



# EXPEDITED PARTNER THERAPY: INSURANCE AND 340B

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## Overview

Expedited Partner Therapy (EPT) is an evidence-based practice that allows healthcare providers to treat the sexual partners of patients diagnosed with a sexually transmitted infection (STI), preventing reinfection of the patient. Through EPT, patients can take prescriptions or medications home to their sexual partner(s) who may be unable or unwilling to visit a healthcare provider. The STIs most frequently treated with EPT are chlamydia and gonorrhea.\*

As of January 2023, [46 states](#) have passed laws that explicitly authorize EPT. EPT is not prohibited in any state and is potentially allowable in four states. The Centers for Disease Control and Prevention (CDC) has stated that [EPT is useful to facilitate partner treatment](#) and should be available as an option for patients. Additional EPT resources may be found on the [CDC's website](#).

## EPT and 340B

[340B](#) is a federal program that requires drug manufacturers to provide certain healthcare entities with discounts on outpatient medications. The 340B program is administered by the [Office of Pharmacy Affairs](#) within the Health Resources and Services Administration (HRSA) and is designed to help covered entities “stretch scarce federal resources as far as possible, reach more eligible patients, and provide more comprehensive services.”

Patients who test positive for an STI and meet the 340B definition of a patient may be eligible for treatment utilizing 340B discounted medications. Treatment for the index patient’s sexual partner(s) may also be provided utilizing 340B, even if the partner(s) is not seen by the health care provider. The 340B Prime Vendor Program has provided guidance on EPT with [FAQ 1375](#) stating “STD partner therapy maybe 340B eligible to the extent that they [the index patient] are patients of the covered entity”. EPT is a STI program practice and clinical service for STI patients as it prevents re-infection of the index patient.

*\*Some jurisdictions also allow EPT for trichomoniasis.*

# EPT

## To be defined as a patient eligible to receive 340B medications:

The covered entity must establish a relationship with the individual, such that the covered entity maintains records of the individual's healthcare; and

The individual receives healthcare services from a healthcare professional who is either employed by the covered entity or provides healthcare under contractual or other arrangements (e.g., referral for consultation) such that responsibility for the care provided remains with the covered entity; and

The individual receives a healthcare service or a range of services from the covered entity that is consistent with the service or range of services for which grant funding...has been provided to the entity.

340B covered entity types include hospitals and federal grantees (e.g., Federal Qualified Health Centers, Ryan White Providers, Title X Family Planning Providers, Hemophilia clinics, STI clinics, and TB clinics). A complete list of covered entities can be found in the [Office of Pharmacy Affairs Information System \(OPAIS\)](#).

Providers and health departments eligible for 340B may want to consider 340B as a low-cost option for treating both patients and partners. To ensure compliance with 340B program requirements, it is recommended that 340B medication usage be outlined and included in a covered entity's 340B policies and procedures. When utilizing the 340B program, covered entities and their contract pharmacies should keep auditable patient records and accounting for all EPT doses.

### **Examples of guidance (i.e., health departments, medical boards, or pharmacy boards) around EPT and 340B:**

Health Resources & Services Administration – [340B Drug Pricing Program FAQ](#)

Kentucky Public Health – [340B Pharmacy Program](#)

Michigan Department of Health & Human Services – [STD 340B Program Policy and Procedure Manual](#)

[NCSD Policy Update: Reimbursement for Expedited Partner Therapy](#)

Wyoming Department of Health – [340B and Expedited Partner Therapy](#)

Wyoming Department of Health – [340B Drug Pricing and EPT Guidance for Program Participants](#)

*Above are some resources for 340B and EPT from health departments, medical organizations, and other entities. These types of statements and endorsements of the practice of EPT may help alleviate provider concerns.*



# EXPEDITED PARTNER THERAPY:

## PROVIDER LIABILITY EXEMPTION LAWS

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### Liability Exemptions

Although EPT is an effective method of treatment and prevention of reinfection for both patients diagnosed with an STI and their sexual partners, some healthcare providers remain hesitant to utilize EPT. Provider concerns around liability may be one reason for this hesitance.

The enactment of a law making EPT permissible effectively ensures that providers are not liable. However, some state laws permitting EPT do not explicitly state liability exemptions for medical providers, while other states address liability explicitly.

