

1 S.104

2 Introduced by Senators Pollina, Ashe, Fox, Lyons, and Zuckerman

3 Referred to Committee on Health and Welfare

4 Date: February 14, 2013

5 Subject: Health; sexually transmitted diseases; expedited partner therapy

6 Statement of purpose of bill as introduced: This bill proposes to enable health
7 care professionals diagnosing a sexually transmitted disease to prescribe and
8 dispense prescription drugs to both the patient and the patient's partner.

9 An act relating to expedited partner therapy

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 ~~Sec. 1. 26 V.S.A. § 1369 is amended to read:~~

12 § 1369. TREATMENT OF PARTNER OF PATIENT DIAGNOSED WITH
13 CHLAMYDIA INFECTION A SEXUALLY TRANSMITTED
14 DISEASE

15 (a) Notwithstanding any other provision of law or rule to the contrary, an
16 individual licensed to practice medicine under this chapter or chapter 33 of this
17 title, an individual certified as a physician's assistant under chapter 31 of this
18 title, or an individual licensed to practice nursing under chapter 28 of this title
19 who is authorized to prescribe and dispense prescription drugs and who
20 ~~diagnoses a sexually transmitted chlamydia infection disease in an individual~~

1 ~~patient may prescribe and dispense those prescription drugs to the patient's~~
2 sexual partner or partners for the treatment of ~~chlamydia~~ that sexually
3 transmitted disease without an examination of the sexual partner or partners.

4 (b) A health care professional who prescribes prescription drugs to a
5 patient's sexual partner or partners without an examination pursuant to
6 subsection (a) of this section shall include with each such prescription a letter
7 that:

8 (1) cautions the partner not to take the medication if he or she is allergic
9 to the drug prescribed; and

10 (2) recommends that the partner visit a health care professional for an
11 evaluation.

12 (c) As used in this section, "sexually transmitted disease" does not include
13 HIV or AIDS.

14 Sec. 2. EFFECTIVE DATE

15 ~~This act shall take effect on July 1, 2013.~~

Sec. 1. 18 V.S.A. § 1095 is added to read:

*§ 1095. TREATMENT OF PARTNER OF PATIENT DIAGNOSED WITH
A SEXUALLY TRANSMITTED DISEASE*

(a) As used in this section:

*(1) "Expedited partner treatment" means the practice of treating the
sexual partner or partners of a patient diagnosed with a sexually transmitted
disease for the sexually transmitted disease by providing a prescription or
medication to the patient for the sexual partner or partners without the
prescribing or dispensing health care professional examining the sexual
partner or partners.*

(2) "Health care professional" means a physician licensed pursuant to 26 V.S.A. chapter 23 or 33, a physician's assistant certified to prescribe and dispense prescription drugs pursuant to 26 V.S.A. chapter 31, or a nurse authorized to prescribe and dispense prescription drugs pursuant to 26 V.S.A. chapter 28.

(b) A health care professional may provide expedited partner treatment to a patient's sexual partner or partners for the treatment of chlamydia or gonorrhea and for any other sexually transmitted disease designated by the Commissioner by rule.

(c) A health care professional who prescribes or dispenses prescription drugs for a patient's sexual partner or partners without an examination pursuant to subsection (b) of this section shall do so in accordance with guidance published by the ~~Centers for Disease Control and Prevention (CDC)~~ Commissioner and shall include with each prescription and medication dispensed a letter that:

(1) cautions the sexual partner not to take the medication if he or she is allergic to the medication prescribed or dispensed; and

(2) recommends that the sexual partner visit a health care professional for evaluation.

(d) The Commissioner may establish by rule additional treatment standards for expedited partner treatment and authorize expedited partner treatment for additional sexually transmitted diseases provided that expedited partner treatment for those additional diseases conforms to the best practice recommendations of the ~~CDC~~ Centers for Disease Control and Prevention.

Sec. 2. 18 V.S.A. § 1095 is amended to read:

§ 1095. TREATMENT OF PARTNER OF PATIENT DIAGNOSED WITH
A SEXUALLY TRANSMITTED DISEASE

* * *

(b) A health care professional may provide expedited partner treatment to a patient's sexual partner or partners for the treatment of ~~chlamydia or gonorrhea and for any other~~ a sexually transmitted disease designated by the Commissioner by rule.

* * *

(d) The Commissioner ~~may~~ shall establish by rule additional treatment standards for expedited partner treatment and authorize expedited partner treatment for ~~additional~~ any sexually transmitted diseases provided that expedited partner treatment for those ~~additional~~ diseases conforms to the best

practice recommendations of the ~~CDC~~ Centers for Disease Control and Prevention.

Sec. 3. REPEAL

26 V.S.A. § 1369 (treatment of partner of patient diagnosed with chlamydia infection) is repealed.

Sec. 4. EFFECTIVE DATES

(a) This section and Secs. 1 (treatment of partner of patient with a sexually transmitted disease) and 3 (repeal) of this act shall take effect on July 1, 2013.

(b) Sec. 2 of this act shall take effect on March 1, 2014, except that the Commissioner of Health may commence rulemaking prior to that date in order to ensure that rules are in place by that date.