

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 22-027

BY SENATOR(S) Smallwood and Rodriguez, Buckner, Cooke, Coram, Donovan, Fields, Gardner, Ginal, Gonzales, Hisey, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Lundeen, Moreno, Pettersen, Priola, Rankin, Scott, Simpson, Sonnenberg, Story, Winter, Woodward, Garcia; also REPRESENTATIVE(S) Michaelson Jenet and Larson, Burnett, Bird, Boesenecker, Exum, Lindsay, McCluskie, Ricks.

CONCERNING CHANGES TO THE PRESCRIPTION DRUG MONITORING PROGRAM
PURSUANT TO THE MARCH 2021 AUDIT REPORT ISSUED BY THE OFFICE
OF THE STATE AUDITOR.

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

SECTION 1. In Colorado Revised Statutes, 12-30-109, **amend** (1)(b); and **add** (7) as follows:

12-30-109. Prescriptions - limitations - definition - rules.
(1) (b) Prior to prescribing ~~the second fill~~ of any opioid or benzodiazepine prescription pursuant to this section, a prescriber must comply with the requirements of section 12-280-404 (4). Failure to comply with section 12-280-404 (4) constitutes unprofessional conduct or grounds for discipline, as applicable, under section 12-220-201, 12-240-121, 12-255-120,

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

12-275-120, 12-290-108, or 12-315-112, as applicable to the particular prescriber, only if the prescriber repeatedly fails to comply.

(7) EACH PRESCRIBER LICENSED IN THIS STATE WHO HOLDS A CURRENT REGISTRATION ISSUED BY THE FEDERAL DRUG ENFORCEMENT ADMINISTRATION SHALL REGISTER AND MAINTAIN A USER ACCOUNT AS SPECIFIED IN SECTION 12-280-403.

SECTION 2. In Colorado Revised Statutes, 12-280-403, **amend** (2)(a) as follows:

12-280-403. Prescription drug use monitoring program - registration required. (2) (a) Each practitioner LICENSED in this state who holds a current registration issued by the federal drug enforcement administration and each pharmacist LICENSED IN THIS STATE shall register and maintain a user account with the program.

SECTION 3. In Colorado Revised Statutes, 12-280-409, **amend** (1) as follows:

12-280-409. Examination and analysis of prescription drug monitoring program - recommendations to executive director. (1) The executive director shall create a prescription drug monitoring program task force or consult with and request assistance from the Colorado team assembled by the governor's office to develop a strategic plan to reduce prescription drug misuse, or its successor group, in order to:

(a) Examine issues, opportunities, and weaknesses of the program, including how personal information is secured in the program and whether inclusion of personal identifying information in the program and access to that information is necessary; ~~and~~

(b) Make recommendations to the executive director on ways to make the program a more effective tool for practitioners and pharmacists in order to reduce prescription drug misuse in this state; AND

(c) EVALUATE AND MAKE RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR, AFTER ENGAGING IN A STAKEHOLDER PROCESS, REGARDING BALANCING THE PROGRAM AS A HEALTH-CARE TOOL WITH THE ENFORCEMENT OF THIS ARTICLE 280.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Steve Fenberg
PRESIDENT OF
THE SENATE

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO