

P.L. 2019, CHAPTER 336, *approved January 13, 2020*
Assembly, No. 4493 (*First Reprint*)

1 **AN ACT** concerning treatment of sexually transmitted diseases and
2 supplementing Title 26 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. Notwithstanding any other provision of law to the
8 contrary, a health care professional who diagnoses a patient as
9 having a sexually transmitted disease may provide expedited partner
10 therapy to a sexual partner of the patient pursuant to this act.

11 b. Expedited partner therapy shall consist of the health care
12 professional:

13 (1) prescribing or dispensing medication for the treatment of the
14 sexually transmitted disease. The medication shall be prescribed or
15 dispensed in the sexual partner's name or, if not known, in the name
16 of "Expedited Partner Therapy," and provided to the patient to give
17 to the sexual partner;

18 (2) providing the patient with printed informational materials,
19 which have been distributed by the department pursuant to
20 subsection a. of section 2 of this act, for the patient to give to the
21 sexual partner; and

22 (3) requesting that the patient advise the sexual partner of the
23 importance of seeking clinical treatment for the sexually transmitted
24 disease from a health care professional.

25 The health care professional shall not be required to perform a
26 clinical examination of the sexual partner as a condition of
27 providing expedited partner therapy.

28 c. A health care professional may provide expedited partner
29 therapy to any sexual partner of the patient, provided that:

30 (1) ¹**【The】** the¹ patient indicates with reasonable certainty that
31 the patient has had sexual contact with the sexual partner within the
32 past 60 days under circumstances in which there was a risk of
33 transmission of a sexually transmitted disease;

34 (2) ¹**【The】** the¹ patient indicates with reasonable certainty that
35 the sexual partner is unable or unwilling to seek clinical services in
36 a timely manner; and

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAP committee amendments adopted June 13, 2019.

1 (3) ~~1~~**1**~~the~~¹ patient indicates with reasonable certainty that
2 the patient will be able to contact the sexual partner for the
3 purposes of providing expedited partner therapy.

4 d. As used in this act:

5 “Commissioner” means the Commissioner of Health.

6 “Department” means the Department of Health.

7 “Health care professional” means a physician, advanced practice
8 nurse, ¹certified nurse midwife,¹ or physician assistant who is
9 authorized to issue prescriptions for the medications used in
10 expedited partner therapy and for whom the treatment of sexually
11 transmitted disease is within the physician’s, advanced practice
12 nurse’s, ¹certified nurse midwife’s,¹ or physician assistant’s scope
13 of training and practice.
14

15 2. a. The department shall develop and print written
16 informational materials related to expedited partner therapy, in
17 accordance with the provisions of this section, and shall regularly
18 distribute an adequate supply of printed copies of the informational
19 materials to health care professionals in the State. A health care
20 professional who elects to provide expedited partner therapy shall
21 hand out copies of the informational materials, which have been
22 distributed by the department pursuant to this subsection, to each
23 patient under the professional’s care who is diagnosed with a
24 sexually transmitted disease, for subsequent delivery by the patient
25 to all of the patient’s sexual partners who are eligible for expedited
26 partner therapy.

27 b. The written informational materials that are developed and
28 distributed by the department pursuant to subsection a. of this
29 section shall be made available in English, Spanish, and any other
30 language that the commissioner determines is the first language of a
31 significant number of people who use or are likely to use expedited
32 partner therapy, and shall include the following:

33 (1) Information about any medication prescribed or dispensed,
34 including clear and explicit allergy and side effect warnings and a
35 statement that a person who has a history of allergy to the
36 medication, or medications in the same pharmaceutical class as the
37 medication, should not take the medication and should immediately
38 contact a health care professional for a clinical examination;

39 (2) A warning that a woman who is pregnant or who might be
40 pregnant should not take certain antibiotics and should immediately
41 contact a health care professional for a clinical examination;

42 (3) Information about the treatment and prevention of sexually
43 transmitted diseases, including the necessity of practicing
44 abstinence for a certain period of time during and after treatment to
45 prevent the risk of exposing others to infection;

46 (4) Notice concerning the risk to the person, the person’s sexual
47 partners, and others, as well as the risk to the public health, if the

1 sexually transmitted disease is not completely and successfully
2 treated;

3 (5) A recommendation that the person contact a health care
4 professional for a clinical examination that includes testing for
5 sexually transmitted diseases, including the human
6 immunodeficiency virus, and information concerning available
7 testing and clinical resources;

8 (6) Information concerning the person's responsibility to inform
9 the person's sexual partners of the risk of infection with a sexually
10 transmitted disease, and the importance of urging those partners to
11 seek prompt clinical examination and treatment;

12 (7) Advice to all women and symptomatic persons, and, in
13 particular, women with symptoms suggestive of pelvic
14 inflammatory disease, to seek medical attention;

15 (8) Notice that the person may contact a health care
16 professional, the local board of health, or the department with
17 questions concerning the information contained in the materials;

18 (9) Notice that the person will be liable for the cost of the
19 medication prescribed, unless the person has prescription benefits
20 coverage or the medication was dispensed or otherwise furnished by
21 a health care professional without charge; and

22 (10) Any other information as may be required by the
23 department, including any additional information or materials the
24 department recommends be provided to persons who are repeatedly
25 diagnosed with a sexually transmitted disease.

26 c. In consideration of the recommendations and guidelines
27 issued by the federal Centers for Disease Control and Prevention,
28 the department shall develop and make available to health care
29 professionals informational materials and guidance concerning the
30 safe and effective provision of expedited partner therapy. The
31 department may also offer educational programs about expedited
32 partner therapy for health care professionals and licensed
33 pharmacists.

34 d. The commissioner shall, pursuant to the "Administrative
35 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), and in
36 consideration of recommendations and guidelines issued by the
37 federal Centers for Disease Control and Prevention, adopt rules and
38 regulations to effectuate the provisions of this act, including, but
39 not limited to, establishing a list of sexually transmitted diseases
40 that may be treated through expedited partner therapy.

41

42 3. a. Except in the case of gross negligence or willful
43 misconduct, a health care professional who provides expedited
44 partner therapy pursuant to this act, and a licensed pharmacist who
45 dispenses a prescription for medication issued for expedited partner
46 therapy pursuant to this act, shall not be subject to civil or criminal
47 liability or professional disciplinary action in connection with any
48 act or omission taken in good faith consistent with the provisions of
49 this act. A health care professional shall not be subject to civil or

1 criminal liability or professional disciplinary action for choosing
2 not to provide expedited partner therapy.

3 b. Nothing in this act shall be construed to require '~~any~~ a
4 patient's' health benefits plan or prescription benefits plan to pay
5 for or provide reimbursement for 'anyone other than the patient
6 who is provided' expedited partner therapy '~~provided~~' pursuant
7 to this act unless the person to whom expedited partner therapy is
8 being provided is listed as a beneficiary under the 'patient's' health
9 benefits plan or prescription benefits plan '~~of the patient initially~~
10 diagnosed with the sexually transmitted disease'.

11
12 4. This act shall take effect the first day of the fourth month
13 next following the date of enactment.
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18 _____
19 Authorizes expedited partner therapy, under which sexual
20 partners of patients diagnosed with sexually transmitted disease are
treated without prior clinical examination.