

## Model State Legislation on Expedited Partner Therapy

Sec. 1. (A)(1) As used in this section, "licensed prescriber" means an individual authorized to prescribe medications for sexually transmitted infections, acting within their individual lawful scope of practice.

(2) Expedited Partner Therapy (EPT) is the clinical practice of providing prescription medications to the sexual partner(s) of patients diagnosed with sexually transmitted infections without an examination of that patient's partner(s).

(B) Notwithstanding any conflicting provision of this chapter or rule adopted by the state medical board, a licensed prescriber may prescribe, dispense, furnish, or otherwise provide medication to treat sexually transmitted infections for which the Centers for Disease Control and Prevention supports the use of expedited partner therapy, without having examined the individual for whom the medication is intended, if all of the following conditions are met:

- (a) The individual is a sexual partner of the licensed prescriber's patient.
- (b) The patient has a laboratory-confirmed or suspected clinical diagnosis of a sexually transmitted infection for which the Centers for Disease Control and Prevention supports the use of expedited partner therapy

(C) If a licensed prescriber does not have the name of a patient's sexual partner for a drug prescribed pursuant to subdivision (A) or (B), the prescription shall include the words "expedited partner therapy" or the letters "EPT." If the name of the patient's sexual partner is available, the licensed prescriber may still choose to include the words "expedited partner therapy" or the letters "EPT" on the prescription.

(D) A licensed prescriber who reasonably and in good faith renders expedited partner therapy in accordance with this section shall not be held not liable or subject to any of the following:

- (1) Damages in any civil action including medical malpractice;
- (2) Prosecution in any criminal proceeding;
- (3) Professional disciplinary action or being deemed to have engaged in unprofessional conduct.

(E) The Department of Health or appropriate state regulatory agencies may promulgate rules and regulations concerning the implementation of this section. These agencies shall consider exceptions [to any electronic prescribing mandate](#) for EPT to allow prescribing to an unnamed individual within the limitations of electronic health records. These agencies shall facilitate the provision of educational materials for patients and their partner(s) explaining expedited partner therapy. Such forms shall be written in a clear and coherent manner using words with common, everyday meanings.

(F) Medicaid insurance coverage of expedited partner therapy pursuant to this section shall be implemented only to the extent that the State Department of Health Care Services obtains any necessary federal approvals and federal financial participation is available and not jeopardized.  
Sample state legislation:

- New York
  - <https://www.nysenate.gov/legislation/laws/PBH/2312>
- Michigan
  - [http://legislature.mi.gov/\(S\(aagsi0oub3aceqssme44zk4s\)\)/mileg.aspx?page=getObject&objectName=mcl-333-5110&highlight=professional%20AND%20surveyors](http://legislature.mi.gov/(S(aagsi0oub3aceqssme44zk4s))/mileg.aspx?page=getObject&objectName=mcl-333-5110&highlight=professional%20AND%20surveyors)
- California's
  - Source of Medicaid coverage provision in e
  - [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=HSC&sectionNum=120582](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&sectionNum=120582)