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13 March 2018

NOTICE OF PROPOSED RULEMAKING

Proposed New Public Health Regulation

Chapter 511-2-8 "Expedited Partner Therapy (EPT)"

Please take note that the Department of Public Health proposes to promulgate Chapter 511-2-8 "Expedited Partner Therapy (EPT)" pursuant to its authority under O.C.G.A. § 31-2A-6 and 31-17-7.1.

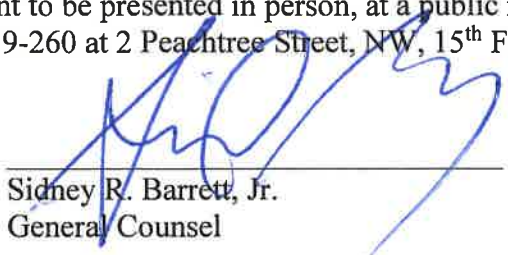
Senate Bill 193 (2017) authorized the Department to promulgate rules and regulations governing the practice of "expedited partner therapy," defined as "the practice of prescribing, ordering, or dispensing antibiotic drugs to the sexual partner of a patient clinically diagnosed with chlamydia or gonorrhea without physical examination of such partner or partners."

Proposed Chapter 511-208 comprises six regulations intended to clarify the proper practice of expedited partner therapy, and in particular the duties of those who prescribe, order, or dispense drugs intended for the sexual partner of a patient clinically diagnosed with chlamydia. Please note that at this time the Department proposes to authorize EPT for treatment of chlamydia only, and not gonorrhea, due to scientific concerns that EPT might accelerate the spread of antibiotic-resistant strains of gonorrhea.

Interested persons may submit comments on these proposed revisions in writing addressed to:

Sidney R. Barrett, Jr., General Counsel
Georgia Department of Public Health
2 Peachtree Street, NW, 15th Floor
Atlanta, GA 30303

The Department shall consider the adoption of this proposal, and shall provide an opportunity for public comment to be presented in person, at a public meeting scheduled for 3:00 p.m., 12 April 2018, in room 9-260 at 2 Peachtree Street, NW, 15th Floor, Atlanta, GA.



Sidney R. Barrett, Jr.
General Counsel

**RULES OF THE
DEPARTMENT OF PUBLIC HEALTH
CHAPTER 511-2-8
EXPEDITED PARTNER THERAPY (EPT)**

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511-2-8-.01 Definitions.

- (1) **“Expedited partner therapy”** or **EPT** means the practice of prescribing, ordering, or dispensing antibiotic drugs to the sexual partner or partners of an index patient diagnosed with chlamydia, without a physical examination of such partner or partners.
- (2) **“Index patient”** means a person who has been diagnosed as infected with chlamydia, and who is not concurrently infected with gonorrhea or syphilis.
- (3) **“Licensed practitioner”** means any of the following persons:
 - (a) A physician licensed to practice medicine in this state;
 - (b) An advanced practice nurse or physician assistant acting pursuant to authority delegated by a licensed physician in accordance with Code Section 43-34-23 or 43-34-25 or 43-34-103(e.1); or
 - (c) A registered professional nurse employed by the Department, or by a county board of health.
- (4) **“Partner”** means a person who was or may have been exposed to chlamydia by the index patient.

Authority: Code Section 31-2A-6, 31-17-7.1.

511-2-8-.02 Expedited partner therapy authorized.

- (1) A licensed practitioner with prescriptive authority may write an EPT prescription for a drug that has been determined by the Department to be appropriate for EPT treatment of chlamydia.

(2) The current roster of drugs appropriate for EPT treatment of chlamydia shall be listed in the Department's current "Expedited Partner Therapy Guidance for Healthcare Professionals" and shall also be posted on the Department's website.

Authority: Code Section 31-2A-6, 31-17-7.1.

511-2-8-.03 Prescribing EPT drugs.

(1) An EPT prescription, whether transmitted electronically, verbally, or in writing, shall contain the words "Expedited Partner Therapy" or "EPT".

(2) An EPT prescription must include the wording "Do not fill after 30 days from the date written" and shall not authorize refills.

(3) A written EPT prescription in the name of a partner may be given to the index patient for delivery to the partner.

(4) If the name of the partner or partners is unknown to the licensed practitioner, then a written EPT prescription intended for such partner or partners may be written in the name of the index patient, and may be dispensed to the index patient for delivery to the partners.

Authority: Code Section 31-2A-6, 31-17-7.1.

511-2-8-.04 Ordering and dispensing EPT drugs by public health nurses.

A registered professional nurse employed by the Department, or by a county board of health, may order and dispense EPT drugs to a partner, or to an index patient for delivery to a partner.

Authority: Code Section 31-2A-6, 31-17-7.1.

511-2-8-.05 Dispensing EPT drugs.

(1) A person authorized to dispense drugs may dispense an EPT drug directly to the partner, or to an index patient for delivery to a partner.

(2) An EPT drug shall be dispensed with a written warning that contains, at a minimum, the following information:

(a) The drug should be taken as soon as possible and in accordance with the directions.

(b) The partner should consult a physician or the local health department before taking the EPT drug if the partner is already taking prescription medication, is allergic to any drug, has ever had an adverse reaction to a drug, or has a serious health condition.

(c) The partner should abstain from sexual activity until at least a week after taking the drug.

(d) The partner should seek testing after three months to ensure that the infection has been successfully treated.

Authority: Code Section 31-2A-6, 31-17-7.1.

511-2-8-.06 Immunity from civil and criminal liability and professional discipline.

(1) In accordance with Code Section 31-17-7.1(c), a licensed practitioner who prescribes antibiotic drugs for expedited partner therapy in accordance with Code Section 31-17-7.1 and these Rules, reasonably and in good faith, shall not be subject to civil or criminal liability and shall not be deemed to have engaged in unprofessional conduct by the Composite Medical Board or the Board of Nursing.

(2) In accordance with Code Section 31-17-7.1(d), a pharmacist who dispenses antibiotic drugs pursuant to a prescription for expedited partner therapy in accordance with Code Section 31-17-7.1 and these Rules, reasonably and in good faith, shall not be subject to civil or criminal liability and shall not be deemed to have engaged in unprofessional conduct by the State Board of Pharmacy.

Authority: Code Section 31-2A-6, 31-17-7.1.

[SRB discussion draft 2.8.2018]