

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 124**

**Representatives Johnson, T., Huffman  
Cosponsors: Representatives Grossman, Blessing**

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**A BILL**

To enact sections 4723.489, 4729.282, 4730.432, and 1  
4731.93 of the Revised Code regarding the 2  
authority to prescribe without examination a 3  
drug for a sexual partner of a patient diagnosed 4  
with chlamydia, gonorrhea, or trichomoniasis. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4723.489, 4729.282, 4730.432, and 6  
4731.93 of the Revised Code be enacted to read as follows: 7

**Sec. 4723.489.** (A) (1) Notwithstanding any conflicting 8  
provision of the Revised Code or rule adopted by the board of 9  
nursing or state board of pharmacy, a clinical nurse specialist, 10  
certified nurse-midwife, or certified nurse practitioner who 11  
holds a certificate to prescribe issued under section 4723.48 of 12  
the Revised Code may issue a prescription for a drug to treat 13  
chlamydia, gonorrhea, or trichomoniasis, without having examined 14  
the individual for whom it is issued the drug is intended, if 15  
all of the following conditions are met: 16

(a) The individual is a sexual partner of the nurse's 17  
patient. 18

(b) The patient has been diagnosed with chlamydia, 19  
gonorrhea, or trichomoniasis. 20

(c) The patient reports to the nurse that the individual 21  
is unable or unlikely to be evaluated or treated by a health 22  
professional. 23

(2) A prescription issued under this section shall include 24  
the individual's name and address, if known. If the nurse is 25  
unable to obtain the individual's name and address, the 26  
prescription shall include the patient's name and address and 27  
the words "expedited partner therapy" or the letters "EPT." 28

(3) A nurse may issue a prescription under this section 29  
for not more than a total of two individuals who are sexual 30  
partners of the nurse's patient. 31

(B) For each prescription issued under division (A) of 32  
this section, the nurse shall do all of the following: 33

(1) Provide the patient with information concerning the 34  
drug for the purpose of sharing the information with the 35  
individual, including directions for use of the drug and any 36  
contraindications, side effects, or adverse reactions associated 37  
with the drug; 38

(2) Recommend to the patient that the individual seek 39  
treatment from a health professional; 40

(3) Document all of the following in the patient's record: 41

(a) The name of the drug prescribed to the individual and 42  
its dosage; 43

(b) That information concerning the drug was provided to 44  
the patient for the purpose of sharing the information with the 45  
individual; 46

(c) If known, any adverse reactions the individual experiences from treatment with the drug. 47  
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(C) A nurse who issues a prescription under this section may contact the individual for whom the drug is intended. 49  
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(1) If the nurse contacts the individual, the nurse shall do all of the following: 51  
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(a) Inform the individual that the individual may have been exposed to chlamydia, gonorrhea, or trichomoniasis; 53  
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(b) Encourage the individual to seek treatment from a health professional; 55  
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(c) Explain the treatment options available to the individual, including treatment with a prescription drug, directions for use of the drug, and any contraindications, side effects, or adverse reactions associated with the drug; 57  
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(d) Document in the patient's record that the nurse contacted the individual. (2) If the nurse does not contact the individual, the nurse shall document that fact in the patient's record. 61  
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(D) A nurse who in good faith issues a prescription under this section is not liable for or subject to any of the following: 65  
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(1) Damages in any civil action; 68

(2) Prosecution in any criminal proceeding; 69

(3) Professional disciplinary action. 70

**Sec. 4729.282.** (A) Notwithstanding any conflicting provision of the Revised Code or rule adopted by the state board of pharmacy, a pharmacist may do both of the following: 71  
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(1) Dispense a drug pursuant to a prescription issued 74  
under section 4723.489, section 4730.432, or section 4731.93 of 75  
the Revised Code. 76

(2) Label a drug dispensed pursuant to a prescription 77  
issued under section 4723.488, 4730.432, or 4731.93 of the 78  
Revised Code without the name of the individual for whom the 79  
drug is intended if the prescription contains the words 80  
"expedited partner therapy" or the letters "EPT." 81

(B) For each drug dispensed under division (A) of this 82  
section, the pharmacist shall provide all of the following 83  
information: 84

(1) Directions for use of the drug; 85

(2) Any contraindications, side effects, or adverse 86  
reactions associated with the drug. 87

(C) A pharmacist who in good faith dispenses a drug under 88  
this section is not liable for or subject to any of the 89  
following: 90

(1) Damages in any civil action; 91

(2) Prosecution in any criminal proceeding; 92

(3) Professional disciplinary action. 93

(D) This section does not affect the authority of a 94  
pharmacist to distribute information concerning a drug as 95  
required by federal law. 96

**Sec. 4730.432.** (A) (1) Notwithstanding any conflicting 97  
provision of the Revised Code or rule adopted by the state 98  
medical board or state board of pharmacy, a physician assistant 99  
who holds a certificate to prescribe issued under this chapter 100

may issue a prescription for a drug to treat chlamydia, 101  
gonorrhea, or trichomoniasis without having examined the 102  
individual for whom the drug is intended, if all of the 103  
following conditions are met: 104

(a) The individual is a sexual partner of the physician 105  
assistant's patient. 106

(b) The patient has been diagnosed with chlamydia, 107  
gonorrhea, or trichomoniasis. 108

