



**WEST VIRGINIA  
SECRETARY OF STATE**

**NATALIE E. TENNANT**

**ADMINISTRATIVE LAW DIVISION**

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WEST VIRGINIA SECRETARY OF STATE

**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE  
(Page 1)**

AGENCY **Health**  
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **64-103**  
RULE NAME **Expedited Partner Therapy**

CITE AUTHORITY **§16-4F-5**

COMMENTS LIMITED TO  
**Written**

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS  
**Sunday, August 07, 2016 4:00 PM**

WRITTEN COMMENTS MAY BE MAILED TO  
**Brian J. Skinner, General Counsel  
WV DHHR, Bureau of Public Health  
350 Capitol Street, Room 702  
Charleston, WV 25301**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Yes**  
**Melanie A Pagliaro -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 64-103



Rule Id: 10218



Document: 27706



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**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE  
(Page 2)**

AGENCY	Health				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	64-103
RULE NAME	Expedited Partner Therapy				

CITE AUTHORITY §16-4F-5

**PROVIDE A BRIEF SUMMARY OF YOUR PROPOSAL**

This is a new rule series designates certain diseases as sexually transmitted diseases for the purposes of treatment by expedited partner therapy. Expedited partner therapy or EPT means prescribing, dispensing, furnishing or otherwise providing prescription antibiotic drugs to the sexual partner or partners of a person clinically diagnosed as infected with a sexually transmitted disease without physical examination of the partner or partners.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

**Yes**  
Melanie A Pagliaro -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)**

AGENCY	Health				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	64-103
RULE NAME	Expedited Partner Therapy				

CITE AUTHORITY §16-4F-5

**PRIMARY CONTACT**

Brian Skinner, BPH General Counsel  
WV DHHR, Bureau of Public Health  
350 Capitol Street, Room 702  
Charleston, STATE ZIP

**SECONDARY CONTACT**

Melanie A. Pagliaro  
WV DHHR, Office of Cabinet Secretary  
One Davis Square, Suite 100  
Charleston, STATE SECONDARY ZIP SECONDARY

Melanie A Pagliaro -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)**

AGENCY	Health				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	64-103
RULE NAME	Expedited Partner Therapy				

CITE AUTHORITY §16-4F-5

SUMMARIZE IN A CLEAR AND CONCISE MANNER WHAT IMPACT THIS MEASURE WILL HAVE ON COSTS AND REVENUES OF STATE GOVERNMENT.

This is a new rule series designates certain diseases as sexually transmitted diseases for the purposes of treatment by expedited partner therapy. This new legislative rule is mandated by S.B. 123 (2016 RS), which requires the Secretary of the DHHR to propose rules to designate certain diseases as sexually transmitted diseases which may be treated by expedited partner therapy. In developing the rules, the DHHR must consider the recommendations and classifications of the federal Department of Health and Human Services, Centers for Disease Control and Prevention and other nationally recognized medical authorities in making the required designations. This rule will have no fiscal impact on the state.

Melanie A Pagliaro -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 64-103



Rule Id: 10218



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 2)**

AGENCY **Health**  
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **64-103**  
RULE NAME **Expedited Partner Therapy**

CITE AUTHORITY **§16-4F-5**

FISCAL NOTE DETAIL -- SHOW OVER-ALL EFFECT IN ITEM 1 AND 2 AND, IN ITEM 3, GIVE AN EXPLANATION OF BREAKDOWN BY FISCAL YEAR, INCLUDING LONG-RANGE EFFECT.

Effect Of Proposal	Current Increase/Decrease (use ' - ')	Next Increase/Decrease (use ' - ')	Fiscal Year (Upon Full Implementation)
<b>ESTIMATED TOTAL COST</b>	<b>0.00</b>		<b>0.00</b>
<b>PERSONAL SERVICES</b>			
<b>CURRENT EXPENSES</b>			
<b>REPAIRS AND ALTERATIONS</b>			
<b>ASSETS</b>			
<b>OTHER</b>			
<b>ESTIMATED TOTAL REVENUES</b>	<b>0.00</b>		<b>0.00</b>

Melanie A Pagliaro -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 64-103



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 3)**

AGENCY	Health				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	64-103
RULE NAME	Expedited Partner Therapy				

CITE AUTHORITY §16-4F-5

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT). PLEASE INCLUDE ANY INCREASE OR DECREASE IN FEES IN YOUR ESTIMATED TOTAL REVENUES.

**This rule will have no fiscal impact on the state**

Melanie A Pagliaro -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 64-103



Rule Id: 10218



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**FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 4)**

AGENCY	Health				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	64-103
RULE NAME	Expedited Partner Therapy				

CITE AUTHORITY §16-4F-5

PLEASE IDENTIFY ANY AREAS OF VAGUENESS, TECHNICAL DEFECTS, REASONS THE PROPOSED RULE WOULD NOT HAVE A FISCAL IMPACT, AND OR ANY SPECIAL ISSUES NOT CAPTURED ELSEWHERE ON THIS FORM.

**Not applicable**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Melanie A Pagliaro -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 64-103



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**FORM 12 -- BRIEF SUMMARY AND STATEMENT OF CIRCUMSTANCES (Page 1)**

AGENCY	Health				
RULE TYPE	Legislative	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES	64-103
RULE NAME	Expedited Partner Therapy				

CITE AUTHORITY §16-4F-5

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN RULE AND STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE.

This new legislative rule is mandated by S.B. 123 (2016 RS), which requires the Secretary of the DHHR to propose rules to designate certain diseases as sexually transmitted diseases which may be treated by expedited partner therapy. In developing the rules, the DHHR must consider the recommendations and classifications of the federal Department of Health and Human Services, Centers for Disease Control and Prevention and other nationally recognized medical authorities in making the required designations.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes  
Melanie A Pagliaro -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 64-103



Rule Id: 10218



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TITLE 64  
LEGISLATIVE RULE  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
BUREAU FOR PUBLIC HEALTH

SERIES 103  
EXPEDITED PARTNER THERAPY

**§64-103-1. General.**

1.1. Scope. -- This rule series designates certain diseases as sexually transmitted diseases which may be treated by expedited partner therapy.

1.2. Authority. -- W. Va. Code § 16-4F-5.

1.3. Filing Date. --

1.4. Effective Date. --

1.5. Applicability. -- This rule series applies to a health care professional who makes clinical diagnosis of a sexually transmitted disease and who desires to provide expedited partner therapy for the treatment of the sexually transmitted disease.

1.6. Purpose -- This rule series is intended to implement the provisions of W.Va. Code §§ 16-4F-1 et seq. by designating certain diseases as sexually transmitted diseases which may be treated by expedited partner therapy.

**§64-103-2. Definitions.**

2.1. "Sexually transmitted disease" means the following clinically diagnosed sexually transmitted infections:

2.1.a. Chlamydia trichomatis (chlamydia); and

2.1.b. Neisseria gonorrhoea (gonorrhoea).