Due to ongoing reluctance by some healthcare providers to utilize EPT, some states have passed legislation that specifically protects providers from civil liability, criminal prosecution, or professional discipline while using EPT. In addition, there are other actions that can ease liability concerns but do not rely on the legislative process.

For example, state health departments have made formal statements clarifying current provider allowability and encouraging the usage of EPT. Also, state medical and pharmacy boards have provided guidance promoting the legality and best practices of EPT for healthcare providers in their state. As the authority for healthcare providers, these state boards and health departments can produce statements endorsing EPT usage to dispel any confusion for providers in a way that is a simpler and a recommended alternative to introducing and passing new EPT legislation. State professional boards can also support the use of EPT while working with their jurisdiction's health departments to develop protocols for EPT implementation, create guidance or FAQs for providers, and further act in the best interest of public health.

*\*Some jurisdictions also allow EPT for trichomoniasis.*

#### Examples of statements from national health entities regarding allowability and liability of EPT:

[American Academy of Family Physicians \(AAFP\)](#)

[American Academy of Pediatrics](#)

[American Bar Association](#)

[American College Health Association](#)

[American College of Obstetricians and Gynecologists \(ACOG\)](#)

[American Osteopathic Association](#)

[Council of State Governments \(CSG\) and the National Coalition of STD Directors \(NCS D\)](#)

[National Association of County and City Health Officials \(NACCHO\)](#)

[Society for Adolescent Health and Medicine \(SAHM\) and American Academy of Pediatrics \(AAP\)](#) [1]

# EPT

*Please note, should states prefer to pass legislation for EPT liability, it is recommended that statutory language include broad language, e.g., "treatment for STIs recommended by the CDC", rather than name specific STIs. This will account for any future changes to EPT treatment guidelines without needing to pass new legislation.*

Below are some resources for EPT liability language and statements of support from health departments, medical organizations, and other entities. These types of statements and endorsements of the practice of EPT may help alleviate provider concerns.

## Examples of state statutes and regulations around EPT provider liability exemptions:

### Delaware

- State law exempts healthcare providers and pharmacists who provide EPT from civil or professional liability, except in cases of willful and wanton misconduct or negligence. [Link](#)

### Georgia

- The state provides immunity from civil or criminal liability to any licensed professional and allows the Georgia Department of Public Health to set the regulations for EPT implementation. [Link](#)

### Hawaii

- The state exempts healthcare providers and pharmacists practicing EPT from civil liability, criminal liability, and unprofessional misconduct. [Link 1](#), [Link 2](#)

### Idaho

- A prescriber who is otherwise authorized to perform any of the activities listed in this section may prescribe or perform any of the following activities for a patient with whom the prescriber does not have a prescriber-patient relationship under the following circumstances: (i) If a prescriber makes a diagnosis of an infectious disease in a patient, prescribe or dispense antimicrobials to an individual who has been exposed to the infectious person in accordance with clinical guidelines. [Link](#)

### Kentucky

- The state exempts healthcare practitioners who provide EPT, in good faith, from civil, criminal, or professional liability. [Link](#)

### Michigan

- The state exempts healthcare professionals from civil liability and professional action, except in the case of gross negligence. [Link](#)

### Missouri

- State law provides licensed physicians immunity from any civil liability that may otherwise result by reason of such actions, unless such physician acts negligently, recklessly, in bad faith, or with malicious purpose. The state also allows the Missouri Department of Health and Senior Services to develop guidelines for implementing EPT. [Link](#)

### New Mexico

- The state medical board excludes physicians and physician assistants who engage in EPT from the definition of unprofessional conduct and defers to the New Mexico Department of Health for EPT guidelines and protocols. [Link](#)

### Ohio

- The state grants immunity to EPT prescribers and pharmacists from civil liability, criminal prosecution, or professional discipline. [Link 1](#), [Link 2](#)

### Rhode Island

- The state exempts healthcare providers and pharmacists who provide EPT, in good faith, from civil or professional liability. [Link](#)

### West Virginia

- The state provides partial liability. Healthcare providers who provide EPT are exempt from civil or professional liability, except in cases of gross negligence or willful misconduct. [Link](#)

## Examples of state-level guidance (i.e., health departments, medical boards, or pharmacy boards) around EPT and partner packs:

