

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1375
95TH GENERAL ASSEMBLY

3591L.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to treatment of certain sexually transmitted diseases.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be
2 known as section 191.648, to read as follows:

**191.648. 1. As used in this section, "expedited partner therapy" means the practice
2 of treating the sex partners of persons with chlamydia or gonorrhea without an intervening
3 medical evaluation or professional prevention counseling.**

**4 2. Any licensed physician may, but shall not be required to, utilize expedited
5 partner therapy for the management of the partners of persons with chlamydia or
6 gonorrhea. Notwithstanding the requirements of 20 CSR 2150-5.020(5) or any other law
7 to the contrary, a licensed physician utilizing expedited partner therapy may prescribe and
8 dispense medications for the treatment of chlamydia or gonorrhea for an individual who
9 is the partner of a person with chlamydia or gonorrhea and who does not have an
10 established physician/patient relationship with such physician. The licensed physician
11 utilizing expedited partner therapy may only prescribe and dispense medication for the
12 individual who is the partner of the person with chlamydia or gonorrhea if such individual
13 has returned a medical history form provided by the licensed physician. Such medical
14 history form shall be given to the individual with an established physician/patient relations
15 and being treated for chlamydia or gonorrhea to provide to such individual's partner to
16 be completed and returned to the licensed physician. Any antibiotic medications
17 prescribed and dispensed for the treatment of chlamydia or gonorrhea under this section
18 shall be in pill form.**

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.

19 **3. Any licensed physician utilizing expedited partner therapy for the management**
20 **of the partners with chlamydia or gonorrhea shall provide explanation and guidance to a**
21 **patient diagnosed with chlamydia or gonorrhea of the preventative measures that can be**
22 **taken by the patient to stop the spread of such diagnosis.**

23 **4. Any licensed physician utilizing expedited partner therapy for the management**
24 **of partners of persons with chlamydia or gonorrhea under this section shall have immunity**
25 **from any civil liability that may otherwise result by reason of such actions, unless such**
26 **physician acts negligently, recklessly, in bad faith, or with malicious purpose.**

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

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