

As Reported by the House Health and Aging Committee

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Sub. H. B. No. 124

Representatives Johnson, T., Huffman

**Cosponsors: Representatives Grossman, Blessing, Gonzales, Antonio, Barnes,
Bishoff, Brown, Lepore-Hagan, Sears**

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 or personally furnish 3
without examination a drug for a sexual partner 4
of a patient diagnosed with chlamydia, 5
gonorrhea, or trichomoniasis. 6

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

Section 1. That sections 4723.489, 4729.282, 4730.432, and 7
4731.93 of the Revised Code be enacted to read as follows: 8

Sec. 4723.489. (A) (1) Notwithstanding any conflicting 9
provision of the Revised Code or rule adopted by the board of 10
nursing or state board of pharmacy, a clinical nurse specialist, 11
certified nurse-midwife, or certified nurse practitioner who 12
holds a certificate to prescribe issued under section 4723.48 of 13
the Revised Code may issue a prescription for or personally 14
furnish a complete or partial supply of a drug to treat 15
chlamydia, gonorrhea, or trichomoniasis, without having examined 16
the individual for whom the drug is intended, if all of the 17
following conditions are met: 18

<u>(a) The individual is a sexual partner of the nurse's</u>	19
<u>patient.</u>	20
<u>(b) The patient has been diagnosed with chlamydia,</u>	21
<u>gonorrhea, or trichomoniasis.</u>	22
<u>(c) The patient reports to the nurse that the individual</u>	23
<u>is unable or unlikely to be evaluated or treated by a health</u>	24
<u>professional.</u>	25
<u>(2) A prescription issued under this section shall include</u>	26
<u>the individual's name and address, if known. If the nurse is</u>	27
<u>unable to obtain the individual's name and address, the</u>	28
<u>prescription shall include the patient's name and address and</u>	29
<u>the words "expedited partner therapy" or the letters "EPT."</u>	30
<u>(3) A nurse may prescribe or personally furnish a drug</u>	31
<u>under this section for not more than a total of two individuals</u>	32
<u>who are sexual partners of the nurse's patient.</u>	33
<u>(B) For each drug prescribed or personally furnished under</u>	34
<u>this section, the nurse shall do all of the following:</u>	35
<u>(1) Provide the patient with information concerning the</u>	36
<u>drug for the purpose of sharing the information with the</u>	37
<u>individual, including directions for use of the drug and any</u>	38
<u>side effects, adverse reactions, or known contraindications</u>	39
<u>associated with the drug;</u>	40
<u>(2) Recommend to the patient that the individual seek</u>	41
<u>treatment from a health professional;</u>	42
<u>(3) Document all of the following in the patient's record:</u>	43
<u>(a) The name of the drug prescribed or furnished and its</u>	44
<u>dosage;</u>	45

(b) That information concerning the drug was provided to the patient for the purpose of sharing the information with the individual; 46
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(c) If known, any adverse reactions the individual experiences from treatment with the drug. 49
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(C) A nurse who prescribes or personally furnishes a drug under this section may contact the individual for whom the drug is intended. 51
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(1) If the nurse contacts the individual, the nurse shall do all of the following: 54
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(a) Inform the individual that the individual may have been exposed to chlamydia, gonorrhea, or trichomoniasis; 56
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(b) Encourage the individual to seek treatment from a health professional; 58
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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 side effects, adverse reactions, or known contraindications associated with the drug; 60
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(d) Document in the patient's record that the nurse contacted the individual. 64
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(2) If the nurse does not contact the individual, the nurse shall document that fact in the patient's record. 66
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(D) A nurse who in good faith prescribes or personally furnishes a drug under this section is not liable for or subject to any of the following: 68
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(1) Damages in any civil action; 71

(2) Prosecution in any criminal proceeding; 72

<u>(3) Professional disciplinary action.</u>	73
<u>Sec. 4729.282. (A) Notwithstanding any conflicting</u>	74
<u>provision of the Revised Code or rule adopted by the state board</u>	75
<u>of pharmacy, a pharmacist may do both of the following with</u>	76
<u>respect to a prescription issued under section 4723.489,</u>	77
<u>4730.432, or 4731.93 of the Revised Code:</u>	78
<u>(1) Dispense a drug pursuant to the prescription;</u>	79
<u>(2) Label a drug dispensed pursuant to the prescription</u>	80
<u>without the name of the individual for whom the drug is intended</u>	81
<u>if the prescription contains the words "expedited partner</u>	82
<u>therapy" or the letters "EPT."</u>	83
<u>(B) For each drug dispensed under this section, the</u>	84
<u>pharmacist shall provide all of the following information:</u>	85
<u>(1) Directions for use of the drug;</u>	86
<u>(2) Any side effects, adverse reactions, or known</u>	87
<u>contraindications associated with the drug.</u>	88
<u>(C) A pharmacist who in good faith dispenses a drug under</u>	89
<u>this section is not liable for or subject to any of the</u>	90
<u>following:</u>	91
<u>(1) Damages in any civil action;</u>	92
<u>(2) Prosecution in any criminal proceeding;</u>	93
<u>(3) Professional disciplinary action.</u>	94
<u>(D) This section does not affect the authority of a</u>	95
<u>pharmacist to distribute information concerning a drug as</u>	96
<u>required by federal law.</u>	97
<u>Sec. 4730.432. (A) (1) Notwithstanding any conflicting</u>	98
<u>provision of the Revised Code or rule adopted by the state</u>	99

medical board or state board of pharmacy, a physician assistant 100
who holds a certificate to prescribe issued under section 101
4730.44 of the Revised Code may issue a prescription for or 102
personally furnish a complete or partial supply of a drug to 103
treat chlamydia, gonorrhea, or trichomoniasis without having 104
examined the individual for whom the drug is intended, if all of 105
the following conditions are met: 106