### Arizona

- [Arizona Department of Health Services](#)
- Arizona Department of Health Services – [FAQ EPT for Treatment of Chlamydia and Gonorrhea](#)
- Arizona Department of Health Services – [EPT Fact Sheet for Medical Providers](#)
- Arizona Department of Health Services – [EPT Fact Sheet for Pharmacists](#)

### Arkansas

- [Arkansas State Board of Nursing](#)

### California

- [Standard of Care for Patients with Chlamydia and Gonorrhea: Expedited Partner Therapy \(EPT\)](#)

### Connecticut

- [Connecticut Department of Public Health – Clinical Advisory](#)

### Colorado

- [Colorado Department of Public Health & Environment](#)
- [Colorado State Board of Medical Examiners](#)
- [Denver Public Health - Dear Colleague Letter re: EPT](#)

### Florida

- [Florida Board of Pharmacy](#)

### Idaho

- [Idaho Department of Health and Welfare](#)

### Indiana

- [Indiana Academy of Family Physicians](#)
- Indiana State Department of Health – [EPT Physician's Guide Brochure](#)
- Indiana State Department of Health – [EPT Guidance for Health Care Professionals](#)
- Indiana State Department of Health – [EPT FAQ](#)

### Iowa

- [Iowa Department of Public Health](#)

### Maryland

- [Maryland Department of Health](#)
- Maryland Department of Health – [EPT Guide for Health Care Providers](#)
- Maryland Department of Health – [Fact Sheet for Health Care Providers](#)
- Maryland Department of Health – [Fact Sheet for Pharmacists](#)
- Maryland Department of Health – [Editorial: Maryland Pharmacist's Role in Preventing and Treating STIs](#)

### Massachusetts

- [Massachusetts Board of Registration in Pharmacy – Filling a Prescription for EPT](#)

### Michigan

- [Michigan Department of Health and Human Services – Guidance for Health Care Providers](#)

### New Hampshire

- [New Hampshire Department of Health and Human Services](#)

### New Jersey

- [New Jersey Public Health Services Branch – Expedited Partner Therapy](#)

### New Mexico

- [New Mexico Department of Health](#)

### New York

- [New York State Department of Health – Position Statement](#)
- [EPT FAQs for Health Care Providers and Pharmacists](#)

### North Carolina

- [North Carolina Board of Pharmacy](#)
- [North Carolina Department of Health and Human Services: Division of Public Health](#)
- [North Carolina Medical Board – Position Statement](#)

### Ohio

- [State of Ohio Board of Pharmacy – Expedited Partner Therapy](#)

### Oregon

- [Oregon Health Authority](#)
- Oregon Health Authority – [EPT Protocol for Health Care Providers](#)
- Oregon Health Authority – [EPT FAQ for Pharmacists](#)
- [Oregon Medical Board](#)
- [Oregon State Board of Pharmacy](#)

### Pennsylvania

- [Children's Hospital of Philadelphia Policy Lab](#)

### Texas

- [Texas Department of State Health Services](#)
- [Texas Medical Association](#)

### Washington

- [Washington Medical Commission](#)
- [Washington State Medical Quality Assurance Commission](#)

### Wisconsin

- Wisconsin Department of Health Services – [Guidance for Health Professionals](#)
- Wisconsin Department of Health Services – [Pharmacist EPT Brochure](#)
- Wisconsin Department of Health Services – [Pharmacist FAQ](#)



# EXPEDITED PARTNER THERAPY: PARTNER PACKS



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## Partner Packs

When health care providers have a patient who is positive for an STI, in addition to providing their patient with a prescription or medication, providers may coach their patients on how to best inform sexual partners of their diagnosis and encourage partners to seek treatment. For sexual partners who are likely to be unable and/or unwilling to access care, the provider can use EPT. Healthcare providers practicing EPT have the option of either dispensing medication directly to patients or writing a prescription for a partner (named or unnamed). Partner Packs are pre-packaged medications and instructions given to a patient for distribution to a patient's sexual partner(s), alleviating some of the barriers for patients and their sexual partners and reducing re-infection.

