



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Health TITLE-SERIES: 64-103
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: EXPEDITED PARTNER THERAPY
CITE STATUTORY AUTHORITY: 16-4F-5

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 4126

Section 64-5-1(j) Passed On 3/3/2022 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

April 1, 2022

This rule shall terminate and have no further force or effect from the following date:

August 01, 2027

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

April L Robertson -- 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 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 for the purposes of treatment by expedited partner therapy.

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

1.3. Filing Date. -- April 1, 2022.

1.4. Effective Date. -- April 1, 2022.

1.5. Sunset Provision. -- This rule shall terminate and have no further force or effect on August 1, 2027.

1.6. 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.

1.7. 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. "Expedited partner therapy" or "EPT" means prescribing, dispensing, furnishing or otherwise providing prescription antibiotic drugs by a health care professional 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.

2.2. "Health care professional" means:

2.2.a. An allopathic physician licensed pursuant to W. Va. Code §§30-3-1 *et seq.*;

2.2.b. An osteopathic physician licensed pursuant to W. Va. Code §§30-14-1 *et seq.*;

2.2.c. A physician assistant licensed pursuant to W. Va. Code §30-3E-4;

2.2.d. An advanced practice registered nurse authorized with prescriptive authority pursuant to W. Va. Code §30-7-15a; or

2.2.e. A pharmacist licensed pursuant to W. Va. Code §§ 30-5-1 *et seq.*

§64-103-3. Designation of sexually transmitted diseases.

Sexually transmitted diseases that may be treated by a health care professional with expedited partner therapy include the following clinically diagnosed sexually transmitted infections:

- 3.1. Chlamydia trichomatis (chlamydia); and
- 3.2. Neisseria gonorrhoea (gonorrhoea).