

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 24-209

BY SENATOR(S) Rodriguez and Smallwood, Ginal, Hinrichsen, Kolker, Priola, Winter F. ;
also REPRESENTATIVE(S) Lindsay and Bird, Bacon, Boesenecker, Duran, Jodeh, Snyder, Titone, Valdez.

CONCERNING CHANGES TO THE PHARMACY PRACTICE ACT RELATING TO THE DISPENSING OF PRESCRIPTION DRUGS.

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

SECTION 1. In Colorado Revised Statutes, 12-280-103, **amend** (38.5)(a)(VIII); **repeal** (50)(a)(II) and (50)(c)(I); and **add** (22.5), (38.5)(a)(X), and (38.5)(a)(XI) as follows:

12-280-103. Definitions - rules. As used in this article 280, unless the context otherwise requires or the term is otherwise defined in another part of this article 280:

(22.5) "INVENTORY FUNCTION" MEANS ANY NONDISPENSING-RELATED ACTIVITY THAT IS RELATED TO THE MANAGEMENT OF INVENTORY AND THAT MAY BE PERFORMED BY NONLICENSED PERSONNEL UNDER THE SUPERVISION OF A LICENSED PHARMACIST.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(38.5) (a) "Practice as a pharmacy technician" means engaging in any of the following activities involved in the practice of pharmacy, under the supervision and delegation of a supervising pharmacist:

(VIII) Performing point-of-care testing and patient care technical tasks as specifically trained for and delegated by a supervising pharmacist;
and

(X) REDISPENSING A PRESCRIPTION DRUG PURSUANT TO SECTION 12-280-141 (9)(b) AND (9)(c); AND

(XI) REQUESTING REFILL AUTHORIZATION FROM THE PRESCRIBER OR PRESCRIBER'S AGENT AND RECEIVING CLARIFYING PRESCRIPTION INFORMATION FROM THE PRESCRIBER OR PRESCRIBER'S AGENT.

(50) (a) "Telepharmacy outlet" means a remote pharmacy site that:

(II) ~~At the time of registration, is located in an area of need;~~

(c) As used in this subsection (50):

(I) ~~"Area of need" means:~~

~~(A) Any health facility licensed or certified by the department of public health and environment pursuant to section 25-1.5-103 (1); or~~

~~(B) Any area where a demonstration of need is approved by the board.~~

SECTION 2. In Colorado Revised Statutes, 12-280-108, **amend** (1)(k) as follows:

12-280-108. Powers and duties - rules. (1) The board shall:

(k) Send a quarterly electronic newsletter to all licensees by e-mail that details changes in state law, INCLUDING CHANGES OUTSIDE OF THIS ARTICLE 280, that affect or are pertinent to the practice of pharmacy.

SECTION 3. In Colorado Revised Statutes, **add** 12-280-143 as

follows:

12-280-143. Automated cassette - prescription drugs. (1) UNDER THE SUPERVISION OF A PHARMACIST, A PHARMACY TECHNICIAN OR PHARMACY INTERN MAY REPLENISH MEDICATION IN A CASSETTE DEVICE USED FOR THE AUTOMATIC PACKAGING OF MEDICATION.

(2) (a) A PRESCRIPTION DRUG THAT HAS BEEN DISPENSED BY AN AUTOMATED CASSETTE DEVICE MAY BE RETURNED TO THE CASSETTE DEVICE FOR REDISPENSING AS LONG AS THE INTEGRITY OF THE MEDICATION HAS NOT BEEN ALTERED, BAR CODE SCANNING TECHNOLOGY IS USED FOR RETURNING THE DRUG, QUALIFICATIONS FOR RETURNING THE DRUG ARE MAINTAINED, AND THE EXPIRATION DATE OF THE DRUG HAS NOT PASSED. A PHARMACY TECHNICIAN MAY CARRY OUT THE PROCESS OF REDISPENSING THE DRUG ISSUED IN ACCORDANCE WITH RULES ESTABLISHED BY THE BOARD.

(b) A PRESCRIPTION DRUG THAT IS DISPENSED BUT NOT DELIVERED TO A PATIENT MAY BE RETURNED TO STOCK AND REDISPENSED AS LONG AS IT IS STORED IN THE CONTAINER IN WHICH IT WAS DISPENSED AND MAINTAINS A LABEL THAT ACCURATELY IDENTIFIES ITS CONTENTS WITH RESPECT TO THE ORIGINAL PRESCRIPTION LABEL.

SECTION 4. Effective date - applicability. This act takes effect July 1, 2024, and applies to prescription drugs dispensed on or after said date.

SECTION 5. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO