

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1375**  
**95TH GENERAL ASSEMBLY**

3591S.04T

2010

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**AN ACT**

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

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

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

**(2) The connection between human papillomavirus and cervical cancer, how human papillomavirus is transmitted, how transmission may be prevented, including abstinence**

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 as the best way to prevent sexually transmitted diseases, and the relative risk of contracting  
16 human papillomavirus for primary and secondary school students;

17 (3) The latest scientific information on the immunization against human  
18 papillomavirus infection and the immunization's effectiveness against causes of cervical  
19 cancer;

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

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

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

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

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

13 3. Any licensed physician utilizing expedited partner therapy for the management  
14 of the partners with chlamydia or gonorrhea shall provide explanation and guidance to a  
15 patient diagnosed with chlamydia or gonorrhea of the preventative measures that can be  
16 taken by the patient to stop the spread of such diagnosis.

17 4. Any licensed physician utilizing expedited partner therapy for the management  
18 of partners of persons with chlamydia or gonorrhea under this section shall have immunity

19 from any civil liability that may otherwise result by reason of such actions, unless such  
20 physician acts negligently, recklessly, in bad faith, or with malicious purpose.

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

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