(a) The individual is a sexual partner of the physician 107
assistant's patient. 108

(b) The patient has been diagnosed with chlamydia, 109
gonorrhea, or trichomoniasis. 110

(c) The patient reports to the physician assistant that 111
the individual is unable or unlikely to be evaluated or treated 112
by a health professional. 113

(2) A prescription issued under this section shall include 114
the individual's name and address, if known. If the physician 115
assistant is unable to obtain the individual's name and address, 116
the prescription shall include the patient's name and address 117
and the words "expedited partner therapy" or the letters "EPT." 118

(3) A physician assistant may prescribe or personally 119
furnish a drug under this section for not more than a total of 120
two individuals who are sexual partners of the physician 121
assistant's patient. 122

(B) For each drug prescribed or personally furnished under 123
this section, the physician assistant shall do all of the 124
following: 125

(1) Provide the patient with information concerning the 126
drug for the purpose of sharing the information with the 127
individual, including directions for use of the drug and any 128

<u>side effects, adverse reactions, or known contraindications</u>	129
<u>associated with the drug;</u>	130
<u>(2) Recommend to the patient that the individual seek</u>	131
<u>treatment from a health professional;</u>	132
<u>(3) Document all of the following in the patient's record:</u>	133
<u>(a) The name of the drug prescribed or furnished and its</u>	134
<u>dosage;</u>	135
<u>(b) That information concerning the drug was provided to</u>	136
<u>the patient for the purpose of sharing the information with the</u>	137
<u>individual;</u>	138
<u>(c) If known, any adverse reactions the individual</u>	139
<u>experiences from treatment with the drug.</u>	140
<u>(C) A physician assistant who prescribes or personally</u>	141
<u>furnishes a drug under this section may contact the individual</u>	142
<u>for whom the drug is intended.</u>	143
<u>(1) If the physician assistant contacts the individual,</u>	144
<u>the physician assistant shall do all of the following:</u>	145
<u>(a) Inform the individual that the individual may have</u>	146
<u>been exposed to chlamydia, gonorrhea, or trichomoniasis;</u>	147
<u>(b) Encourage the individual to seek treatment from a</u>	148
<u>health professional;</u>	149
<u>(c) Explain the treatment options available to the</u>	150
<u>individual, including treatment with a prescription drug,</u>	151
<u>directions for use of the drug, and any side effects, adverse</u>	152
<u>reactions, or known contraindications associated with the drug;</u>	153
<u>(d) Document in the patient's record that the physician</u>	154
<u>assistant contacted the individual.</u>	155

(2) If the physician assistant does not contact the individual, the physician assistant shall document that fact in the patient's record. 156
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(D) A physician assistant who in good faith prescribes or personally furnishes a drug under this section is not liable for or subject to any of the following: 159
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(1) Damages in any civil action; 162

(2) Prosecution in any criminal proceeding; 163

(3) Professional disciplinary action. 164

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. 165
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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 or personally furnish a complete or partial supply of 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: 168
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(a) The individual is a sexual partner of the physician's patient. 175
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(b) The patient has been diagnosed with chlamydia, gonorrhea, or trichomoniasis. 177
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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. 179
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(2) A prescription issued under this section shall include 182

the individual's name and address, if known. If the physician is 183
unable to obtain the individual's name and address, the 184
prescription shall include the patient's name and address and 185
the words "expedited partner therapy" or the letters "EPT." 186

(3) A physician may prescribe or personally furnish a drug 187
under this section for not more than a total of two individuals 188
who are sexual partners of the physician's patient. 189

(C) For each drug prescribed or personally furnished under 190
this section, the physician shall do all of the following: 191

(1) Provide the patient with information concerning the 192
drug for the purpose of sharing the information with the 193
individual, including directions for use of the drug and any 194
side effects, adverse reactions, or known contraindications 195
associated with the drug; 196

(2) Recommend to the patient that the individual seek 197
treatment from a health professional; 198

(3) Document all of the following in the patient's record: 199

(a) The name of the drug prescribed or furnished and its 200
dosage; 201

(b) That information concerning the drug was provided to 202
the patient for the purpose of sharing the information with the 203
individual; 204

(c) If known, any adverse reactions the individual 205
experiences from treatment with the drug. 206

(D) A physician who prescribes or personally furnishes a 207
drug under this section may contact the individual for whom the 208
drug is intended. 209

<u>(1) If the physician contacts the individual, the</u>	210
<u>physician shall do all of the following:</u>	211
<u>(a) Inform the individual that the individual may have</u>	212
<u>been exposed to chlamydia, gonorrhea, or trichomoniasis;</u>	213
<u>(b) Encourage the individual to seek treatment from a</u>	214
<u>health professional;</u>	215
<u>(c) Explain the treatment options available to the</u>	216
<u>individual, including treatment with a prescription drug,</u>	217
<u>directions for use of the drug, and any side effects, adverse</u>	218
<u>reactions, or known contraindications associated with the drug;</u>	219
<u>(d) Document in the patient's record that the physician</u>	220
<u>contacted the individual.</u>	221
<u>(2) If the physician does not contact the individual, the</u>	222
<u>physician shall document that fact in the patient's record.</u>	223
<u>(E) A physician who in good faith prescribes or personally</u>	224
<u>furnishes a drug under this section is not liable for or subject</u>	225
<u>to any of the following:</u>	226
<u>(1) Damages in any civil action;</u>	227
<u>(2) Prosecution in any criminal proceeding;</u>	228
<u>(3) Professional disciplinary action.</u>	229