

Amendment No. 804

Assembly Amendment to Senate Bill No. 305 First Reprint
(BDR 40-845)

Proposed by: Assembly Committee on Health and Human Services

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) **blue bold italics** is new language in the original bill; (2) **green bold italic underlining** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment; and (6) **green bold dashed underlining** is newly added transitory language.

KCR



Date: 5/17/2009

S.B. No. 305—Makes various changes concerning dispensing a medication and providing a prescription for the sexual partner of a person diagnosed with a sexually transmitted disease. (BDR 40-845)



SENATE BILL NO. 305—SENATORS PARKS, COPENING, HORSFORD; CARLTON, COFFIN
AND SCHNEIDER (BY REQUEST)

MARCH 16, 2009

JOINT SPONSORS: ASSEMBLYWOMEN PIERCE,
LESLIE; MASTROLUCA AND SMITH

Referred to Committee on Health and Education

SUMMARY—Makes various changes concerning dispensing a medication and providing a prescription for the sexual partner of a person diagnosed with a sexually transmitted disease. (BDR 40-845)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to communicable diseases; making various changes concerning dispensing a medication and providing a prescription for the sexual partner of a person diagnosed with a sexually transmitted disease; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill authorizes ~~in a provider of health care or, under the direction of a local health officer,~~ an employee of a board of health, ***under the direction of the local health officer,*** to ***;(1) if the board of health has on its premises a pharmacy, dispense a medication for the treatment of the sexual partner of a person who has been diagnosed with a sexually transmitted disease without examining the partner; or (2) if the board of health does not have on its premises a pharmacy, issue a prescription for the treatment of the sexual partner of a person who has been diagnosed with a sexually transmitted disease without examining the partner. This bill further allows the*** ~~(provider of health care or)~~ employee of a board of health to exclude from the prescription the name or other identifying information of the partner if the prescription specifies the purpose for the prescription. ***This bill also authorizes an employee of a board of health, under the direction of the local health officer, or a practitioner in a federally qualified health center to dispense such a medication or issue such a prescription if the sexual partner of a patient provides the employee or practitioner with a written diagnosis from a provider of health care indicating that the patient has been diagnosed with a sexually transmitted disease.*** This bill ~~also~~ further requires the State Board of Health to adopt regulations relating to dispensing a medication or providing a prescription pursuant to the provisions of this bill.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 441A of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this section or a regulation adopted pursuant thereto and notwithstanding any other provision of law, ~~to a provider of health care or, under the direction of the local health officer,~~ an employee of a board of health, under the direction of the local health officer, who diagnoses a patient with a sexually transmitted disease may ~~dispense~~;

(a) If the board of health has on its premises a pharmacy, dispense a medication for treatment of the sexually transmitted disease for the sexual partner of the patient without examining the partner; or ~~provide~~

(b) If the board of health does not have on its premises a pharmacy, provide a prescription for treatment of the sexually transmitted disease for the sexual partner of the patient without examining the partner, and may exclude from the prescription the name or other identifying information about the sexual partner if the prescription specifies the purpose for the prescription.

2. A provider of health care who diagnoses a patient with a sexually transmitted disease may provide the patient with a written description of the diagnosis. Except as otherwise provided in this section or a regulation adopted pursuant thereto and notwithstanding any other provision of law, if the sexual partner of a patient provides an employee of a board of health or a practitioner in a federally qualified health center with the written diagnosis provided to the patient pursuant to this subsection, the employee of the board of health, under the direction of the local health officer, or the practitioner may:

(a) If the board of health or health center has on its premises a pharmacy, dispense a medication for treatment of the sexually transmitted disease for the sexual partner of the patient without examining the partner; or

(b) If the board of health or health center does not have on its premises a pharmacy, provide a prescription for treatment of the sexually transmitted disease for the sexual partner of the patient without examining the partner, and may exclude from the prescription the name or other identifying information about the sexual partner if the prescription specifies the purpose for the prescription.

~~2+~~ 3. The Board shall adopt regulations for dispensing a medication and providing a prescription for treatment of a sexually transmitted disease for the sexual partner of a patient pursuant to this section, including, without limitation, regulations:

(a) For the reporting of such diseases pursuant to NRS 441A.150 and any regulation adopted pursuant to the provisions of chapter 441A of NRS relating to the reporting of communicable diseases;

(b) Prescribing the types of sexually transmitted diseases for which a medication may be dispensed or a prescription may be provided for treatment of a sexually transmitted disease for the sexual partner of a patient without examining the partner; and

(c) Prescribing the protocols for dispensing a medication and providing a prescription for treatment of the sexually transmitted disease for the sexual partner of a patient without examining the partner.

~~3+~~ 4. A person may not dispense a medication or provide a prescription for treatment of a sexually transmitted disease for the sexual partner of a patient without examining the partner if dispensing the medication or providing the

1 *prescription is in violation of an ethical requirement or standard of practice*
2 *which applies to the professional practice of the person.*

3 ~~4.~~ 5. As used in this section:

4 (a) *“Board of health” means a city, county or district board of health.*

5 (b) *“Local health officer” means a city health officer appointed pursuant to*
6 *NRS 439.430, a county health officer appointed pursuant to 439.290 or a district*
7 *health officer appointed pursuant to NRS 439.368 or 439.400.*