

1 AN ACT relating to permitting expedited partner therapy for a sexually transmitted
2 gonorrhea or chlamydia infection.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 214 IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) For the purposes of this section, unless the context requires otherwise:*

7 *(a) "Dispense" means to deliver a drug or device to an ultimate user or*
8 *research subject by or pursuant to the lawful order of a practitioner,*
9 *including the packaging, labeling, or compounding necessary to prepare the*
10 *substance for that delivery;*

11 *(b) "Expedited partner therapy" means the prescribing or dispensing of*
12 *antibiotic drugs to a practitioner's diagnosed patient's sexual partner or*
13 *partners for the same disease without examination of that diagnosed*
14 *patient's partner or partners;*

15 *(c) "Legend drug" means any drug defined by the Federal Food, Drug and*
16 *Cosmetic Act, as amended, and under which definition its label is required*
17 *to bear the statement, "Caution: Federal law prohibits dispensing without*
18 *prescription.";*

19 *(d) "Practitioner" means medical or osteopathic physicians who are licensed*
20 *under the professional licensing laws of Kentucky to prescribe and*
21 *administer drugs and devices. "Practitioner" includes advanced practice*
22 *registered nurses as authorized in KRS 314.011 and 314.042 and physician*
23 *assistants when administering or prescribing pharmaceutical agents as*
24 *authorized in KRS 311.858; and*

25 *(e) "Prescription" means a written or oral order for a drug or medicine, or*
26 *combination or mixture of drugs or medicines, or proprietary preparation,*
27 *that is signed, given, or authorized by a practitioner, and intended for use in*

1 the diagnosis, cure, mitigation, treatment, or prevention of disease in
2 humans.

3 (2) Notwithstanding any other provision of law, a practitioner who is licensed to
4 diagnose and prescribe drugs for a sexually transmitted gonorrhea or chlamydia
5 infection who diagnoses a sexually transmitted gonorrhea or chlamydia infection
6 in a patient may provide expedited partner therapy for a sexually transmitted
7 gonorrhea or chlamydia infection to that patient's sexual partner or partners.

8 (3) A practitioner that provides expedited partner therapy shall:

9 (a) Adhere to prescribing and dispensing standards for expedited partner
10 therapy pursuant to the current United States Centers for Disease Control
11 and Prevention Sexually Transmitted Disease Treatment Guidelines for
12 expedited partner therapy; and

13 (b) Utilize forms established by the Department for Public Health for patients
14 and their sexual partner or partners explaining expedited partner therapy.

15 (4) A practitioner who reasonably and in good faith renders expedited partner
16 therapy in accordance with this section and administrative regulations
17 promulgated by the board having professional jurisdiction shall not be subject to
18 civil or criminal liability or be deemed to have engaged in unprofessional
19 conduct.