

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1375

95TH GENERAL ASSEMBLY

3591L.02P

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 known as section 191.648, to read as follows:

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

2. Any licensed physician may, but shall not be required to, utilize expedited partner therapy for the management of the partners of persons with chlamydia or gonorrhea. Notwithstanding the requirements of 20 CSR 2150-5.020(5) or any other law to the contrary, a licensed physician utilizing expedited partner therapy may prescribe and dispense medications for the treatment of chlamydia or gonorrhea for an individual who is the partner of a person with chlamydia or gonorrhea and who does not have an established physician/patient relationship with such physician. The licensed physician utilizing expedited partner therapy may only prescribe and dispense medication for the individual who is the partner of the person with chlamydia or gonorrhea if such individual has returned a medical history form provided by the licensed physician. Such medical history form shall be given to the individual with an established physician/patient relations and being treated for chlamydia or gonorrhea to provide to such individual's partner to be completed and returned to the licensed physician. Any antibiotic medications

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.

17 prescribed and dispensed for the treatment of chlamydia or gonorrhea under this section
18 shall be in pill form.

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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