

FIRST REGULAR SESSION

# HOUSE BILL NO. 1082

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE UNSICKER.

2188H.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Section A. Section 191.648, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 191.648, to read as follows: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 [œ] , 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 [œ] , 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 [œ] , gonorrhea, **or trichomoniasis** for an individual who is the partner of a person with chlamydia [œ] , 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 [œ] , 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 [œ] , gonorrhea, **or trichomoniasis** shall provide explanation and guidance to a patient diagnosed with chlamydia [œ] , 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 [œ] , gonorrhea, **or trichomoniasis** under this section shall  
20 have immunity from any civil liability that may otherwise result by reason of such actions, unless  
21 such physician acts negligently, recklessly, in bad faith, or with malicious purpose.

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

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