



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 21-0535	Date:	August 31, 2021
Prime Sponsors:	Sen. Fields Rep. Mullica; Pelton	Bill Status:	Signed into Law
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Bill Topic: PHARMACIST PRESCRIBE DISPENSE OPIATE ANTAGONIST

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires pharmacists to implement new dispensing procedures for opioid medications. The bill increases state workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the enacted bill.

Summary of Legislation

The bill requires pharmacists who dispense opioids to inform individuals of the potential dangers of a high dose of an opioid, and offer to dispense them an opiate antagonist if:

- the individual is also prescribed a benzodiazepine, a sedative hypnotic drug, carisoprodol, tramadol, or gabapentin; or
- the opioid prescription being dispensed is 90 morphine milligram equivalent or greater.

Pharmacists must also notify these individuals of available generic and brand-name opiate antagonists. The bill does not apply to pharmacists dispensing medication to a patient who is in hospice or palliative care, or to residents in veteran community living centers.

State Expenditures

The bill affects costs for the Medicaid program as administered by the Department of Healthcare Policy and Financing, increases workload in the Department of Human Services and the Department of Regulatory Agencies for FY 2021-22, and may increase trial court workload on an ongoing basis.

Department of Healthcare Policy and Financing. This bill will require additional dispensation of opiate antagonists to users of the Medicaid program, which will result in additional program expenditures. After anticipated rebates, costs will increase by about \$140,000 to provide naloxone to about 5,000 patients. Assuming that there are at least 20 avoided inpatient admissions for overdoses, this bill will be cost neutral, or result in net savings for the Medicaid program.

Department of Human Services. The bill will require pharmacy staff at the state's two mental health institutes to implement new dispensing procedures for opioid medications. However, this workload can be accomplished within existing appropriations.

Department of Regulatory Agencies. The bill may require the department to conduct outreach and education to pharmacists about the new requirements. It will also require rule amendments by the State Board of Pharmacy. No increase in appropriations is required.

Judicial Department. The bill could increase civil case filings in trial courts if pharmacists fail to act in accordance with the law. However, due to the high likelihood that pharmacists will comply with the new law, any increase in cases as a result of this legislation will be minimal and can be addressed within existing appropriations.

Effective Date

The bill was signed into law by the Governor on June 4, 2021, and takes effect on September 7, 2021, assuming no referendum petition is filed.

State and Local Government Contacts

Health Care Policy and Financing
Information Technology
Law

Human Services
Judicial
Regulatory Agencies