

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:

1 This bill authorizes an employee of a board of health, under the direction of the
2 local health officer, to: (1) if the board of health has on its premises a pharmacy,
3 dispense a medication for the treatment of the sexual partner of a person who has
4 been diagnosed with a sexually transmitted disease without examining the partner;
5 or (2) if the board of health does not have on its premises a pharmacy, issue a
6 prescription for the treatment of the sexual partner of a person who has been
7 diagnosed with a sexually transmitted disease without examining the partner. This
8 bill further allows the employee of a board of health to exclude from the
9 prescription the name or other identifying information of the partner if the
10 prescription specifies the purpose for the prescription. This bill also authorizes an
11 employee of a board of health, under the direction of the local health officer, or a
12 practitioner in a federally qualified health center to dispense such a medication or
13 issue such a prescription if the sexual partner of a patient provides the employee or
14 practitioner with a written diagnosis from a provider of health care indicating that
15 the patient has been diagnosed with a sexually transmitted disease. This bill further



16 requires the State Board of Health to adopt regulations relating to dispensing a
17 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:

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

3 1. *Except as otherwise provided in this section or a regulation*
4 *adopted pursuant thereto and notwithstanding any other provision*
5 *of law, an employee of a board of health, under the direction of*
6 *the local health officer, who diagnoses a patient with a sexually*
7 *transmitted disease may:*

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

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

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

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

31 (b) *If the board of health or health center does not have on its*
32 *premises a pharmacy, provide a prescription for treatment of the*
33 *sexually transmitted disease for the sexual partner of the patient*
34 *without examining the partner, and may exclude from the*
35 *prescription the name or other identifying information about*
36 *the sexual partner if the prescription specifies the purpose for the*
37 *prescription.*
38



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

5 (a) *For the reporting of such diseases pursuant to NRS*
6 *441A.150 and any regulation adopted pursuant to the provisions*
7 *of chapter 441A of NRS relating to the reporting of communicable*
8 *diseases;*

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

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

17 4. *A person may not dispense a medication or provide a*
18 *prescription for treatment of a sexually transmitted disease for the*
19 *sexual partner of a patient without examining the partner if*
20 *dispensing the medication or providing the prescription is in*
21 *violation of an ethical requirement or standard of practice which*
22 *applies to the professional practice of the person.*

23 5. *As used in this section:*

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

26 (b) *“Local health officer” means a city health officer*
27 *appointed pursuant to NRS 439.430, a county health officer*
28 *appointed pursuant to 439.290 or a district health*
29 *officer appointed pursuant to NRS 439.368 or 439.400.*

