

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 317

PRINTER NO. 325

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 10, 2021

PRIME SPONSOR

Senator Browne

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 317 creates the Expedited Partner Therapy Act (act).

Senate Bill 317 allows a health care practitioner to issue a prescription for, or to personally furnish, antibiotics to treat sexually transmitted infections, without having examined the individual for whom the drug is intended, in accordance with guidelines issued by the United States Center for Disease Control and Prevention for expedited partner therapy under the following circumstances:

- The individual is a sexual partner of the health care practitioner’s patient;
- The patient has been diagnosed with a sexually transmitted infection; and
- The patient reports to the health care practitioner that the individual is unable or unlikely to be evaluated or treated by a health professional.

The bill requires the health care practitioner to include the words “expedited partner therapy” or “EPT” on a prescription if the individual’s name is unavailable.

The bill requires that for each drug prescribed, the health care practitioner is required to recommend to the patient that the individual seek treatment from a health professional and document the name of the drug prescribed and its dosage in the patient’s record.

Senate Bill 317 requires that for each drug personally furnished, the health care practitioner must do all of the following:

- Provide the patient with information concerning the drug for the purpose of sharing the information with the individual, including directions for use and any side effects, adverse reactions or known contraindications;
- Recommend to the patient that the individual seek treatment from a health professional; and
- Document the name of the drug furnished and its dosage and that information regarding the drug was provided to the patient for the purpose of sharing with the individual.

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The bill permits the health care practitioner who prescribes or personally furnishes a drug to contact the individual for whom the drug is intended.

The bill stipulates that a health care practitioner who prescribes or personally furnishes a drug in good faith is not liable for or subject to damages in any civil action, prosecution in any criminal proceeding or professional disciplinary action. Likewise, a healthcare practitioner is not subject to civil, criminal or professional liability for choosing not to provide expedited partner therapy.

The bill allows a pharmacist to dispense a drug pursuant to a prescription issued under the act and to label a drug dispensed pursuant to the prescription without the name of the individual for whom the drug is intended if the prescription contains the words "expedited partner therapy" or the letters "EPT."

The bill requires that for each drug dispensed, a pharmacist is to provide directions for use of the drug and any side effects, adverse reactions or known contraindications associated with the drug.

The bill stipulates that a pharmacist or pharmacy that dispenses a drug in good faith pursuant to the act is not liable for damages in any civil action, prosecution in any criminal proceeding or professional disciplinary action.

This act shall take effect in 90 days.

FISCAL IMPACT:

Senate Bill 317 will have a minimal fiscal impact to the Commonwealth by increasing the number of prescriptions paid for by the Medical Assistance program, if the individual and patient are Medical Assistance recipients. The fiscal impact will be based on the number of prescriptions filled and the cost per prescription. However, the impact would be reduced by the patient's partner not having a cost related to an office visit to a health care practitioner.

Additionally, private insurers may also see an increase in the number of prescriptions filled and an increase in their costs.