

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

January 31, 2019

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB19-005 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, after line 5 insert:

2 "SECTION 2. In Colorado Revised Statutes, 25.5-1-201, **amend**
3 (1) introductory portion, (1)(f), and (1)(g); and **add** (1)(h) as follows:

4 **25.5-1-201. Programs to be administered by the department**
5 **of health care policy and financing.** (1) ~~Programs to be administered~~
6 ~~and functions to be performed by~~ The department of health care policy
7 and financing shall ~~be as follows~~ ADMINISTER THE FOLLOWING PROGRAMS
8 AND PERFORM THE FOLLOWING FUNCTIONS:

9 (f) The old age pension health and medical care program, as
10 specified in section 25.5-2-101; **and**

11 (g) Programs, services, and supports for persons with intellectual
12 and developmental disabilities, as specified in article 10 of this ~~title~~ TITLE
13 25.5; AND

14 (h) ANY PROGRAM CONCERNING THE WHOLESALE IMPORTATION OF
15 PRESCRIPTION DRUGS PURSUANT TO PART 2 OF ARTICLE 2.5 OF THIS TITLE
16 25.5."

17 Renumber succeeding sections accordingly.

18 Page 3, after line 20 insert:

19 "(4) "LICENSED PROVIDER" MEANS A PERSON WHO IS LICENSED TO
20 PRESCRIBE PHARMACEUTICAL PRODUCTS TO CONSUMERS BY A HEALTH

- 1 CARE PRESCRIBER BOARD DESCRIBED IN SECTION 24-34-112 (1)(a)."
- 2 Renumber succeeding subsection accordingly.
- 3 Page 3, line 25, strike "JANUARY" and substitute "JULY".
- 4 Page 4, after line 10 insert:
- 5 "(a) DESIGNATE AN OFFICE OR DIVISION OF A STATE AGENCY THAT
6 SHALL BECOME A LICENSED PHARMACEUTICAL WHOLESALER OR
7 CONTRACT WITH A PHARMACEUTICAL WHOLESALER LICENSED PURSUANT
8 TO PART 3 OF ARTICLE 42.5 OF TITLE 12;".
- 9 Reletter succeeding paragraphs accordingly.
- 10 Page 5, strike lines 23 through 26 and substitute:
- 11 "(m) SET A MAXIMUM PROFIT MARGIN SO THAT A WHOLESALER,
12 DISTRIBUTOR, PHARMACY, OR OTHER LICENSED PROVIDER PARTICIPATING
13 IN THE IMPORTATION PROGRAM MAINTAINS A PROFIT MARGIN THAT IS NO
14 GREATER THAT THE PROFIT MARGIN THAT THE WHOLESALER,
15 DISTRIBUTOR, PHARMACY, OR OTHER LICENSED PROVIDER WOULD HAVE
16 EARNED ON THE EQUIVALENT NONIMPORTED DRUG;".
- 17 Page 6, line 6, after "PUB.L. 113-54;" add "AND".
- 18 Page 6, line 13, strike "SAVINGS; AND" and substitute "SAVINGS."
- 19 Page 6, strike lines 14 and 15.
- 20 Page 6, line 16, strike "**hearings**" and substitute "**meetings**".
- 21 Page 6, line 17, strike "JANUARY" and substitute "JULY".
- 22 Page 6, line 20, strike "PROGRAM;" and substitute "PROGRAM AND ANY
23 OTHER IMPORTATION OPTIONS THE STATE DEPARTMENT MAY DESCRIBE;".
- 24 Page 7, line 3, strike "HEARINGS" and substitute "MEETINGS".
- 25 Page 7, line 4, strike "HEARING" and substitute "MEETING".

- 1 Page 7, line 5, strike "HEARING" and substitute "MEETING".
- 2 Page 7, line 7, strike "HEARINGS" and substitute "MEETINGS".
- 3 Page 7, line 8, strike "APRIL" and substitute "NOVEMBER".
- 4 Page 7, line 17, strike "MAY" and substitute "DECEMBER".
- 5 Page 7, lines 19 and 20, strike "MAY 1, 2020," and substitute "JANUARY
- 6 1, 2021,".
- 7 Page 8, line 27, strike "TITLE 24," and substitute "TITLE 24 AND SECTION
- 8 25.5-1-108,".

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