

SB107\_L.005

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

SB20-107 be amended as follows:

- 1 Amend printed bill, page 7, line 21, strike the second "AND".
- 2 Page 7, line 23, strike "ADVERTISING." and substitute "ADVERTISING; AND
- 3 (IX) ANY OTHER INFORMATION THE MANUFACTURER DEEMS
- 4 RELEVANT TO THE PRICING OF THE PRESCRIPTION DRUG."
- 5 Page 8, after line 3 insert:
  - 6 "(c) THE STATE DEPARTMENT SHALL ESTABLISH A PROCESS FOR A
  - 7 MANUFACTURER TO DESIGNATE INFORMATION REPORTED PURSUANT TO
  - 8 THIS SUBSECTION (2) AS PROPRIETARY OR A TRADE SECRET, AS DEFINED IN
  - 9 SECTION 7-74-102 (4)."
- 10 Page 8, line 26, after "COMMITTEES." add "THE REPORT MUST:
  - 11 (I) CONTAIN A STATEMENT INDICATING THAT THE REPORT DOES
  - 12 NOT INCLUDE A MANUFACTURER'S COSTS FOR RESEARCH AND
  - 13 DEVELOPMENT FOR PRODUCTS THAT FAILED TO MAKE IT TO MARKET; AND
  - 14 (II) INDICATE THE TOTAL AMOUNT REBATED BACK TO THE STATE
  - 15 DEPARTMENT IN THE IMMEDIATELY PRECEDING CALENDAR YEAR FOR
  - 16 PRESCRIPTION DRUGS PAID FOR UNDER THE MEDICAL ASSISTANCE
  - 17 PROGRAM ADMINISTERED PURSUANT TO THE "COLORADO MEDICAL
  - 18 ASSISTANCE ACT", ARTICLES 4 TO 6 OF THIS TITLE 25.5, AND THE
  - 19 PERCENTAGE OF THE STATE DEPARTMENT'S BUDGET FOR THE MEDICAL
  - 20 ASSISTANCE PROGRAM THAT IS SPENT ON PRESCRIPTION DRUGS, INCLUDING
  - 21 REBATES."
- 22 Page 9, strike line 6 and substitute "INFORMATION OBTAINED FROM A
- 23 MANUFACTURER THAT IS DESIGNATED AS PROPRIETARY OR A TRADE
- 24 SECRET IN ACCORDANCE WITH THE PROCESS ESTABLISHED BY THE STATE
- 25 DEPARTMENT PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION, AND".
- 26 Page 9, line 7, strike "IS" and substitute "OR TRADE SECRETS ARE".

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