

SECOND REGULAR SESSION

SENATE BILL NO. 955

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS WRIGHT-JONES AND BRAY.

Read 1st time February 17, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4896S.011

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
2 section, to be known as section 191.648, to read as follows:

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

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

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

21 **4. The department of health and senior services and the division**

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

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Bill

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