

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 3162

By: Shelton

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5  
6 AS INTRODUCED

7 An Act relating to professions and occupations;  
8 defining terms; authorizing expedited partner  
9 therapy; specifying authorized conduct; exempting  
10 certain disclosure on prescription label; amending 59  
11 O.S. 2001, Section 353.13A, as last amended by  
12 Section 12, Chapter 321, O.S.L. 2009 (59 O.S. Supp.  
13 2009, Section 353.13A), which relates to  
14 prescriptions; exempting certain provisions from  
15 prescription dispensing requirements; providing for  
16 codification; and providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 355.4 of Title 59, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. For purposes of this section:

22 1. "Expedited partner therapy" means the practice of  
23 prescribing or dispensing antibiotic drugs for the treatment of a  
24 sexually transmitted disease to the partner of a patient without  
first examining the partner of the patient;

1           2. "Partner" means a person with whom a practitioner does not  
2 have a practitioner-patient relationship and who is identified as,  
3 or claims to be, a sexual partner of a patient; and

4           3. "Patient" means a person who has a sexually transmitted  
5 disease and has a practitioner-patient relationship with a  
6 practitioner.

7           B. A practitioner is authorized to prescribe a drug to treat a  
8 sexually transmitted disease for patient-delivered expedited partner  
9 therapy.

10          C. It is not unlawful conduct or unprofessional conduct if:

11           1. A practitioner issues a prescription for a drug to treat a  
12 sexually transmitted disease to a partner by writing "partner of  
13 (patient name)" on the prescription order and giving the partner's  
14 prescription to the patient for subsequent use by the partner;

15           2. A practitioner dispenses a professional sample to treat a  
16 sexually transmitted disease to the patient for the subsequent use  
17 of the partner; or

18           3. A pharmacist dispenses a prescription drug for the treatment  
19 of a sexually transmitted disease to:

20           a. a person who claims to be a partner and presents a  
21 prescription for the drug to the pharmacist which is  
22 written for the unnamed partner of a named patient,  
23           b. the patient for the subsequent use by the unnamed  
24 partner, or

1 c. an agent of the patient or partner.

2 D. For purposes of subsection C of this section, a partner does  
3 not have to be identified on the prescription order by information  
4 that would disclose the identity of the partner, and the patient's  
5 identifying information may, but does not need to, be included on  
6 the partner's drug label.

7 SECTION 2. AMENDATORY 59 O.S. 2001, Section 353.13A, as  
8 last amended by Section 12, Chapter 321, O.S.L. 2009 (59 O.S. Supp.  
9 2009, Section 353.13A), is amended to read as follows:

10 Section 353.13A A. Prescriptions received by other than  
11 written communication shall be promptly recorded in writing by the  
12 pharmacist. The record made by the pharmacist shall constitute the  
13 original prescription to be filled by the pharmacist.

14 B. Pharmacists may dispense prescriptions for dangerous drugs  
15 and controlled dangerous substances specified in Section 581 of this  
16 title for ocular abnormalities prescribed by optometrists licensed  
17 by the Oklahoma Board of Examiners in Optometry.

18 2. All prescriptions issued by licensed optometrists shall  
19 include the license number of the optometrist as assigned by the  
20 Oklahoma Board of Examiners in Optometry.

21 C. A Except as otherwise provided for in Section 1 of this act,  
22 a filled prescription label shall include the name and address of  
23 the pharmacy of origin, date of filling, name of patient, name of  
24 prescriber, directions for administration, and prescription number.

1 The symptom or purpose for which the drug is being prescribed may  
2 appear on the label, if provided by the practitioner and the patient  
3 or the patient's authorized representative so requests. If the  
4 symptom or purpose for which a drug is being prescribed is not  
5 provided by the practitioner, the pharmacist may fill the  
6 prescription order without contacting the practitioner, patient, or  
7 the patient's representative. The label shall also include the  
8 trade or generic name, and the quantity and strength of the drug  
9 therein contained, except when otherwise directed by the prescriber.  
10 This requirement shall not apply to prescriptions or medicines and  
11 drugs supplied or delivered directly to patients for consumption on  
12 the premises while admitted to any hospital or mental institution.

13 D. No prescription shall be written in any characters, figures  
14 or ciphers other than in the English or Latin language, generally in  
15 use among medical and pharmaceutical practitioners.

16 SECTION 3. This act shall become effective November 1, 2010.

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18 52-2-8134 SAB 09/28/09  
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