

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 17-1123.02 Kristen Forrestal x4217

HOUSE BILL 17-1350

HOUSE SPONSORSHIP

Pettersen and Liston,

SENATE SPONSORSHIP

Jahn and Smallwood,

House Committees

Health, Insurance, & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF A PHARMACIST TO PARTIALLY FILL**
102 **PRESCRIPTIONS FOR OPIOIDS.**

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>.)

The bill:

- ! Allows a pharmacist to dispense a schedule II opioid in a lesser amount than the prescribed amount if certain circumstances are met;
- ! Limits the time that the remaining portions of a partially filled prescription for a schedule II opioid drug may be

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

HOUSE
3rd Reading Unamended
May 2, 2017

HOUSE
Amended 2nd Reading
May 1, 2017

- filled; and
- ! Directs a pharmacist partially filling a prescription for a schedule II opioid to retain the original prescription at the pharmacy, report the partial fill to the prescription drug monitoring program, and notify the prescribing health care provider that the prescription was partially filled.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) Overdose deaths from just one kind of opioid painkiller
5 outnumbered all homicides in Colorado in 2015;

6 (b) In 2015, two hundred fifty-nine people died from overdoses
7 for what health officials call natural prescription opioids like
8 hydrocodone and oxycodone;

9 (c) It is important to create state policy that will limit the amount
10 of opioids that are prescribed to the amount necessary for a patient's
11 treatment;

12 (d) All health care providers who prescribe or dispense opioids
13 should be part of the effort to prevent and reduce addiction to opioids;
14 and

15 (e) The federal "Comprehensive Addiction and Recovery Act of
16 2016", (Pub.L. 114-198), includes a provision to allow pharmacists to
17 partially fill a prescription for a controlled substance, such as an opioid.

18 (2) It is the intent of the general assembly to engage stakeholders
19 in a discussion regarding opioid addiction, including partial-fill
20 prescriptions for opioids.

21 **SECTION 2.** In Colorado Revised Statutes, 12-42.5-118, **add**
22 (19) as follows:

1 **12-42.5-118. Compounding - dispensing - sale of drugs and**
2 **devices - dispensing portions of opioid prescriptions - rules -**
3 **definition.** (19) A PHARMACIST MAY PARTIALLY FILL A PRESCRIPTION FOR
4 A SCHEDULE II CONTROLLED SUBSTANCE, SUCH AS AN OPIOID, IF THE
5 PARTIAL FILL IS REQUESTED BY THE PATIENT OR THE PRESCRIBING
6 PRACTITIONER AND THE TOTAL QUANTITY DISPENSED IN ALL PARTIAL
7 FILLINGS DOES NOT EXCEED THE QUANTITY PRESCRIBED.

8 **SECTION 3. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part will not take effect
15 unless approved by the people at the general election to be held in
16 November 2018 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.