

**SENATE BILL No. 211**

By Senators Steffen and Erickson

2-10

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1 AN ACT concerning health and healthcare; relating to the physician-client  
2 relationship; allowing patients to sign a liability waiver to be prescribed  
3 off-label use drugs.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) A patient desiring to be prescribed a federal food and  
7 drug agency approved drug for an off-label use of such prescription drug  
8 may sign, or have a legal representative sign, a liability waiver. The waiver  
9 shall relieve the physician from liability for any claims arising out of the  
10 act of prescribing such drugs for off-label use.

11 (b) As used in this section, "off-label use" means utilizing a  
12 prescription drug for treatment in a manner other than the manner  
13 approved by the federal food and drug administration stated on the  
14 labeling.

15 (c) Nothing in this section shall relieve a physician of the duty to  
16 receive consent from a patient or the patient's legal representative before  
17 assisting in the care or treatment of such patient.

18 Sec. 2. This act shall take effect and be in force from and after its  
19 publication in the Kansas register.