

# SENATE BILL NO. 1445

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

5617S.02I

KRISTINA MARTIN, Secretary

## 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Section A. Section 191.648, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 191.648, to read as follows: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, **the following terms mean:**

(1) **"Designated sexually transmitted infection", chlamydia, gonorrhea, trichomoniasis, or any other sexually transmitted infection designated as appropriate for expedited partner therapy by the department of health and senior services or for which expedited partner therapy was recommended in the most recent Centers for Disease Control and Prevention guidelines for the prevention or treatment of sexually transmitted infections;**

(2) **"Expedited partner therapy" [means], the practice of treating the sex partners of persons with [chlamydia or gonorrhea] designated sexually transmitted infections without an intervening medical evaluation or professional prevention counseling;**

(3) **"Health care professional", a member of any profession regulated by chapter 334 or 335 authorized to prescribe medications.**

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19           2. Any licensed [physician] **health care professional**  
20 may, but shall not be required to, utilize expedited partner  
21 therapy for the management of the partners of persons with  
22 [chlamydia or gonorrhea] **designated sexually transmitted**  
23 **infections**. Notwithstanding the requirements of 20 CSR  
24 2150- 5.020 (5) or any other law to the contrary, a licensed  
25 [physician] **health care professional** utilizing expedited  
26 partner therapy may prescribe and dispense medications for  
27 the treatment of [chlamydia or gonorrhea] **a designated**  
28 **sexually transmitted infection** for an individual who is the  
29 partner of a person with [chlamydia or gonorrhea] **a**  
30 **designated sexually transmitted infection** and who does not  
31 have an established [physician/patient] relationship with  
32 such [physician] **health care professional**. [Any antibiotic  
33 medications prescribed and dispensed for the treatment of  
34 chlamydia or gonorrhea under this section shall be in pill  
35 form.]

36           3. Any licensed [physician] **health care professional**  
37 utilizing expedited partner therapy for the management of  
38 the partners with [chlamydia or gonorrhea] **designated**  
39 **sexually transmitted infections** shall provide explanation  
40 and guidance to [a] **each** patient [diagnosed with chlamydia  
41 or gonorrhea] of the preventative measures that can be taken  
42 by the patient to stop the [spread] **transmission** of such  
43 [diagnosis] **infection**.

44           4. Any licensed [physician] **health care professional**  
45 utilizing expedited partner therapy for the management of  
46 partners of persons with [chlamydia or gonorrhea] **designated**  
47 **sexually transmitted infections** under this section shall  
48 have immunity from any civil liability that may otherwise  
49 result by reason of such actions, unless such [physician]

50 **health care professional** acts negligently, recklessly, in  
51 bad faith, or with malicious purpose.

52 5. The department of health and senior services and  
53 the division of professional registration within the  
54 department of commerce and insurance shall by rule develop  
55 guidelines for the implementation of subsection 2 of this  
56 section. Any rule or portion of a rule, as that term is  
57 defined in section 536.010, that is created under the  
58 authority delegated in this section shall become effective  
59 only if it complies with and is subject to all of the  
60 provisions of chapter 536 and, if applicable, section  
61 536.028. This section and chapter 536 are nonseverable and  
62 if any of the powers vested with the general assembly  
63 pursuant to chapter 536 to review, to delay the effective  
64 date, or to disapprove and annul a rule are subsequently  
65 held unconstitutional, then the grant of rulemaking  
66 authority and any rule proposed or adopted after August 28,  
67 2010, shall be invalid and void.

✓