physician may prescribe,  
19 administer or dispense long-term antibiotic therapy to a patient upon  
20 making a clinical diagnosis that such patient has Lyme disease or  
21 displays symptoms consistent with a clinical diagnosis of Lyme  
22 disease, provided such clinical diagnosis and treatment are  
23 documented in the patient's medical record by such licensed physician.  
24 Notwithstanding the provisions of sections 20-8a and 20-13e of the  
25 general statutes, on and after said date, the Department of Public  
26 Health shall not initiate a disciplinary action against a licensed  
27 physician and such physician shall not be subject to disciplinary action  
28 by the Connecticut Medical Examining Board solely for prescribing,  
29 administering or dispensing long-term antibiotic therapy to a patient  
30 clinically diagnosed with Lyme disease, provided such clinical  
31 diagnosis has been documented in the patient's medical record by such  
32 licensed physician.

33 (c) Nothing in this section shall prevent the Connecticut Medical  
34 Examining Board from taking disciplinary action against a licensed  
35 physician, pursuant to section 19a-17 of the general statutes, or a  
36 consent order entered into pursuant to subsection (c) of section 4-177  
37 of the general statutes. Subject to limitation set forth in subsection (b)  
38 of this section, for purposes of this section, the Connecticut Medical  
39 Examining Board may take disciplinary action against a licensed  
40 physician if there is any violation of the provisions of section 20-13c of  
41 the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2009	New section

**PH** Joint Favorable Subst.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

This bill makes changes concerning the prescribing of long-term antibiotics by physicians related to Lyme disease and does not result in a fiscal impact.

***The Out Years***

None

*Sources: 2/6/09 Public Hearing Testimony*

**OLR Bill Analysis****sHB 6200*****AN ACT CONCERNING THE USE OF LONG-TERM ANTIBIOTICS FOR THE TREATMENT OF LYME DISEASE.*****SUMMARY:**

Beginning July 1, 2009, this bill allows a licensed physician to prescribe, administer, or dispense long-term antibiotic therapy to a patient if (1) a clinical diagnosis is made that the patient has Lyme disease or has symptoms consistent with such a diagnosis and (2) the physician documents the diagnosis and treatment in the patient's medical record.

Also beginning July 1, 2009, the bill prohibits (1) the Department of Public Health from initiating disciplinary action against a physician and (2) the Connecticut Medical Examining Board from taking disciplinary action solely because the physician prescribed, administered, or dispensed long-term antibiotic therapy to a patient clinically diagnosed with Lyme disease. Such clinical diagnosis must be documented in the patient's record by the physician.

The bill specifies that, subject to the limits on discipline of physicians treating Lyme disease established by the bill, it does not limit the ability of the Connecticut Medical Examining Board to take disciplinary action against physicians, including entering into a consent order, for violations of existing law concerning their practice of medicine.

EFFECTIVE DATE: July 1, 2009

**LYME DISEASES DIAGNOSIS AND TREATMENT**

The bill defines "Lyme disease" as the clinical diagnosis, by a state-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 beginning July 1, 2009, are recognized by the federal Centers for Disease Control and Prevention (CDC) as a cause of Lyme disease.

Lyme disease also includes an infection that meets the surveillance criteria of CDC, and other acute and chronic manifestations of such an infection as determined by a physician.

“Long-term antibiotic therapy” means administering oral, intramuscular, or intravenous antibiotics, singly or in combination, for periods exceeding four weeks.

## **BACKGROUND**

### ***Borrelia burgdorferi***

This is the bacterium that causes Lyme disease. The bacterium belongs to a small group of bacteria, called spirochetes, whose appearance resembles a coiled spring. *Borreliae* are very small and cannot be seen without a microscope.

## **COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 30 Nay 0 (03/26/2009)