

SECOND REGULAR SESSION

HOUSE BILL NO. 1879

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LEWIS (25).

3495H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 191.648, RSMo, and to enact in lieu thereof one new section relating to expedited partner therapy.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 191.648, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 191.648, to read as follows:

191.648. 1. As used in this section, **the following terms mean:**

(1) **"Designated sexually transmitted infection", chlamydia, gonorrhea, trichomoniasis, or any other sexually transmitted infection designated as appropriate for expedited partner therapy by the department of health and senior services or for which expedited partner therapy was recommended in the most recent Centers for Disease Control and Prevention guidelines for the prevention or treatment of sexually transmitted infections;**

(2) **"Expedited partner therapy" [means], the practice of treating the sex partners of persons with [chlamydia or gonorrhea] designated sexually transmitted infections without an intervening medical evaluation or professional prevention counseling;**

(3) **"Health care professional", a member of any profession regulated by chapter 334 or 335 authorized to prescribe medications.**

2. Any licensed ~~physician~~ **health care professional** may, but shall not be required to, utilize expedited partner therapy for the management of the partners of persons with ~~[chlamydia or gonorrhea]~~ **designated sexually transmitted infections**. Notwithstanding the requirements of 20 CSR 2150- 5.020 (5) or any other law to the contrary, a licensed ~~physician~~ **health care professional** utilizing expedited partner therapy may prescribe and

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 dispense medications for the treatment of ~~[chlamydia or gonorrhea]~~ **a designated sexually**
19 **transmitted infection** for an individual who is the partner of a person with ~~[chlamydia or~~
20 ~~gonorrhea]~~ **a designated sexually transmitted infection** and who does not have an
21 established ~~[physician/patient]~~ **health care professional/patient** relationship with such
22 ~~[physician]~~ **health care professional**. ~~[Any antibiotic medications prescribed and dispensed~~
23 ~~for the treatment of chlamydia or gonorrhea under this section shall be in pill form.]~~

24 3. Any licensed ~~[physician]~~ **health care professional** utilizing expedited partner
25 therapy for the management of the partners with ~~[chlamydia or gonorrhea]~~ **designated**
26 **sexually transmitted infections** shall provide explanation and guidance to ~~[a]~~ **each** patient
27 ~~[diagnosed with chlamydia or gonorrhea]~~ of the preventative measures that can be taken by
28 the patient to stop the ~~[spread]~~ **transmission** of such ~~[diagnosis]~~ **infection**.

29 4. Any licensed ~~[physician]~~ **health care professional** utilizing expedited partner
30 therapy for the management of partners of persons with ~~[chlamydia or gonorrhea]~~ **designated**
31 **sexually transmitted infections** under this section shall have immunity from any civil
32 liability that may otherwise result by reason of such actions, unless such ~~[physician]~~ **health**
33 **care professional** acts negligently, recklessly, in bad faith, or with malicious purpose.

34 5. The department of health and senior services and the division of professional
35 registration within the department of commerce and insurance shall by rule develop
36 guidelines for the implementation of subsection 2 of this section. Any rule or portion of a
37 rule, as that term is defined in section 536.010, that is created under the authority delegated in
38 this section shall become effective only if it complies with and is subject to all of the
39 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
40 are nonseverable and if any of the powers vested with the general assembly pursuant to
41 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
42 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
43 proposed or adopted after August 28, 2010, shall be invalid and void.

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