

House Bill 360 (COMMITTEE SUBSTITUTE)

By: Representatives Cooper of the 43rd, Jasperse of the 11th, and Broadrick of the 4th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 26-4-80 and Chapter 17 of Title 31 of the Official Code of Georgia
2 Annotated, relating to prescription drug orders and control of venereal disease, respectively,
3 so as to provide for expedited partner therapy for patients with chlamydia or gonorrhea; to
4 provide for definitions; to revise provisions relating to dispensing prescription drugs; to
5 provide for immunity; to provide for rules and regulations; to provide for related matters; to
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 26-4-80 of the Official Code of Georgia Annotated, relating to prescription
10 drug orders, is amended by revising paragraph (2) of subsection (c) as follows:

11 "(2) Prescription drug orders transmitted by facsimile or computer shall include:

12 (A) In the case of a prescription drug order for a dangerous drug, the complete name
13 and address of the practitioner;

14 (B) In the case of a prescription drug order for a controlled substance, the complete
15 name, address, and DEA registration number of the practitioner;

16 (C) The telephone number of the practitioner for verbal confirmation;

17 (D) The name and address of the patient, unless the prescription drug order is
18 prescribed pursuant to expedited partner therapy in accordance with Code Section
19 31-17-7.1 for use by a sexual partner of a patient clinically diagnosed with chlamydia
20 or gonorrhea, in which case, the name and address of such sexual partner of the patient;

21 (E) The time and date of the transmission;

22 (F) The full name of the person transmitting the order; and

23 (G) The signature of the practitioner in a manner as defined in regulations promulgated
24 by the board or, in the case of a controlled substances prescription, in accordance with
25 21 C.F.R. 1301.22;"

SECTION 2.

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27 Chapter 17 of Title 31 of the Official Code of Georgia Annotated, relating to control of
28 venereal disease, is amended by adding a new Code section to read as follows:

29 "31-17-7.1.

30 (a) As used in this Code section, the term:

31 (1) 'Expedited partner therapy' means the practice of prescribing, ordering, or dispensing
32 antibiotic drugs to the sexual partner or partners of a patient clinically diagnosed with
33 chlamydia or gonorrhea without physical examination of such partner or partners.

34 (2) 'Licensed practitioner' means a physician licensed to practice medicine in this state,
35 an advanced practice registered nurse or physician assistant acting pursuant to delegated
36 authority by a physician in accordance with Code Section 43-34-23 or 43-34-25 or
37 subsection (e.1) of Code Section 43-34-103, or a registered professional nurse employed
38 by the department or a county board of health.

39 (b) A licensed practitioner who diagnoses a patient to be infected with chlamydia or
40 gonorrhea may utilize expedited partner therapy in accordance with any rules and
41 regulations established by the department for the management of the health of such
42 patient's sexual partner or partners.

43 (c) Any licensed practitioner who, reasonably and in good faith, prescribes antibiotic drugs
44 for expedited partner therapy in accordance with this Code section and any rules and
45 regulations established by the department shall not be subject to civil or criminal liability
46 and shall not be deemed to have engaged in unprofessional conduct by such practitioner's
47 licensing board.

48 (d) Any pharmacist licensed in this state who, reasonably and in good faith, dispenses
49 antibiotic drugs pursuant to a prescription for expedited partner therapy in accordance with
50 this Code section and any rules and regulations established by the department shall not be
51 subject to civil or criminal liability and shall not be deemed to have engaged in
52 unprofessional conduct by the State Board of Pharmacy.

53 (e) The department shall be authorized to promulgate rules and regulations to implement
54 the provisions of this Code section."

SECTION 3.

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56 All laws and parts of laws in conflict with this Act are repealed.