

Patients deserve to have their off-label prescriptions honored when they are in the hospital and cannot easily be transported to another facility. I had a case in Stark County, Ohio (Case Number 22CV00024) in which we sued the hospital because the attending physician refused to provide the prescription to my client which was written by a physician who did not have hospital privileges. At first, the Doctor was angry and didn't like being challenged in his care of my client. He indicated that he refused to read any studies about the prescribed drug for off-label use. The Doctor later alleged that he was relying on ORC 4743.10 and that it was against his conscience in providing the prescribed drug. A conscience which was clearly not educated, as he had refused to read any studies. We did not have a clear solution on dealing with this problem and requested court intervention. The patient died while we were waiting for a ruling from the Court on whether my client had a right to his prescription.

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