

Expedited Partner Therapy: NYS Law and Regulations

**State of New York
Public Health Law**

Article 23. CONTROL OF SEXUALLY TRANSMITTED DISEASES

Title 1. CARE AND TREATMENT

§ 2312. Expedited partner therapy for chlamydia trachomatis infection.

1. Notwithstanding any other provision of law and consistent with section two thousand three hundred five of this title, a health care practitioner (who is authorized under title eight of the education law to diagnose and prescribe drugs for sexually transmitted chlamydia trachomatis infection, acting within his or her lawful scope of practice) who diagnoses a sexually transmitted chlamydia trachomatis infection in an individual patient may prescribe, dispense, furnish, or otherwise provide prescription antibiotic drugs to that patient's sexual partner or partners without examination of that patient's partner or partners.
2. A health care practitioner who reasonably and in good faith renders expedited partner therapy in accordance with this section and following the rules and regulations promulgated by the commissioner shall not be subject to civil or criminal liability or be deemed to have engaged in unprofessional conduct.
3. The commissioner shall promulgate rules and regulations concerning the implementation of this section and shall also develop forms for patients and their partners explaining expedited partner therapy for a chlamydia trachomatis infection. Such forms shall be written in a clear and coherent manner using words with common, everyday meanings.

Regulations for Article 23. CONTROL OF SEXUALLY TRANSMITTED DISEASES

Effective Date: 05/18/2016

Title: Section 23.5 - Expedited partner therapy for chlamydia trachomatis infection

23.5 Expedited partner therapy for *chlamydia trachomatis* infection.

(a) Definitions. As used in this section:

(1) "Expedited Partner Therapy" or "EPT" means a practice whereby a health care practitioner chooses to provide a patient with either antibiotics intended for the patient's sexual partner or partners or a written prescription for antibiotics for the sexual partner or partners to be delivered by the patient to the sexual partner or partners for treatment of exposure to *Chlamydia trachomatis*.

Expedited Partner Therapy: NYS Law and Regulations

(2) "Health care practitioner" means a physician, midwife, nurse practitioner, physician assistant, or other person who is authorized under Title 8 of the Education Law to diagnose and prescribe drugs for *Chlamydia trachomatis*, acting within his or her lawful scope of practice.

(b) Liability. A health care practitioner who reasonably and in good faith renders expedited partner therapy in accordance with section 2312 of the Public Health Law and this section, and a pharmacist who reasonably and in good faith dispenses drugs pursuant to a prescription written in accordance with section 2312 of the Public Health Law and this section, shall not be subject to civil or criminal liability or be deemed to have engaged in unprofessional conduct.

(c) Eligibility criteria for EPT. EPT shall:

(1) be provided only for the partner or partners of a patient diagnosed with *Chlamydia trachomatis* infection; and

(2) not be provided for any partner or partners, when the patient with *Chlamydia trachomatis* infection seen by the health care practitioner is found to be concurrently infected with gonorrhea, syphilis or HIV.

(d) Educational material requirements for patients provided with EPT. Each patient provided with antibiotics or a prescription in accordance with this section must be given informational materials for the patient to give to his or her sexual partner or partners. Each patient shall be counseled by his or her health care practitioner to inform his or her partner or partners that it is important to read the information contained in the materials prior to the partner or partners taking the medication.

The materials shall:

(1) encourage the partner to consult a health care practitioner for a complete sexually transmitted infection evaluation as a preferred alternative to EPT and regardless of whether they take the medication;

(2) disclose the risk of potential adverse drug reactions, including allergic reactions, and the possibility of dangerous interactions between the patient-delivered therapy and other medications that the partner may be taking;

(3) inform the partner that he or she may be affected by other sexually transmitted infections that may be left untreated by the delivered medicine;

(4) inform the partner that if symptoms of a more serious infection are present (such as abdominal, pelvic, or testicular pain, fever, nausea or vomiting) he or she should seek medical care as soon as possible;

(5) recommend that a partner who is or could be pregnant should consult a health care

Expedited Partner Therapy: NYS Law and Regulations

practitioner as soon as possible;

(6) instruct the patient and the partner to abstain from sexual activity for at least seven days after treatment of both the patient and the partner in order to decrease the risk of recurrent infection;

(7) inform a partner who is at high risk of co-morbidity with HIV infection that he or she should consult a health care practitioner for a complete medical evaluation including testing for HIV and other sexually transmitted infections; and

(8) inform the patient and the partner how to prevent repeated chlamydia infection.

(e) Prescription format. Whenever a health care practitioner provides EPT through the use of a prescription:

(1) the designation "EPT" must be written in the body of the prescription form above the name of the medication and dosage for all prescriptions issued;

(2) if the name, address, and date of birth of the sexual partner are available, this should be written in the designated area of the prescription form; and

(3) if the sexual partner's name, address, and date of birth are not available, the written designation "EPT" shall be sufficient for the pharmacist to fill the prescription.

(f) Reporting of cases of *Chlamydia trachomatis* by health care providers.

(1) This section shall not affect the obligation to report individual cases and suspected cases of *Chlamydia trachomatis* imposed by Part 2 of this Chapter.

(2) Reports of cases of *Chlamydia trachomatis* who are provided with EPT shall include the added designation of "EPT" plus the number of sexual partners for whom a prescription or medication was provided.

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