



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 24-0097	Date:	June 12, 2024
Prime Sponsors:	Rep. Boesenecker; Soper Sen. Pelton R.	Bill Status:	Postponed Indefinitely
		Fiscal Analyst:	Brendan Fung 303-866-4781 brendan.fung@coleg.gov

Bill Topic:	NATUROPATHIC DOCTOR FORMULARY
--------------------	--------------------------------------

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

The bill would have expanded the naturopathic doctor formulary to include certain prescription and nonprescription drugs, and other substances. It would have minimally increased state revenue and expenditures beginning in FY 2024-25.

Appropriation Summary: No appropriation was required.

Fiscal Note Status: This final fiscal note reflects the reengrossed bill. This bill was postponed indefinitely by the Senate Health and Human Services Committee on April 11, 2024; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

The bill makes updates and clarifications around the prescription and nonprescription drugs that a naturopathic doctor can administer or prescribe. Under the bill, the naturopathic formulary includes certain legend drugs, minerals, trace minerals, enzymes, food, biological substances, homeopathic preparations, and topical preparations, among others. Naturopathic doctors with a registration from the Federal Drug Enforcement Administration may practice with all drugs listed on schedules III through V under the Colorado Uniform Controlled Substance Act, except benzodiazepines, opioids, or opioid derivatives.

Additionally, naturopathic doctors must pass an approved pharmacological exam to be registered, and complete pharmacological continuing education for both initial registration and renewal.

The bill requires the Division of Professions and Occupations in the Department of Regulatory Agencies (DORA) to consult with the Naturopathic Medicine Advisory Committee at least once per year regarding revisions to the formulary. Naturopathic doctors are prohibited from prescribing any medication or device to a person under the age of 18 unless approved by the division or committee.

State Revenue

The bill is expected to minimally increase state revenue to DORA from an increase in naturopathic doctors registering with the Prescription Drug Monitoring Program (PDMP). Currently, Colorado registers about 200 naturopathic doctors and PDMP fees are \$11 annually; therefore, fee revenue is expected to be minimal and less than \$2,000 per year. This fee revenue, which is deposited to the Prescription Drug Monitoring Fund, is subject to TABOR.

State Expenditures

The bill minimally increases workload and legal costs in DORA to update materials and handle additional registrations with the PDMP. The new authority under the bill related to controlled substances may make investigations and disciplinary actions involving naturopathic doctors more complex, which may increase staff time and costs for legal services provided by the Department of Law. Any increase in workload and costs can be accomplished within existing appropriations.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Law	Regulatory Agencies
-----	---------------------

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).