

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

SB22-098 be amended as follows:

1 Amend printed bill, page 2, strike everything below the enacting clause
2 and substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, **add** 25-1.5-118 as
4 follows:

5 **25-1.5-118. Drug repository task force - creation - report -**
6 **definitions - repeal.** (1) THE DRUG REPOSITORY TASK FORCE IS HEREBY
7 CREATED IN THE DEPARTMENT. THE PURPOSE OF THE TASK FORCE IS TO
8 EXAMINE DRUG REPOSITORY PROGRAMS FOR UNUSED PRESCRIPTION DRUGS
9 AND OVER-THE-COUNTER MEDICATIONS IN THE COUNTRY TO DETERMINE
10 THE BEST MODEL FOR COLORADO TO IMPLEMENT A SAFE, EFFICIENT, AND
11 EFFECTIVE DRUG REPOSITORY PROGRAM IN THE STATE.

12 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
13 REQUIRES:

14 (a) "MEDICINE" MEANS PRESCRIPTION DRUGS AND
15 OVER-THE-COUNTER MEDICATIONS.

16 (b) "TASK FORCE" MEANS THE DRUG REPOSITORY TASK FORCE
17 CREATED IN THIS SECTION.

18 (3) THE TASK FORCE CONSISTS OF AT LEAST THIRTEEN AND NO
19 MORE THAN FIFTEEN VOTING MEMBERS, AS FOLLOWS:

20 (a) SIX MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
21 DEPARTMENT, AS FOLLOWS:

22 (I) ONE MEMBER REPRESENTING THE DEPARTMENT;

23 (II) ONE MEMBER REPRESENTING PATIENTS;

24 (III) ONE MEMBER FROM A STATEWIDE ADVOCACY GROUP
25 REPRESENTING CHRONIC HEALTH CONDITIONS;

26 (IV) ONE MEMBER FROM A STATEWIDE ORGANIZATION OF
27 HOSPITALS;

28 (V) ONE MEMBER FROM A SAFETY NET HOSPITAL; AND

29 (VI) ONE MEMBER FROM A STATEWIDE ASSOCIATION OF
30 PLAINTIFF'S ATTORNEYS;

31 (b) SIX MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
32 DEPARTMENT OF REGULATORY AGENCIES, AS FOLLOWS:

33 (I) ONE MEMBER REPRESENTING THE DEPARTMENT OF
34 REGULATORY AGENCIES;

35 (II) ONE MEMBER REPRESENTING A STATEWIDE ASSOCIATION OF
36 PHARMACISTS;

37 (III) ONE MEMBER REPRESENTING A STATEWIDE ASSOCIATION OF
38 COMMUNITY PHARMACIES;

39 (IV) ONE MEMBER REPRESENTING PHARMACEUTICAL
40 MANUFACTURERS;

1 (V) ONE MEMBER REPRESENTING DRUG REPOSITORY PROGRAMS;
2 AND

3 (VI) ONE MEMBER WHO IS A PHYSICIAN WITH PRESCRIBING
4 AUTHORITY;

5 (c) ONE MEMBER APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
6 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING REPRESENTING THE
7 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING; AND

8 (d) UP TO TWO ADDITIONAL MEMBERS APPOINTED BY THE
9 EXECUTIVE DIRECTOR OF THE DEPARTMENT, AS THE EXECUTIVE DIRECTOR
10 DEEMS APPROPRIATE TO CARRY OUT THE TASK FORCE'S DUTIES.

11 (4) THE APPOINTING AUTHORITIES SPECIFIED IN SUBSECTION (3) OF
12 THIS SECTION SHALL APPOINT MEMBERS OF THE TASK FORCE NO LATER
13 THAN AUGUST 1, 2022. EACH TASK FORCE MEMBER SERVES AT THE
14 PLEASURE OF THE APPOINTING AUTHORITY.

15 (5) EACH TASK FORCE MEMBER SERVES WITHOUT COMPENSATION
16 AND IS NOT ENTITLED TO REIMBURSEMENT FOR ANY EXPENSES
17 ASSOCIATED WITH SERVING ON THE TASK FORCE.

