

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB528

Hearing Date: Friday March 01, 2013
Committee On: Health and Human Services
Introducer: Howard
One Liner: Provide for partner treatment relating to sexually transmitted diseases

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Campbell, Cook, Crawford, Gloor, Howard, Krist, Watermeier
Nay:
Absent:
Present Not Voting:

Proponents:

Senator Sara Howard
Jonna Rebensdorf
Melissa Grant
Adi Pour

Lazaro Spindola
Richard Brown
Kay Oestmann
Heather Swanson

Representing:

District #9
Self
Planned Parenthood
Douglas County Health Department / Douglas County Board of Health
Latino American Commission
Charles Drew Health Center
Friends of Public Health
Nebraska Affiliate of the American College of Nurse-Midwives

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 528 provides that if a physician, a physician assistant, or an advance practice registered nurse licensed under the Uniform Credentialing Act diagnoses a patient as having chlamydia or gonorrhea, the physician may prescribe, provide, or dispense and the physician assistant or advanced practice registered nurse (all cited hereafter "practitioner") may prescribe prescription oral antibiotic drugs to that patient's sexual partner or partners without examination of that patient's partner or partners.

General instructions for use or medication guides, where applicable, must be provided along with additional prescription oral antibiotic drugs for any additional partner. The prescription oral antibiotic drugs must be labeled in accordance with section 38-2826. If the infected patient is unwilling or unable to deliver the prescription oral antibiotic drugs to his or her sexual partner or partners, the practitioner may prescribe, provide, or dispense prescription oral antibiotic drugs for delivery to the partner if the practitioner has sufficient locating information by the disease prevention and control staff of the Department of Health and Human Services or of a county or city board of health or local public health department.

Whenever the practitioner has to prescribe or act under this Act, they must report the communicable disease to the

Department and the local public health department. All reports are to be kept confidential.

The appropriate board, health department, agency, or official may publish reports, information, and the notifications of the disease. The Department of Health and Human Services may adopt and promulgate rules and regulations to carry out this Act.

Explanation of amendments:

The Committee Amendment becomes the bill. The Committee Amendment changes "advance practice registered nurse" throughout the bill to "nurse practitioner and certified nurse midwife." Nurse practitioners and certified nurse midwives are the only advance practice registered nurses who have prescribing authority within their scope of practice. Accordingly, this change aligns the bill with the appropriate practitioners' scope of practice.

The Committee Amendment adds provisions regarding providing drug samples to clarify practitioners are allowed to provide drug samples in the manner that is within their scope of practice.

The amendment clarifies that "dispensing" will be conducted in accordance with Neb. Rev. Statue 38-2850, that requires dispensing to include interpretation and judgment based on expertise. Accordingly, under the bill, dispensing is limited to practitioners who can do so with in their scope of practice.

Additionally, the Committee Amendment specifies that the patient's name be must be on on the prescription for oral antibiotics under EPT. An "unnamed partner" or initials do not suffice. The amendment makes clear that all prescriptions must have the patient's name. This will allow pharmacists to screen for interactions and follow normal protocols for dispensing oral antibiotics.

The Amendment changes requirements of "general instructions or medication guides" to "adequate directions and medication guides." This was language change requested by the Nebraska Pharmacists Association. "Adequate directions" is a term commonly used in the medical community to describe instructions given to a patient. Finally, the amendment clarifies all laws regarding labeling, storage, and dispensing of drugs must be followed.

Kathy Campbell, Chairperson