

HB1065\_L.011

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

HB20-1065 be amended as follows:

1 Amend reengrossed bill, page 2, lines 4 and 5, strike "**antagonists**  
2 **provided by a hospital - definition.**" and substitute "**antagonists -**  
3 **definition.**".

4 Page 2, after line 12 insert:

5 "(3) A CARRIER SHALL REIMBURSE A PHARMACIST EMPLOYED BY  
6 AN IN-NETWORK PHARMACY FOR PRESCRIBING AND DISPENSING AN OPIATE  
7 ANTAGONIST IN ACCORDANCE WITH SECTION 12-30-111 TO A COVERED  
8 PERSON. A CARRIER SHALL PROVIDE A PHARMACIST WHO PRESCRIBES AND  
9 DISPENSES AN OPIATE ANTAGONIST PURSUANT TO SECTION 12-30-111:

10 (a) IF MEDICAL BILLING IS AVAILABLE, AN ADEQUATE  
11 CONSULTATIVE FEE EQUIVALENT TO THE CONSULTATIVE FEE PROVIDED TO  
12 A PHYSICIAN LICENSED PURSUANT TO ARTICLE 240 OF TITLE 12 OR AN  
13 ADVANCED PRACTICE NURSE LICENSED PURSUANT TO ARTICLE 255 OF  
14 TITLE 12; OR

15 (b) IF MEDICAL BILLING IS NOT AVAILABLE, AN ENHANCED  
16 DISPENSING FEE THAT IS EQUIVALENT TO THE CONSULTATIVE FEE  
17 SPECIFIED IN SUBSECTION (3)(a) OF THIS SECTION.

18 **SECTION 2.** In Colorado Revised Statutes, 12-30-110, **amend**  
19 (1)(a) introductory portion, (2)(a), (3) introductory portion, (4)(a), and  
20 (7)(h); and **repeal** (7)(g) as follows:

21 **12-30-110. Prescribing or dispensing opiate antagonists -**  
22 **authorized recipients - definitions.** (1) (a) A prescriber may prescribe  
23 or dispense, directly or in accordance with standing orders and protocols,  
24 and a pharmacist may dispense, pursuant to an order or standing orders  
25 and protocols; an opiate antagonist to:

26 (2) (a) A prescriber who prescribes or ~~dispenses, or a pharmacist~~  
27 ~~who dispenses,~~ DISPENSES an opiate antagonist pursuant to this section is  
28 strongly encouraged to educate persons receiving the opiate antagonist on  
29 the use of an opiate antagonist for overdose, including instruction  
30 concerning risk factors for overdose, recognizing an overdose, calling  
31 emergency medical services, rescue breathing, and administering an  
32 opiate antagonist.

33 (3) ~~Neither A prescriber described in subsection (7)(h)(I) of this~~  
34 ~~section nor a pharmacist engages~~ DOES NOT ENGAGE in unprofessional  
35 conduct pursuant to section 12-240-121, or 12-280-126, respectively, and  
36 ~~a prescriber described in subsection (7)(h)(II) of this section does not~~  
37 ~~engage in conduct that is grounds for discipline pursuant to section~~ OR  
38 12-255-120, RESPECTIVELY, if the prescriber issues standing orders and

1 protocols regarding opiate antagonists or prescribes or dispenses, ~~or the~~  
2 ~~pharmacist dispenses~~, pursuant to an order or standing orders and  
3 protocols, an opiate antagonist in a good-faith effort to assist:  
4 (4) (a) A prescriber ~~or pharmacist~~ who prescribes or dispenses an  
5 opiate antagonist in accordance with this section is not subject to civil  
6 liability or criminal prosecution, as specified in sections 13-21-108.7 (4)  
7 and 18-1-712 (3), respectively.  
8 (7) As used in this section:  
9 (g) ~~"Pharmacist" means an individual licensed by the state~~  
10 ~~pursuant to article 280 of this title 12 to engage in the practice of~~  
11 ~~pharmacy.~~  
12 (h) "Prescriber" means:  
13 (I) A physician or physician assistant licensed pursuant to article  
14 240 of this title 12; ~~or~~  
15 (II) An advanced practice nurse, as defined in section 12-255-104  
16 (1), with prescriptive authority pursuant to section 12-255-112; OR  
17 (III) A PHARMACIST LICENSED PURSUANT TO SECTION  
18 12-280-114."

19 Renumber succeeding sections accordingly.

20 Page 2, lines 13 and 14, strike "**add (1)(c)**" and substitute "**amend (3);**  
21 and **add (1)(c) and (4)**".

22 Page 3, strike lines 1 through 11 and substitute "**opiate antagonists -**  
23 **selling nonprescription syringes and needles.** (1) (c) (I) A PHARMACIST  
24 WHO DISPENSES A PRESCRIPTION ORDER FOR A PRESCRIPTION DRUG THAT  
25 IS AN OPIOID SHALL INFORM THE INDIVIDUAL TO WHOM THE OPIOID IS  
26 BEING DISPENSED OF THE POTENTIAL DANGERS OF A HIGH DOSE OF OPIOID  
27 AND OFFER TO PRESCRIBE THE INDIVIDUAL, ON AT LEAST AN ANNUAL  
28 BASIS, AN OPIATE ANTAGONIST APPROVED BY THE FEDERAL FOOD AND  
29 DRUG ADMINISTRATION FOR THE REVERSAL OF AN OPIOID OVERDOSE IF:  
30 (A) IN THE PHARMACIST'S PROFESSIONAL JUDGMENT, THE  
31 INDIVIDUAL WOULD BENEFIT FROM THE NOTIFICATION; OR  
32 (B) THE OPIOID PRESCRIPTION IS AT OR IN EXCESS OF NINETY  
33 MORPHINE MILLIGRAM EQUIVALENT, AS DESCRIBED IN THE GUIDELINES OF  
34 THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION.  
35 (II) IF AN INDIVIDUAL TO WHOM AN OPIOID IS BEING DISPENSED  
36 CHOOSES TO ACCEPT THE PHARMACIST'S PRESCRIPTION FOR AN OPIATE  
37 ANTAGONIST, THE PHARMACIST SHALL COUNSEL THE INDIVIDUAL ON HOW  
38 TO USE THE OPIATE ANTAGONIST IN THE EVENT OF AN OVERDOSE.  
39 (III) AN IN-NETWORK PHARMACIST WHO PRESCRIBES AN OPIOID  
40 ANTAGONIST TO AN INDIVIDUAL PURSUANT TO THIS SECTION IS ENTITLED

1 TO AN ADEQUATE CONSULTATIVE FEE OR AN ENHANCED DISPENSING FEE  
2 AS SPECIFIED IN SECTION 10-16-152 (3).

3 (3) A pharmacist may PRESCRIBE AND dispense an opiate  
4 antagonist in accordance with section 12-30-110.

5 (4) A PHARMACIST OR PHARMACY TECHNICIAN MAY SELL A".

6 Renumber succeeding sections accordingly.

7 Page 5, strike lines 16 through 27.

8 Page 6, strike lines 1 through 12 and substitute:

9 "SECTION 8. Act subject to petition - effective date. This act  
10 takes effect at 12:01 a.m. on the day following the expiration of the  
11 ninety-day period after final adjournment of the general assembly; except  
12 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
13 of the state constitution against this act or an item, section, or part of this  
14 act within such period, then the act, item, section, or part will not take  
15 effect unless approved by the people at the general election to be held in  
16 November 2022 and, in such case, will take effect on the date of the  
17 official declaration of the vote thereon by the governor."

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