States may opt to distribute Partner Packs to minimize patients' out-of-pocket costs, streamline the treatment process, protect patient privacy, and reduce stigma associated with STI diagnosis and treatment. Using Partner Packs also mitigates concern for filling prescriptions that do not list the personal information of a patient's sexual partner(s). Although in general, EPT legally allows for unnamed partner prescriptions, [several studies](#) have found that some pharmacists, particularly in suburban and rural areas, still refuse to fill these prescriptions largely due to lack of education around EPT.[1] [2] Partner Packs offer an alternative to these concerns, ensuring patients and their partners receive the care they need. In addition to medication, Partner Packs include educational information and resources for STI treatment and prevention.

1. Borchardt, L. N., Pickett, M. L., Tan, K. T., Visotcky, A.M., & Drendel, A. L. (2018). Expedited partner therapy: Pharmacist refusal of legal prescriptions, sexually transmitted diseases. *Journal of the American Sexually Transmitted Diseases Association*, 45(5), p. 350-353.

2. Schillinger, J. A. (2018). Optimizing the impact of expedited partner therapy, sexually transmitted diseases. *Journal of the American Sexually Transmitted Diseases Association*, 45(5), p. 358-360.

# EPT

Partner Packs contain medication to treat chlamydia and/or gonorrhea. It is important to note that the current CDC recommended [STI treatment regimens](#) for EPT are different than the recommended treatment regimens for patients seen in-office. Because EPT must be an oral regimen and current gonorrhea treatment involves an injection, EPT for gonorrhea should be offered to partners unlikely to access timely treatment.

## EPT recommendations are as follows:

### Sex partners of patients diagnosed with chlamydia:

Azithromycin (Zithromax) 1 gram (4 x 250 mg, 2 x 500 mg, or 1 x 1000 mg) orally, once

### Sex partners of patients diagnosed with gonorrhea:

Cefixime (Suprax) 800 mg (8 x 100 mg, 4x 200 mg or 2x 400 mg) orally, once

CDC guidelines state that EPT should be accompanied by treatment instructions. Partner Packs comply with CDC's recommended preferred approach and providing patients and partners with treatment medication alleviates some of the concerns around insurance billing for prescriptions.

*Here are some resources for EPT partner packs from health departments, medical organizations, and other entities. These types of statements and endorsements of the practice of EPT may help alleviate provider concerns. For funding considerations around EPT, please refer to the "Insurance and 340B" section found [here](#).*

## Examples of state level guidance (i.e., health departments, medical boards, or pharmacy boards) around EPT and partner packs:

### Alaska

- Alaska Department of Health and Social Services – [EPT: Instructions for Taking Medications for Partners of Persons with Chlamydia](#)
- Alaska Department of Health and Social Services – [EPT: Instructions for Taking Medication for Partners of Persons with Gonorrhea or Gonorrhea and Chlamydia](#)

### Arizona

- Arizona Department of Health Services – [EPT Fact Sheets for Patient: Chlamydia](#)
- Arizona Department of Health Services – [EPT Fact Sheets for Patient: Gonorrhea](#)

### Delaware

- Delaware Health and Social Services Division of Public Health – [Expedited Partner Therapy \(EPT\) Information for Partners](#)
- Delaware Health and Social Services Division of Public Health – [Medication Information Sheets for Partners](#)

### Illinois

- Illinois Department of Public Health – [Expedited Partner Therapy \(EPT\) Recommended EPT Medications Given to Sex Partners Based Upon Index Patient's Diagnosed Infection](#)
- Illinois Department of Public Health – [Treatment Fact Sheet for Sex Partners of Persons with Chlamydia and Gonorrhea](#)

### New York

- New York State Department of Health – [A Guide to Partner Care \(for partners\)](#)
- New York State Department of Health – [Expedited Partner Therapy Guidelines for Health Care Providers in NYS for Chlamydia trachomatis](#)

### Washington

- Clark County Public Health – [How to Prescribe Expedited Partner Therapy \(EPT\) in Clark County, WA](#)
- Kitsap Public Health District – [Expedited Partner Therapy](#)
- Washington State Department of Health – [Expedited Partner Therapy \(EPT\) Frequently Asked Questions](#)
- Washington State Department of Health – [Instructions to Patients Taking Chlamydia Medications](#)
- Washington State Department of Health – [Instructions to Patients Taking Gonorrhea Medications](#)
- Washington State Department of Health – [Washington State STD EPT Project Fax Rx for STD Tx Packs](#)
- Washington State Department of Health – [Washington State Expedited Partner Therapy Protocol](#)