

HOUSE _____ AMENDMENT NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 1328, Page 3, Section 1, Line 7, by
2 inserting after all of said line the following:

3
4 “Section 2. 1. No person other than a physician shall issue to a patient a prescription for a
5 drug intended to treat symptoms of erectile dysfunction.

6 2. Prior to issuing a prescription for a drug intended to treat symptoms of erectile dysfunction, a
7 physician shall do all of the following:

8 (1) Obtain from the patient a notarized affidavit in which at least one of the patient's sexual
9 partners certifies that the patient has experienced symptoms of erectile dysfunction in the ninety
10 days preceding the date on the affidavit;

11 (2) Refer the patient to a sexual therapist approved by the state medical board for an
12 assessment of the possible causes of the patient's symptoms of erectile dysfunction and obtain a
13 written report in which the therapist concludes that the patient's symptoms are not solely
14 attributable to one or more psychological conditions;

15 (3) Conduct a cardiac stress test and obtain a result, described in writing, indicating that the
16 patient's cardiac health is compatible with sexual activity;

17 (4) Notify the patient in writing of the potential risks and complications associated with
18 taking drugs intended to treat erectile dysfunction and obtain the patient's signature on a form
19 acknowledging the patient's receipt of the notification;

20 (5) Declare in writing, under penalty of perjury, that the drug the physician is prescribing is
21 necessary to treat the patient's symptoms of erectile dysfunction and attach to the declaration a
22 statement that clearly describes the physician's medical rationale for issuing the prescription;

23 (6) Place all documents described in subsections 1. through 5. of this section in the patient's
24 medical record and retain the documents as part of that record for not less than seven years.

25 3. To ensure the continued health of a patient to whom a prescription for a drug intended to treat
26 symptoms of erectile dysfunction has been issued, a physician shall do both of the following as
27 part of the physician's course of treatment for the patient, including treatment rendered by issuing
28 to that patient a prescription authorizing one or more refills for the drug originally prescribed or a
29 prescription for another drug intended to treat symptoms of erectile dysfunction:

30 (1) Require the patient to undergo a cardiac stress test every ninety days while the patient is
31 taking the drug to ensure that the patient's cardiac health continues to be compatible with sexual
32 activity;

33 (2) Require the patient to attend three sessions of outpatient counseling within a period of not
34 less than six months after the drug is initially prescribed for purposes of ensuring the patient's
35 understanding of the dangerous side effects of drugs intended to treat the symptoms of erectile
36 dysfunction. The physician shall ensure that the sessions include information on

1 nonpharmaceutical treatments for erectile dysfunction, including sexual counseling and resources
2 for patients to pursue celibacy as a viable lifestyle choice.”; and
3
4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.