

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

HB21-1276 be amended as follows:

1 Amend reengrossed bill, page 14, after line 7 insert:

2 **"SECTION 15.** In Colorado Revised Statutes, 12-280-403, **add**
3 (6) as follows:

4 **12-280-403. Prescription drug use monitoring program -**
5 **registration required.** (6) ON OR BEFORE SEPTEMBER 1, 2021, THE
6 DIVISION SHALL FULLY ENABLE THE EXPANSION, UTILIZATION, AND
7 ADOPTION OF THE UNITED STATES BUREAU OF JUSTICE ASSISTANCE
8 RXCHECK, BOTH FOR INTERSTATE DATA SHARING AND FOR INTEGRATING
9 THE PROGRAM INTO THE ELECTRONIC MEDICAL RECORDS OF
10 PRACTITIONERS AND HEALTH SYSTEMS WITHIN THE STATE. PRACTITIONERS
11 AND HEALTH SYSTEMS, THROUGH PUBLIC AND PRIVATE INTEGRATION
12 ORGANIZATIONS THAT COMPLY WITH THE BUSINESS ASSOCIATE
13 REQUIREMENTS OF THE FEDERAL "HEALTH INSURANCE PORTABILITY AND
14 ACCOUNTABILITY ACT OF 1996", AS AMENDED, 42 U.S.C. SEC. 1320d TO
15 1320d-9, AND ITS RELATED PRIVACY AND SECURITY REGULATIONS, ARE
16 AUTHORIZED TO DIRECTLY CONNECT TO THE PROGRAM THROUGH
17 RXCHECK. IN ORDER TO COMPLETE THE REQUIRED RXCHECK
18 ENABLEMENT, THE DIVISION MAY AUTHORIZE PUBLIC OR PRIVATE
19 INTEGRATION ORGANIZATIONS TO PROVIDE TO THE DIVISION REASONABLE
20 AND NECESSARY PROGRAM QUERY AUDIT REPORTS SHOULD AUDIT
21 REPORTING FUNCTIONALITY NOT BE SUFFICIENT FOR THE DIVISION
22 THROUGH RXCHECK. NOTWITHSTANDING THE ENABLEMENT OF RXCHECK
23 DESCRIBED IN THIS SUBSECTION (6), THE PROGRAM, WHETHER DEVELOPED
24 BY THE BOARD OR PROCURED, MUST ALLOW DIRECT APPLICATION
25 PROGRAM INTERFACE CONNECTIONS TO THE PROGRAM THROUGH PUBLIC
26 AND PRIVATE INTEGRATION ORGANIZATIONS THAT COMPLY WITH THE
27 BUSINESS ASSOCIATE REQUIREMENTS OF THE "HEALTH INSURANCE
28 PORTABILITY AND ACCOUNTABILITY ACT OF 1996", AS AMENDED, 42
29 U.S.C. SEC. 1320d TO 1320d-9, AND ITS RELATED PRIVACY AND SECURITY
30 REGULATIONS. PRACTITIONERS AND HEALTH SYSTEMS, AND THE
31 INTEGRATION ORGANIZATIONS ACTING ON THEIR BEHALF, SHALL NOT BE
32 ASSESSED ANY FEES FOR THE INTEGRATION ACCESS TO THE PROGRAM
33 DESCRIBED IN THIS SUBSECTION (6), EITHER THROUGH RXCHECK OR
34 THROUGH AN APPLICATION PROGRAM INTERFACE CONNECTION.".

35 Rerumber succeeding sections accordingly.

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