

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1504
94TH GENERAL ASSEMBLY

Reported from the Committee on Health Care Policy March 13, 2008 with recommendation that House Committee Substitute for House Bill No. 1504 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

3404L.02C

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, 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. Any antibiotic medications prescribed and dispensed for the treatment of chlamydia or gonorrhea under this section shall be in pill form.

3. Expedited partner therapy may be utilized in any county health facility or health district if:

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.

15 **(1) The local case rate for chlamydia or gonorrhea exceeds one and a half times the**
16 **latest available national case rate for such sexually transmitted diseases; or**

17 **(2) The local case rate for chlamydia or gonorrhea exceeds the latest available**
18 **national case rate and the most recent local annual case totals for chlamydia or gonorrhea**
19 **are at least twenty percent higher than the case totals for the previous year.**

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

24 **5. The department of health and senior services and the division of professional**
25 **registration within the department of insurance, financial institutions and professional**
26 **registration shall by rule develop guidelines for the implementation of subsection 2 of this**
27 **section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
28 **that is created under the authority delegated in this section shall become effective only if**
29 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
30 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
31 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
32 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
33 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
34 **adopted after August 28, 2008, shall be invalid and void.**

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