



Nevada Psychiatric Association

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Assembly Committee on Government Affairs
Nevada State Legislature
401 S. Carson St.
Carson City, NV 89701

February 27, 2025

RE: Opposition to AB208 – Impact on Medical Decision-Making and Patient Care

Dear Chair Considine and Members of the Committee,

On behalf of the Nevada Psychiatric Association (NPA), we write to express our opposition to Assembly Bill 208 (AB208) as currently drafted. While we understand the bill's intent to regulate the use of patented and federally reviewed products by government-funded entities, we are deeply concerned about its unintended consequences for medical practice and patient care, particularly in public healthcare settings.

AB208 threatens to restrict the long-standing and evidence-based practice of off-label prescribing, which is essential to psychiatry and many other medical specialties. Psychiatrists and other physicians frequently rely on off-label prescribing to provide the most effective and up-to-date treatment options for patients. Many psychiatric medications, including mood stabilizers, antidepressants, and antipsychotics, are commonly used off-label to treat conditions such as post-traumatic stress disorder (PTSD), bipolar disorder in youth, and treatment-resistant depression. These practices are backed by extensive clinical research and are widely accepted as the standard of care in the medical community.

By requiring government-funded healthcare providers to seek manufacturer approval or risk being barred from off-label prescribing, AB208 creates unnecessary bureaucratic hurdles that could delay or deny patients access to essential treatments. Patients who rely on Medicaid, state mental health services, or other public programs would be disproportionately affected, leading to increased suffering, higher hospitalization rates, and worsening public health outcomes.

Additionally, AB208 undermines the professional autonomy of physicians by allowing pharmaceutical companies to dictate how their products are used in government-



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funded healthcare settings. This is especially concerning given that off-label prescribing is often necessary when FDA-approved alternatives do not exist or have failed for a particular patient. The ability to tailor treatment based on clinical judgment, rather than rigid manufacturer restrictions, is a cornerstone of quality medical care.

Moreover, we are concerned that this legislation, as currently written, does not distinguish between legitimate medical practice and other regulated uses of patented products. While we understand concerns about improper or unauthorized applications of patented materials, this bill takes an overly broad approach that inadvertently jeopardizes critical healthcare decisions. If AB208 moves forward, we strongly urge the committee to include an explicit exemption ensuring that off-label prescribing for the treatment of patients remains protected within government-funded healthcare settings.

In conclusion, AB208 poses a serious risk to psychiatric care and patient well-being in Nevada. We urge the committee to amend this bill to preserve the ability of physicians to exercise their clinical judgment in prescribing necessary treatments for their patients.

Thank you for your time and consideration. We welcome the opportunity to further discuss these concerns and work toward solutions that protect both intellectual property rights and patient care.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lesley Dickson' followed by a stylized flourish.

Lesley Dickson, MD

Nevada Psychiatric Association - State Legislative Representative