

SECOND REGULAR SESSION

HOUSE BILL NO. 2386

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LEWIS (25).

3366H.011

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Section A. Section 191.648, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 191.648, to read as follows: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, "expedited partner therapy" means the practice of treating the sex partners of persons with chlamydia ~~[or]~~, gonorrhea, **or trichomoniasis** 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, **or trichomoniasis**. 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, **or trichomoniasis** for an individual who is the partner of a person with chlamydia ~~[or]~~, gonorrhea, **or trichomoniasis** and who does not have an established physician/patient relationship with such physician. Any antibiotic medications prescribed and dispensed for the treatment of chlamydia ~~[or]~~, gonorrhea, **or trichomoniasis** under this section shall be in pill form.

3. Any licensed physician utilizing expedited partner therapy for the management of the partners with chlamydia ~~[or]~~, gonorrhea, **or trichomoniasis** shall provide explanation and guidance to a patient diagnosed with chlamydia ~~[or]~~, gonorrhea, **or trichomoniasis** of the preventative measures that can be taken by the patient to stop the spread of such ~~[diagnosis]~~ **infection**.

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

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

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