A bill for an act

relating to health; permitting patient-delivered partner therapy for the treatment of chlamydia or gonorrhea; appropriating money; amending Minnesota Statutes 2006, sections 144.065; 151.01, subdivision 23; 151.37, subdivision 7, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 144.065, is amended to read:

144.065 PREVENTION AND TREATMENT OF SEXUALLY TRANSMITTED INFECTIONS.

(a) The ~~state commissioner~~ Infectious Disease Division in the Department of Health shall ~~assist~~ award grants to local health agencies and nonprofit organizations throughout the state ~~with the development and maintenance of~~ to provide services for the detection and treatment of sexually transmitted infections~~. These services shall provide for research, screening and diagnosis, treatment, case finding, investigation,~~ and the dissemination of appropriate educational information to community health professionals and the public regarding the increasing rates of infection, the long-term health consequences of untreated infections, or the availability of confidential testing and treatment.

(b) The state commissioner of health shall ~~determine the composition of such services and shall establish a method of providing funds~~ award grants to boards of health as defined in section 145A.02, subdivision 2, state agencies, state councils, and nonprofit ~~corporations, which offer~~ organizations experienced in providing such services and in providing outreach and disseminating educational materials to targeted groups who may be at risk of acquiring a sexually transmitted infection. Priority for grants shall be given to

agencies and organizations serving geographical areas of the state that have experienced the greatest increase or the greatest concentration of chlamydia or gonorrhea.

(c) The state commissioner of health shall provide technical assistance to such agencies and organizations in accordance with the needs of the local area. Planning and implementation of services and technical assistance may be conducted in collaboration with boards of health; state agencies, including the University of Minnesota and the Department of Education; state councils; nonprofit organizations; and representatives of affected populations.

Sec. 2. Minnesota Statutes 2006, section 151.01, subdivision 23, is amended to read:

Subd. 23. **Practitioner.** "Practitioner" means a licensed doctor of medicine, licensed doctor of osteopathy duly licensed to practice medicine, licensed doctor of dentistry, licensed doctor of optometry, licensed podiatrist, or licensed veterinarian. For purposes of sections 151.15, subdivision 4~~.~~; 151.37, ~~subdivision~~ subdivisions 2, paragraph (b), and 12; and 151.461, "practitioner" also means a physician assistant authorized to prescribe, dispense, and administer under chapter 147A, or an advanced practice nurse authorized to prescribe, dispense, and administer under section 148.235.

Sec. 3. Minnesota Statutes 2006, section 151.37, subdivision 7, is amended to read:

Subd. 7. **Exclusion for prescriptions.** Nothing in this chapter shall prohibit the possession of a legend drug by a person for:

(1) that person's use when it has been dispensed to the person in accordance with a written or oral prescription by a practitioner; or

(2) another person's use when the other person is a family member or has the written or oral permission of the person the drug has been dispensed to according to a valid prescription by a practitioner.

Sec. 4. Minnesota Statutes 2006, section 151.37, is amended by adding a subdivision to read:

Subd. 12. **Patient-delivered therapy for chlamydia or gonorrhea.** (a) Notwithstanding any law to the contrary, a practitioner may dispense or prescribe a medically appropriate oral antibiotic drug for the sexual partner or partners of a patient who has been diagnosed by the practitioner with a sexually transmitted chlamydia or gonorrhea infection. The prescription must include the name of the patient and the words "and partner(s) as appropriate" as well as the corresponding number of doses to be dispensed. The antibiotic drug may be dispensed pursuant to the prescription to the named

patient for delivery to the patient's partner or partners. Informational materials must be included at the time the antibiotic drug is dispensed to be provided to the partner or partners with the antibiotic drug.

(b) The board shall develop informational materials to be provided when dispensing an antibiotic drug for a sexually transmitted chlamydia or gonorrhea infection to a patient's partner or partners. The materials must include clear and understandable instructions, warnings, and referrals and must be available online through the board's Web site.

Sec. 5. **APPROPRIATION.**

(a) $1,000,000 is appropriated from the general fund to the commissioner of health for the screening and treatment of sexually transmitted infections under Minnesota Statutes, section 144.065.

(b) $300,000 is appropriated from the general fund to the commissioner of health for an educational campaign under Minnesota Statutes, section 144.065. A portion of this appropriation may be used by the commissioner for a community educator for sexually transmitted infections.