SENATE COMMITTEE OF REFERENCE REPORT

_______________________________ January 31, 2019
Chair of Committee Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB19-005 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, after line 5 insert:

"SECTION 2. In Colorado Revised Statutes, 25.5-1-201, amend (1) introductory portion, (1)(f), and (1)(g); and add (1)(h) as follows:

25.5-1-201. Programs to be administered by the department of health care policy and financing. (1) Programs to be administered and functions to be performed by the department of health care policy and financing shall be as follows:

ADMINISTER THE FOLLOWING PROGRAMS AND PERFORM THE FOLLOWING FUNCTIONS:

(f) The old age pension health and medical care program, as specified in section 25.5-2-101; and

(g) Programs, services, and supports for persons with intellectual and developmental disabilities, as specified in article 10 of this title; and

(h) ANY PROGRAM CONCERNING THE WHOLESALE IMPORTATION OF PRESCRIPTION DRUGS PURSUANT TO PART 2 OF ARTICLE 2.5 OF THIS TITLE 25.5."

Renumber succeeding sections accordingly.

Page 3, after line 20 insert:

"(4) "LICENSED PROVIDER" MEANS A PERSON WHO IS LICENSED TO PRESCRIBE PHARMACEUTICAL PRODUCTS TO CONSUMERS BY A HEALTH
CARE PRESCRIBER BOARD DESCRIBED IN SECTION 24-34-112 (1)(a)."

Renumber succeeding subsection accordingly.

Page 3, line 25, strike "JANUARY" and substitute "JULY".

Page 4, after line 10 insert:

"(a) DESIGNATE AN OFFICE OR DIVISION OF A STATE AGENCY THAT
SHALL BECOME A LICENSED PHARMACEUTICAL WHOLESALER OR
CONTRACT WITH A PHARMACEUTICAL WHOLESALER LICENSED PURSUANT
TO PART 3 OF ARTICLE 42.5 OF TITLE 12;".

Reletter succeeding paragraphs accordingly.

Page 5, strike lines 23 through 26 and substitute:

"(m) SET A MAXIMUM PROFIT MARGIN SO THAT A WHOLESALER,
DISTRIBUTOR, PHARMACY, OR OTHER LICENSED PROVIDER PARTICIPATING
IN THE IMPORTATION PROGRAM MAINTAINS A PROFIT MARGIN THAT IS NO
GREATER THAT THE PROFIT MARGIN THAT THE WHOLESALER,
DISTRIBUTOR, PHARMACY, OR OTHER LICENSED PROVIDER WOULD HAVE
EARNED ON THE EQUIVALENT NONIMPORTED DRUG;".

Page 6, line 6, after "PUB.L. 113-54;" add "AND".

Page 6, line 13, strike "SAVINGS; AND" and substitute "SAVINGS.".

Page 6, strike lines 14 and 15.

Page 6, line 16, strike "hearings" and substitute "meetings".

Page 6, line 17, strike "JANUARY" and substitute "JULY".

Page 6, line 20, strike "PROGRAM;" and substitute "PROGRAM AND ANY
OTHER IMPORTATION OPTIONS THE STATE DEPARTMENT MAY DESCRIBE;".

Page 7, line 3, strike "HEARINGS" and substitute "MEETINGS".

Page 7, line 4, strike "HEARING" and substitute "MEETING".
Page 7, line 5, strike "HEARING" and substitute "MEETING".

Page 7, line 7, strike "HEARINGS" and substitute "MEETINGS".

Page 7, line 8, strike "APRIL" and substitute "NOVEMBER".

Page 7, line 17, strike "MAY" and substitute "DECEMBER".

Page 7, lines 19 and 20, strike "MAY 1, 2020," and substitute "JANUARY 1, 2021.".

Page 8, line 27, strike "TITLE 24," and substitute "TITLE 24 AND SECTION 25.5-1-108,".

** *** ** *** **