(c) The patient reports to the physician assistant that 109  
the individual is unable or unlikely to be evaluated or treated 110  
by a health professional. 111

(2) A prescription issued under this section shall include 112  
the individual's name and address, if known. If the physician 113  
assistant is unable to obtain the individual's name and address, 114  
the prescription shall include the patient's name and address 115  
and the words "expedited partner therapy" or the letters "EPT." 116

(3) A physician assistant may issue a prescription under 117  
this section for not more than a total of two individuals who 118  
are sexual partners of the physician assistant's patient. 119

(B) For each prescription issued under division (A) of 120  
this section, the physician assistant shall do all of the 121  
following: 122

(1) Provide the patient with information concerning the 123  
drug for the purpose of sharing the information with the 124  
individual, including directions for use of the drug and any 125  
contraindications, side effects, or adverse reactions associated 126  
with the drug; 127

(2) Recommend to the patient that the individual seek 128

<u>treatment from a health professional;</u>	129
<u>(3) Document all of the following in the patient's record:</u>	130
<u>(a) The name of the drug prescribed to the individual and its dosage;</u>	131 132
<u>(b) That information concerning the drug was provided to the patient for the purpose of sharing the information with the individual;</u>	133 134 135
<u>(c) If known, any adverse reactions the individual experiences from treatment with the drug.</u>	136 137
<u>(C) A physician assistant who issues a prescription under this section may contact the individual for whom the drug is intended.</u>	138 139 140
<u>(1) If the physician assistant contacts the individual, the physician assistant shall do all of the following:</u>	141 142
<u>(a) Inform the individual that the individual may have been exposed to chlamydia, gonorrhea, or trichomoniasis;</u>	143 144
<u>(b) Encourage the individual to seek treatment from a health professional;</u>	145 146
<u>(c) Explain the treatment options available to the individual, including treatment with a prescription drug, directions for use of the drug, and any contraindications, side effects, or adverse reactions associated with the drug;</u>	147 148 149 150
<u>(d) Document in the patient's record that the physician assistant contacted the individual.</u>	151 152
<u>(2) If the physician assistant does not contact the individual, the physician assistant shall document that fact in the patient's record.</u>	153 154 155

(D) A physician assistant who in good faith issues a 156  
prescription under this section is not liable for or subject to 157  
any of the following: 158

(1) Damages in any civil action; 159

(2) Prosecution in any criminal proceeding; 160

(3) Professional disciplinary action. 161

**Sec. 4731.93.** (A) As used in this section, "physician" 162  
means an individual authorized under this chapter to practice 163  
medicine and surgery or osteopathic medicine and surgery. 164

(B) (1) Notwithstanding any conflicting provision of the 165  
Revised Code or rule adopted by the state medical board or state 166  
board of pharmacy, a physician may issue a prescription for a 167  
drug to treat chlamydia, gonorrhea, or trichomoniasis, without 168  
having examined the individual for whom the drug is intended, if 169  
all of the following conditions are met: 170

(a) The individual is a sexual partner of the physician's 171  
patient. 172

(b) The patient has been diagnosed with chlamydia, 173  
gonorrhea, or trichomoniasis. 174

(c) The patient reports to the physician that the 175  
individual is unable or unlikely to be evaluated or treated by a 176  
health professional. 177

(2) A prescription issued under this section shall include 178  
the individual's name and address, if known. If the physician is 179  
unable to obtain the individual's name and address, the 180  
prescription shall include the patient's name and address and 181  
the words "expedited partner therapy" or the letters "EPT." 182

(3) A physician may issue a prescription under this section for not more than a total of two individuals who are sexual partners of the physician's patient. 183  
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(C) For each prescription issued under division (B) of this section, the physician shall do all of the following: 186  
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(1) Provide the patient with information concerning the drug for the purpose of sharing the information with the individual, including directions for use of the drug and any contraindications, side effects, or adverse reactions associated with the drug; 188  
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(2) Recommend to the patient that the individual seek treatment from a health professional; 193  
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(3) Document all of the following in the patient's record: 195

(a) The name of the drug prescribed to the individual and its dosage; 196  
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(b) That information concerning the drug was provided to the patient for the purpose of sharing the information with the individual; 198  
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(c) If known, any adverse reactions the individual experiences from treatment with the drug. 201  
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(D) A physician who issues a prescription under this section may contact the individual for whom the drug is intended. 203  
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(1) If the physician contacts the individual, the physician shall do all of the following: 206  
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(a) Inform the individual that the individual may have been exposed to chlamydia, gonorrhea, or trichomoniasis; 208  
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<u>(b) Encourage the individual to seek treatment from a health professional;</u>	210 211
<u>(c) Explain the treatment options available to the individual, including treatment with a prescription drug, directions for use of the drug, and any contraindications, side effects, or adverse reactions associated with the drug;</u>	212 213 214 215
<u>(d) Document in the patient's record that the physician contacted the individual.</u>	216 217
<u>(2) If the physician does not contact the individual, the physician shall document that fact in the patient's record.</u>	218 219
<u>(E) A physician who in good faith issues a prescription under this section is not liable for or subject to any of the following:</u>	220 221 222
<u>(1) Damages in any civil action;</u>	223
<u>(2) Prosecution in any criminal proceeding;</u>	224
<u>(3) Professional disciplinary action.</u>	225