

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

Reported from the Committee on Health, Mental Health, Seniors and Families, April 28, 2010, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

3591S.04C

AN ACT

To amend chapters 167 and 191, RSMo, by adding thereto two new sections relating to treatment of certain sexually transmitted diseases.

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

Section A. Chapters 167 and 191, RSMo, are amended by adding thereto
2 two new sections, to be known as sections 167.182 and 191.648, to read as follows:

**167.182. 1. The department of health and senior services shall
2 develop an informational brochure relating to the connection between
3 human papillomavirus and cervical cancer, and that an immunization
4 against the human papillomavirus infection is available. The
5 department shall make the brochure available on its website and shall
6 notify each public school district in this state of the availability of the
7 brochure to be printed and included or referred to in any other printed
8 material to be provided directly to parents as the school district deems
9 appropriate. However, materials made available pursuant to this
10 section may only be distributed to parents directly and not distributed
11 to students as material to be given to parents. Such information in the
12 brochure shall include:**

**13 (1) The risk factors for developing cervical cancer, the symptoms
14 of the disease, how it may be diagnosed, and its possible consequences
15 if untreated;**

**16 (2) The connection between human papillomavirus and cervical
17 cancer, how human papillomavirus is transmitted, how transmission
18 may be prevented, including abstinence as the best way to prevent
19 sexually transmitted diseases, and the relative risk of contracting**

20 human papillomavirus for primary and secondary school students;

21 (3) The latest scientific information on the immunization against
22 human papillomavirus infection and the immunization's effectiveness
23 against causes of cervical cancer;

24 (4) That a pap smear is still critical for the detection of
25 precancerous changes in the cervix to allow for treatment before
26 cervical cancer develops; and

27 (5) A statement that any questions or concerns regarding
28 immunizing the child against human papillomavirus could be answered
29 by contacting the family's health care provider.

30 2. Any rule or portion of a rule, as that term is defined in section
31 536.010, that is created under the authority delegated in this section
32 shall become effective only if it complies with and is subject to all of
33 the provisions of chapter 536, and, if applicable, section 536.028. This
34 section and chapter 536, are nonseverable and if any of the powers
35 vested with the general assembly pursuant to chapter 536, to review, to
36 delay the effective date, or to disapprove and annul a rule are
37 subsequently held unconstitutional, then the grant of rulemaking
38 authority and any rule proposed or adopted after August 28, 2010, shall
39 be invalid and void.

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

5 2. Any licensed physician may, but shall not be required to,
6 utilize expedited partner therapy for the management of the partners
7 of persons with chlamydia or gonorrhea. Notwithstanding the
8 requirements of 20 CSR 2150-5.020(5) or any other law to the contrary,
9 a licensed physician utilizing expedited partner therapy may prescribe
10 and dispense medications for the treatment of chlamydia or gonorrhea
11 for an individual who is the partner of a person with chlamydia or
12 gonorrhea and who does not have an established physician/patient
13 relationship with such physician. Any antibiotic medications
14 prescribed and dispensed for the treatment of chlamydia or gonorrhea
15 under this section shall be in pill form.

16 3. Any licensed physician utilizing expedited partner therapy for
17 the management of the partners with chlamydia or gonorrhea shall

18 provide explanation and guidance to a patient diagnosed with
19 chlamydia or gonorrhea of the preventative measures that can be taken
20 by the patient to stop the spread of such diagnosis.

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

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

✓