GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2019 REGULAR SESSION

HOUSE BILL NO. 237
AS ENACTED

THURSDAY, MARCH 14, 2019

March 26, 2019
2:19 pm
R. Adler
AN ACT relating to permitting expedited partner therapy for a sexually transmitted
gonorrhea or chlamydia infection.

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

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

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

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

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

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

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

(e) "Prescription" means a written or oral order for a drug or medicine, or
combination or mixture of drugs or medicines, or proprietary preparation,
that is signed, given, or authorized by a practitioner, and intended for use in
the diagnosis, cure, mitigation, treatment, or prevention of disease in
humans.

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

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

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

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

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