

Honolulu, Hawaii

MAR - 1 2013

RE: S.B. No. 655
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 655, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to allow health care professionals to dispense or prescribe medication, without examination, to the partners of patients diagnosed as having a sexually transmitted disease recommended by the Centers for Disease Control and Prevention for expedited partner therapy.

Your Committee received testimony in support of this measure from the Department of Health; Hawaii Medical Association; American Congress of Obstetricians and Gynecologists, Hawaii Section; Gay Lesbian Bisexual and Transgender Caucus of the Democratic Party of Hawai'i; Planned Parenthood of Hawaii; Hawai'i Association of Professional Nurses; CHOW Project; and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from one individual.

Your Committee finds that many patients who have been diagnosed with sexually transmitted diseases, including chlamydia and gonorrhea, have sexual partners who refuse to seek treatment. To prevent reinfection, adequate treatment of sexually transmitted diseases should include treatment of sexual partners.



Your Committee further finds that expedited partner therapy is a partner treatment approach where partners of patients who test positive for certain sexually transmitted diseases are provided medication without previous medical evaluation. Your Committee additionally finds that because of expedited partner therapy's effectiveness in reducing reinfection rates, the Centers for Disease Control and Prevention has recommended its use since 2006 among heterosexual partners of patients diagnosed with chlamydia or gonorrhea when it is unlikely the partners will seek timely evaluation and treatment. Your Committee also finds that Hawaii has high reported rates of chlamydia. The most recent Centers for Disease Control and Prevention data ranks Hawaii twenty-second in the nation for reported chlamydia infection rates, with the disease peaking in the age group between fifteen and twenty-four years.

Your Committee additionally finds that primary care providers already diagnose and treat persons with sexually transmitted diseases. Expedited partner therapy will permit primary care providers to adequately treat sexually transmitted diseases and prevent reinfection through the treatment of sexual partners. Because advanced practice registered nurses are primary care providers, amendments to this measure are necessary to include advance practice registered nurses in the definition of "health professionals" who may provide expedited partner therapy.

Your Committee notes that, according to the Centers for Disease Control and Prevention, although expedited partner therapy is recommended for heterosexual partners, it is not routinely recommended for other populations, such as male/male partners, diagnosed with sexually transmitted diseases. Therefore, amendments are necessary to conform this measure with existing Centers for Disease Control and Prevention guidelines and recommendations.

Your Committee also finds that the Centers for Disease Control and Prevention must occasionally update treatment guidelines and recommendations related to expedited partner therapy. Therefore, an amendment to this measure is necessary to require health professionals providing expedited partner therapy to follow all relevant guidelines and recommendations of the Centers for Disease Control and Prevention.

Accordingly, your Committee has amended this measure by:

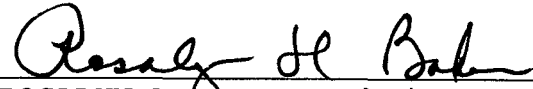


- (1) Inserting a purpose section;
- (2) Clarifying that "expedited partner therapy" means the indirect treatment of heterosexual partners of a patient who has been diagnosed as having a sexually transmitted disease through the dispensing or prescribing of antibiotic therapy for the treatment of the heterosexual partners without the physical examination of the heterosexual partners by a health professional;
- (3) Clarifying that "health professional" includes an advanced practice registered nurse with prescriptive authority under chapter 457, Hawaii Revised Statutes, who is duly licensed in the State;
- (4) Specifying that "sexually transmitted disease" means chlamydia or gonorrhea, as recommended by the Centers for Disease Control and Prevention for expedited partner therapy;
- (5) Requiring health professionals who provide expedited partner therapy to follow all Centers for Disease Control and Prevention guidelines related to the practices and recommendations for expedited partner therapy;
- (6) Specifying the health professionals who may provide expedited partner therapy as authorized and who are protected from criminal liability, legal liability, and disciplinary action; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 655, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 655, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



ROSALYN H. BAKER, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB 655 SDI	Committee Referral: HTH, CPN	Date: 2/20/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
TANIGUCHI, Brian T.				✓
WAKAI, Glenn	✓			
SLOM, Sam			✓	
TOTAL	5		1	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: _____ <div style="text-align: center; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes