

As Introduced

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Regular Session

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H. B. No. 124

**Representatives Johnson, T., Huffman
Cosponsors: Representatives Grossman, Blessing**

A BILL

To enact sections 4723.489, 4729.282, 4730.432, and 1
4731.93 of the Revised Code regarding the 2
authority to prescribe without examination a 3
drug for a sexual partner of a patient diagnosed 4
with chlamydia, gonorrhea, or trichomoniasis. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4723.489, 4729.282, 4730.432, and 6
4731.93 of the Revised Code be enacted to read as follows: 7

Sec. 4723.489. (A) (1) Notwithstanding any conflicting 8
provision of the Revised Code or rule adopted by the board of 9
nursing or state board of pharmacy, a clinical nurse specialist, 10
certified nurse-midwife, or certified nurse practitioner who 11
holds a certificate to prescribe issued under section 4723.48 of 12
the Revised Code may issue a prescription for a drug to treat 13
chlamydia, gonorrhea, or trichomoniasis, without having examined 14
the individual for whom the drug is intended, if all of the 15
following conditions are met: 16

(a) The individual is a sexual partner of the nurse's 17
patient. 18

(b) The patient has been diagnosed with chlamydia, 19
gonorrhea, or trichomoniasis. 20

(c) The patient reports to the nurse that the individual 21
is unable or unlikely to be evaluated or treated by a health 22
professional. 23

(2) A prescription issued under this section shall include 24
the individual's name and address, if known. If the nurse is 25
unable to obtain the individual's name and address, the 26
prescription shall include the patient's name and address and 27
the words "expedited partner therapy" or the letters "EPT." 28

(3) A nurse may issue a prescription under this section 29
for not more than a total of two individuals who are sexual 30
partners of the nurse's patient. 31

(B) For each prescription issued under division (A) of 32
this section, the nurse shall do all of the following: 33

(1) Provide the patient with information concerning the 34
drug for the purpose of sharing the information with the 35
individual, including directions for use of the drug and any 36
contraindications, side effects, or adverse reactions associated 37
with the drug; 38

(2) Recommend to the patient that the individual seek 39
treatment from a health professional; 40

(3) Document all of the following in the patient's record: 41

(a) The name of the drug prescribed to the individual and 42
its dosage; 43

(b) That information concerning the drug was provided to 44
the patient for the purpose of sharing the information with the 45
individual; 46

(c) If known, any adverse reactions the individual experiences from treatment with the drug. 47
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(C) A nurse who issues a prescription under this section may contact the individual for whom the drug is intended. 49
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(1) If the nurse contacts the individual, the nurse shall do all of the following: 51
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(a) Inform the individual that the individual may have been exposed to chlamydia, gonorrhea, or trichomoniasis; 53
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(b) Encourage the individual to seek treatment from a health professional; 55
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(c) Explain the treatment options available to the individual, including treatment with a prescription drug, directions for use of the drug, and any contraindications, side effects, or adverse reactions associated with the drug; 57
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(d) Document in the patient's record that the nurse contacted the individual. 61
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(2) If the nurse does not contact the individual, the nurse shall document that fact in the patient's record. 63
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(D) A nurse who in good faith issues a prescription under this section is not liable for or subject to any of the following: 65
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(1) Damages in any civil action; 68

(2) Prosecution in any criminal proceeding; 69

(3) Professional disciplinary action. 70

Sec. 4729.282. (A) Notwithstanding any conflicting provision of the Revised Code or rule adopted by the state board of pharmacy, a pharmacist may do both of the following: 71
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(1) Dispense a drug pursuant to a prescription issued 74
under section 4723.489, section 4730.432, or section 4731.93 of 75
the Revised Code. 76

(2) Label a drug dispensed pursuant to a prescription 77
issued under section 4723.488, 4730.432, or 4731.93 of the 78
Revised Code without the name of the individual for whom the 79
drug is intended if the prescription contains the words 80
"expedited partner therapy" or the letters "EPT." 81

(B) For each drug dispensed under division (A) of this 82
section, the pharmacist shall provide all of the following 83
information: 84

(1) Directions for use of the drug; 85

(2) Any contraindications, side effects, or adverse 86
reactions associated with the drug. 87

(C) A pharmacist who in good faith dispenses a drug under 88
this section is not liable for or subject to any of the 89
following: 90

(1) Damages in any civil action; 91

(2) Prosecution in any criminal proceeding; 92

(3) Professional disciplinary action. 93

(D) This section does not affect the authority of a 94
pharmacist to distribute information concerning a drug as 95
required by federal law. 96

Sec. 4730.432. (A) (1) Notwithstanding any conflicting 97
provision of the Revised Code or rule adopted by the state 98
medical board or state board of pharmacy, a physician assistant 99
who holds a certificate to prescribe issued under this chapter 100

may issue a prescription for a drug to treat chlamydia, 101
gonorrhea, or trichomoniasis without having examined the 102
individual for whom the drug is intended, if all of the 103
following conditions are met: 104

(a) The individual is a sexual partner of the physician 105
assistant's patient. 106

(b) The patient has been diagnosed with chlamydia, 107
gonorrhea, or trichomoniasis. 108

