

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0222.01 Kristen Forrestal x4217

SENATE BILL 22-027

SENATE SPONSORSHIP

Smallwood and Rodriguez,

HOUSE SPONSORSHIP

Michaelson Jenet and Larson,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING CHANGES TO THE PRESCRIPTION DRUG MONITORING
102 PROGRAM PURSUANT TO THE MARCH 2021 AUDIT REPORT
103 ISSUED BY THE OFFICE OF THE STATE AUDITOR.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Legislative Audit Committee. Sections 1 and 2 of the bill clarify that each licensed health-care practitioner must query the prescription drug monitoring program (program) prior to filling a prescription for every opioid or benzodiazepine.

Section 3 requires the group tasked with developing a strategic

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

plan to reduce prescription drug misuse to also make recommendations to the executive director of the department of regulatory agencies concerning balancing the use of the program as a health-care tool with enforcement of the requirements of the program.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-30-109, **amend**
3 (1)(b); and **add** (7) as follows:

4 **12-30-109. Prescriptions - limitations - definition - rules.**

5 (1) (b) Prior to prescribing ~~the second fill of~~ any opioid or
6 benzodiazepine prescription pursuant to this section, a prescriber must
7 comply with the requirements of section 12-280-404 (4). Failure to
8 comply with section 12-280-404 (4) constitutes unprofessional conduct
9 or grounds for discipline, as applicable, under section 12-220-201,
10 12-240-121, 12-255-120, 12-275-120, 12-290-108, or 12-315-112, as
11 applicable to the particular prescriber, only if the prescriber repeatedly
12 fails to comply.

13 (7) EACH PRESCRIBER LICENSED IN THIS STATE WHO HOLDS A
14 CURRENT REGISTRATION ISSUED BY THE FEDERAL DRUG ENFORCEMENT
15 ADMINISTRATION SHALL REGISTER AND MAINTAIN A USER ACCOUNT AS
16 SPECIFIED IN SECTION 12-280-403.

17 **SECTION 2.** In Colorado Revised Statutes, 12-280-403, **amend**
18 (2)(a) as follows:

19 **12-280-403. Prescription drug use monitoring program -**
20 **registration required.** (2) (a) Each practitioner LICENSED in this state
21 who holds a current registration issued by the federal drug enforcement
22 administration and each pharmacist LICENSED IN THIS STATE shall register
23 and maintain a user account with the program.

1 **SECTION 3.** In Colorado Revised Statutes, 12-280-409, **amend**
2 (1) as follows:

3 **12-280-409. Examination and analysis of prescription drug**
4 **monitoring program - recommendations to executive director.**

5 (1) The executive director shall create a prescription drug monitoring
6 program task force or consult with and request assistance from the
7 Colorado team assembled by the governor's office to develop a strategic
8 plan to reduce prescription drug misuse, or its successor group, in order
9 to:

10 (a) Examine issues, opportunities, and weaknesses of the program,
11 including how personal information is secured in the program and
12 whether inclusion of personal identifying information in the program and
13 access to that information is necessary; ~~and~~

14 (b) Make recommendations to the executive director on ways to
15 make the program a more effective tool for practitioners and pharmacists
16 in order to reduce prescription drug misuse in this state; AND

17 (c) EVALUATE AND MAKE RECOMMENDATIONS TO THE EXECUTIVE
18 DIRECTOR REGARDING BALANCING THE PROGRAM AS A HEALTH-CARE
19 TOOL WITH THE ENFORCEMENT OF THIS ARTICLE 280, INCLUDING
20 ASSESSING METHODS FOR PROVIDING UNSOLICITED REPORTS TO
21 REGULATORS AND LAW ENFORCEMENT.

22 **SECTION 4. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, or safety.