18 (6) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, OR THE
19 EXECUTIVE DIRECTOR'S DESIGNEE, SHALL CONVENE THE FIRST MEETING OF
20 THE TASK FORCE NO LATER THAN SEPTEMBER 15, 2022. THE TASK FORCE
21 SHALL MEET AS NECESSARY TO COMPLETE ITS WORK, AS DETERMINED BY
22 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, OR THE EXECUTIVE
23 DIRECTOR'S DESIGNEE.

24 (7) THE TASK FORCE SHALL CONSIDER, AT A MINIMUM, THE
25 FOLLOWING ISSUES:

26 (a) DRUG REPOSITORIES IN OTHER STATES, INCLUDING ILLINOIS
27 AND IOWA, AS POSSIBLE MODELS FOR A COLORADO DRUG REPOSITORY
28 PROGRAM:

31 (c) THE MEDICATIONS THAT WILL BE INCLUDED IN THE DRUG
32 REPOSITORY PROGRAM:

33 (d) THE NECESSARY REQUIREMENTS FOR DONATING, RECEIVING,
34 PACKAGING AND REDISPENSING MEDICINE:

35 (e) ANY LEGAL OR REGULATORY BARRIERS TO IMPLEMENTING THE
36 DRUG REPOSITORY PROGRAM AND HOW TO ELIMINATE THE BARRIERS:

36 DRUG REPOSITORY PROGRAM AND HOW TO ELIMINATE THE BARRIERS;
37 (f) THE FEES OR OTHER COSTS ASSOCIATED WITH THE DRUG
38 REPOSITORY PROGRAM;

38 REPOSITORY PROGRAM;
39 (g) WHETHER AND HOW TO PRIORITIZE PATIENT ACCESS TO THE
40 DRUG REPOSITORY PROGRAM;

40 DRUG REPOSITORY PROGRAM;
41 (h) THE NECESSARY CHANGES TO EXISTING STATUTE OR RULES IN
42 ORDER TO IMPLEMENT THE DRUG REPOSITORY PROGRAM;

42 ORDER TO IMPLEMENT THE DRUG REPOSITORY PROGRAM,
43 (i) HOW THE DRUG REPOSITORY PROGRAM WILL INTERACT WITH

1 EXISTING DRUG TAKE-BACK PROGRAMS AND DRUG DEPOSITORY PROGRAMS
2 IN COLORADO; AND

3 (j) HOW TO MARKET THE DRUG REPOSITORY PROGRAM TO DONORS,
4 CONSUMERS, MANUFACTURERS, AND PERSONS REDISPENSING MEDICINE.

5 (8) THE TASK FORCE MAY SOLICIT INFORMATION FROM AND
6 CONSULT WITH ADDITIONAL STAKEHOLDERS AS NECESSARY TO DESIGN THE
7 DRUG REPOSITORY PROGRAM.

8 (9) THE DEPARTMENT SHALL PROVIDE STAFF SUPPORT TO THE TASK
9 FORCE TO ASSIST THE TASK FORCE IN CARRYING OUT ITS DUTIES.

10 (10) NO LATER THAN DECEMBER 15, 2022, THE TASK FORCE SHALL
11 SUBMIT ITS REPORT, INCLUDING ITS FINDINGS AND RECOMMENDATIONS ON
12 ISSUES IDENTIFIED IN SUBSECTION (7) OF THIS SECTION, TO THE GOVERNOR
13 AND THE PUBLIC AND BEHAVIORAL HEALTH AND HUMAN SERVICES
14 COMMITTEE AND THE HEALTH AND INSURANCE COMMITTEE OF THE HOUSE
15 OF REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE
16 OF THE SENATE, OR ANY SUCCESSOR COMMITTEES.

17 (11) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.

18 **SECTION 2. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety.".

21 Page 1, line 101, after "CONCERNING" insert "A TASK FORCE TO
22 EXAMINE".

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