

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public & Behavioral Health & Human Services.

SB22-173 be amended as follows:

1 Amend reengrossed bill, page 2, strike line 3 and substitute "(32)(a)(II),  
2 (32)(b)(II), (36), (43), and (50); and **repeal** (32)(c)".

3 Page 2, after line 7 insert:

4 "(32) "Other outlet" means:

5 (a) A hospital that does not operate a registered pharmacy, a rural  
6 health clinic, a federally qualified health center, as defined in the federal  
7 "Social Security Act", 42 U.S.C. sec. 1395x (aa)(4), a family planning  
8 clinic, an acute treatment unit licensed by the department of public health  
9 and environment, a school, a jail, a county or district public health  
10 agency, a community health clinic, a community mental health clinic, a  
11 behavioral health entity, an approved treatment facility, a university, or  
12 a college that:

13 (II) Engages in the compounding, dispensing, and delivery of  
14 drugs or devices; OR

15 (b) An ambulatory surgical center, a hospice, or a convalescent  
16 center, each of which is licensed pursuant to part 1 of article 3 of title 25,  
17 or a medical clinic operated by a hospital, each of which:

18 (II) Engages in the compounding, dispensing, and delivery of  
19 drugs or devices for administration to patients while being treated in the  
20 facility. ~~or~~

21 (c) ~~A telepharmacy outlet.~~

22 (36) "Pharmacist manager" means an individual, licensed in this  
23 state as a pharmacist, who has direct control of the pharmaceutical affairs  
24 of a prescription drug outlet and who, EXCEPT AS PROVIDED IN SECTION  
25 12-280-118 (1)(a), is not the manager of any other prescription drug  
26 outlet.

27 (43) "Prescription drug outlet" or "pharmacy" means any  
28 pharmacy outlet registered pursuant to this article 280 where prescriptions  
29 are compounded and dispensed. "Prescription drug outlet" includes,  
30 without limitation, a specialized prescription drug outlet registered  
31 pursuant to section 12-280-119 (11) AND A TELEPHARMACY OUTLET."

32 Page 2, after line 8 insert:

33 "(I) Is registered as ~~an other~~ A PRESCRIPTION DRUG outlet OR  
34 PHARMACY under this article 280;".

35 Page 2, strike lines 22 and 23 and substitute:

1           "(c) AS USED IN THIS SUBSECTION (50):  
2           (I) "AREA OF NEED" MEANS:".

3   Page 2, line 24, strike "(I)" and substitute "(A)".

4   Page 3, line 2, strike "(II)" and substitute "(B)".

5   Page 3, after line 3 insert:

6           "(II) "CENTRAL PHARMACY" MEANS A REGISTERED PHARMACY  
7   OUTLET RESPONSIBLE FOR OVERSEEING THE OPERATION OF A  
8   TELEPHARMACY OUTLET AND WHOSE PHARMACIST MANAGER IS THE  
9   PHARMACIST MANAGER FOR THE TELEPHARMACY OUTLET."

10   Page 3, strike lines 4 through 18.

11   Page 3, after line 19 insert:

12           "**SECTION 2.** In Colorado Revised Statutes, 12-280-118, **amend**  
13   (1)(a) and **add** (3)(c) as follows:

14           **12-280-118. Prescription drug outlet under charge of**  
15   **pharmacist - rules.** (1) (a) A prescription drug outlet must be under the  
16   direct charge of a pharmacist manager. A proprietor who is not a  
17   pharmacist shall comply with this requirement and shall provide a  
18   manager who is a pharmacist. **UNLESS A PRESCRIPTION DRUG OUTLET IS**  
19   **A TELEPHARMACY OUTLET, THE PHARMACIST MANAGER SHALL NOT SERVE**  
20   **AS THE PHARMACIST MANAGER FOR MORE THAN ONE PRESCRIPTION DRUG**  
21   **OUTLET.**

22           (3) (c) A TELEPHARMACY OUTLET IS REQUIRED TO HAVE A  
23   PHARMACIST MANAGER. A TELEPHARMACY OUTLET IS CONSIDERED TO BE  
24   UNDER THE DIRECT CONTROL OF THE PHARMACIST MANAGER, OR THE  
25   LICENSED PHARMACIST DELEGATE, WHO PROVIDES REMOTE SUPERVISION  
26   TO THE TELEPHARMACY OUTLET.

27           **SECTION 3.** In Colorado Revised Statutes, 12-280-402, **amend**  
28   (3) as follows:

29           **12-280-402. Definitions.** As used in this part 4, unless the context  
30   otherwise requires:

31           (3) "Prescription drug outlet" or "pharmacy" means:

32           (a) Any resident or nonresident pharmacy outlet registered or  
33   licensed pursuant to this article 280 where prescriptions are compounded  
34   and dispensed; **and**

35           (b) Any federally owned and operated pharmacy registered with  
36   the federal drug enforcement administration; **AND**

37           (c) A TELEPHARMACY OUTLET."

- 1 Renumber succeeding sections accordingly.

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