(c) The patient reports to the physician assistant that 109
the individual is unable or unlikely to be evaluated or treated 110
by a health professional. 111

(2) A prescription issued under this section shall include 112
the individual's name and address, if known. If the physician 113
assistant is unable to obtain the individual's name and address, 114
the prescription shall include the patient's name and address 115
and the words "expedited partner therapy" or the letters "EPT." 116

(3) A physician assistant may issue a prescription under 117
this section for not more than a total of two individuals who 118
are sexual partners of the physician assistant's patient. 119

(B) For each prescription issued under division (A) of 120
this section, the physician assistant shall do all of the 121
following: 122

(1) Provide the patient with information concerning the 123
drug for the purpose of sharing the information with the 124
individual, including directions for use of the drug and any 125
contraindications, side effects, or adverse reactions associated 126
with the drug; 127

(2) Recommend to the patient that the individual seek 128

<u>treatment from a health professional;</u>	129
<u>(3) Document all of the following in the patient's record:</u>	130
<u>(a) The name of the drug prescribed to the individual and its dosage;</u>	131 132
<u>(b) That information concerning the drug was provided to the patient for the purpose of sharing the information with the individual;</u>	133 134 135
<u>(c) If known, any adverse reactions the individual experiences from treatment with the drug.</u>	136 137
<u>(C) A physician assistant who issues a prescription under this section may contact the individual for whom the drug is intended.</u>	138 139 140
<u>(1) If the physician assistant contacts the individual, the physician assistant shall do all of the following:</u>	141 142
<u>(a) Inform the individual that the individual may have been exposed to chlamydia, gonorrhea, or trichomoniasis;</u>	143 144
<u>(b) Encourage the individual to seek treatment from a health professional;</u>	145 146
<u>(c) Explain the treatment options available to the individual, including treatment with a prescription drug, directions for use of the drug, and any contraindications, side effects, or adverse reactions associated with the drug;</u>	147 148 149 150
<u>(d) Document in the patient's record that the physician assistant contacted the individual.</u>	151 152
<u>(2) If the physician assistant does not contact the individual, the physician assistant shall document that fact in the patient's record.</u>	153 154 155

(D) A physician assistant who in good faith issues a prescription under this section is not liable for or subject to any of the following: 156
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(1) Damages in any civil action; 159

(2) Prosecution in any criminal proceeding; 160

(3) Professional disciplinary action. 161

Sec. 4731.93. (A) As used in this section, "physician" means an individual authorized under this chapter to practice medicine and surgery or osteopathic medicine and surgery. 162
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(B) (1) Notwithstanding any conflicting provision of the Revised Code or rule adopted by the state medical board or state board of pharmacy, a physician may issue a prescription for a drug to treat chlamydia, gonorrhea, or trichomoniasis, without having examined the individual for whom the drug is intended, if all of the following conditions are met: 165
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(a) The individual is a sexual partner of the physician's patient. 171
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(b) The patient has been diagnosed with chlamydia, gonorrhea, or trichomoniasis. 173
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(c) The patient reports to the physician that the individual is unable or unlikely to be evaluated or treated by a health professional. 175
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(2) A prescription issued under this section shall include the individual's name and address, if known. If the physician is unable to obtain the individual's name and address, the prescription shall include the patient's name and address and the words "expedited partner therapy" or the letters "EPT." 178
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(3) A physician may issue a prescription under this section for not more than a total of two individuals who are sexual partners of the physician's patient. 183
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(C) For each prescription issued under division (B) of this section, the physician shall do all of the following: 186
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(1) Provide the patient with information concerning the drug for the purpose of sharing the information with the individual, including directions for use of the drug and any contraindications, side effects, or adverse reactions associated with the drug; 188
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(2) Recommend to the patient that the individual seek treatment from a health professional; 193
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(3) Document all of the following in the patient's record: 195

(a) The name of the drug prescribed to the individual and its dosage; 196
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(b) That information concerning the drug was provided to the patient for the purpose of sharing the information with the individual; 198
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(c) If known, any adverse reactions the individual experiences from treatment with the drug. 201
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(D) A physician who issues a prescription under this section may contact the individual for whom the drug is intended. 203
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(1) If the physician contacts the individual, the physician shall do all of the following: 206
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(a) Inform the individual that the individual may have been exposed to chlamydia, gonorrhea, or trichomoniasis; 208
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<u>(b) Encourage the individual to seek treatment from a health professional;</u>	210 211
<u>(c) Explain the treatment options available to the individual, including treatment with a prescription drug, directions for use of the drug, and any contraindications, side effects, or adverse reactions associated with the drug;</u>	212 213 214 215
<u>(d) Document in the patient's record that the physician contacted the individual.</u>	216 217
<u>(2) If the physician does not contact the individual, the physician shall document that fact in the patient's record.</u>	218 219
<u>(E) A physician who in good faith issues a prescription under this section is not liable for or subject to any of the following:</u>	220 221 222
<u>(1) Damages in any civil action;</u>	223
<u>(2) Prosecution in any criminal proceeding;</u>	224
<u>(3) Professional disciplinary action.</u>	225