

The background features abstract, overlapping geometric shapes in various shades of blue, ranging from light sky blue to deep navy blue. These shapes are primarily located on the left and right sides of the frame, creating a modern, layered effect. The central area is a clean white space where the text is placed.

Module 2

Minors' Rights in New York State

Overview

- ▶ Emergency Contraception From a Legal Perspective
- ▶ Expedited Partner Therapy (EPT)
- ▶ Confidentiality Protections

Emergency Contraception From a Legal Perspective

- ▶ In 2013, the Federal Drug Administration approved Plan B One-Step and its generics for sale, regardless of age or gender and without needing to show ID.¹
- ▶ In New York State (NYS), Medicaid covers six refills of non-prescription emergency contraception. There is no copay.²
- ▶ Information relating to emergency contraception may **NOT** be disclosed without permission of the minor.³

1. Office of Population Research at Princeton University. The Emergency Contraception Website. August 2017. <http://ec.princeton.edu/emergency-contraception.html>.

2. Office of Population Research at Princeton University. The Emergency Contraception Website. August 2017. <http://ec.princeton.edu/info/Medicaid.html>.

3. Office of Population Research at Princeton University. The Emergency Contraception Website. August 2017. <http://ec.princeton.edu/questions/ecconsent.html>

Expedited Partner Therapy

- ▶ The New York State Expedited Partner Therapy (EPT) law allows health care providers to provide treatment for chlamydia to partners of patients diagnosed with chlamydia without a clinical assessment. (**§2312 State of New York Public Health Law**)⁴
 - ▶ Partner treatment may be provided in the form of either medication or a prescription.
 - ▶ Pharmacists are authorized to fill and dispense EPT prescriptions to minors (**Section 23.5 State of New York Public Health Law**)
 - ▶ The designation “EPT” must be written in the body of the prescription form above the name of the medication and dosage.
 - ▶ If the sexual partner’s name, address and date of birth are missing or unavailable, the written designation of “EPT” shall be sufficient for the pharmacists to fill the prescription.
- ▶ **State law allows anyone under the age of 21** who has been exposed to a sexually transmitted disease to access treatment without the consent or knowledge of the parents or guardian.⁵
- ▶ For more information, visit nyc.gov/health/EPT

4. New York State Public Health Law - Article 23. §2312. Expedited partner therapy for chlamydia trachomatis infection. March 2014.

https://www.health.ny.gov/regulations/public_health_law/article_23/title_1/

5. New York State Public Health Law - Section 23.5 Expedited partner therapy for Chlamydia trachomatis infection. May 2011.

https://www.health.ny.gov/regulations/public_health_law/article_23/title_1/section_23_5.htm

Confidentiality Protections

- ▶ Information in the hands of a pharmacist is confidential
 - ▶ 8 NYCRR Section 29.1
 - ▶ Anonymous vs. CVS 188 Misc2d 616 (2001); 728 N.Y.S.2d 333
- ▶ Under the Health Insurance Portability and Accountability Act (HIPAA)⁶

“If, and to the extent, prohibited by an applicable provision of State . . . law, . . . a covered entity may not disclose, or provide access . . . to, protected health information about an unemancipated minor to a parent, guardian, or other person acting in loco parentis” (164.502(g)(3)(ii)(B))”.

Disclaimer:

Consult with your legal counsel or institution for more specifics on the rights codified in NYS law for minors.

Module 2 Quiz

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1.) Minors in NYS have the legal right to access which of the following:

- A. EPT
- B. Emergency Contraception
- C. Both A and B

2.) Pharmacists may fill and dispense a sexual partner's prescription that says "EPT" even if the prescription lacks a name, address and date of birth.

- A. True
- B. False