

**Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 18-1031.01 Kristen Forrestal x4217

HOUSE BILL 18-1313

HOUSE SPONSORSHIP

Ginal and Becker J.,

SENATE SPONSORSHIP

Aguilar and Priola,

House Committees

Health, Insurance, & Environment

Senate Committees

Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING THE ALLOWANCE OF A PHARMACIST TO SERVE AS A**
102 **PRACTITIONER UNDER CERTAIN CIRCUMSTANCES.**

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 clarifies that a licensed and qualified pharmacist may serve as a practitioner and prescribe over-the-counter medication under the "Colorado Medical Assistance Act" and a statewide drug therapy protocol pursuant to a collaborative pharmacy practice agreement.

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

SENATE
2nd Reading Unamended
April 30, 2018

HOUSE
3rd Reading Unamended
April 17, 2018

HOUSE
Amended 2nd Reading
April 16, 2018

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-42.5-102, **amend**
3 the introductory portion, (27), and (32) as follows:

4 **12-42.5-102. Definitions.** As used in this article **42.5**, unless the
5 context otherwise requires or the term is otherwise defined in another part
6 of this article **42.5**:

7 (27) "Pharmaceutical care" means the provision of drug
8 therapy and other pharmaceutical patient care services by a pharmacist
9 intended to achieve outcomes related to the cure or prevention of a
10 disease, elimination or reduction of a patient's symptoms, or arresting or
11 slowing of a disease process. In addition to the preparation, dispensing,
12 and distribution of medications, "pharmaceutical care" may include
13 assessment and evaluation of the patient's medication-related needs and
14 development and communication of a therapeutic plan with defined
15 outcomes in consultation with the patient and the patient's other health
16 care professionals to attain the desired outcome. This function includes
17 efforts to prevent, detect, and resolve medication-related problems for
18 individual patients. "Pharmaceutical care" does not include prescriptive
19 authority; except that a pharmacist may prescribe only over-the-counter
20 medications to a recipient under the "Colorado Medical Assistance Act"
21 as authorized pursuant to section 25.5-5-322 ~~C.R.S.~~ OR PURSUANT TO A
22 COLLABORATIVE PHARMACY PRACTICE AGREEMENT AS DEFINED IN
23 SECTION 12-42.5-601 (1)(b).

24 (32) "Practitioner" means a person authorized by law to prescribe
25 any drug or device, acting within the scope of such authority, INCLUDING
26 A PHARMACIST WHO IS PARTICIPATING WITHIN THE PARAMETERS OF A
27 STATEWIDE DRUG THERAPY PROTOCOL PURSUANT TO A COLLABORATIVE

1 PHARMACY PRACTICE AGREEMENT AS DEFINED IN SECTION 12-42.5-601
2 (1)(b), OR PRESCRIBING OVER-THE-COUNTER MEDICATIONS PURSUANT TO
3 SECTION 25.5-5-322.

4 **SECTION 2. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2018 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.