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

HB20-1065 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, lines 4 and 5, strike "antagonists provided by a hospital - definition." and substitute "antagonists - definition."

Page 2, after line 12 insert:

"(3) A CARRIER SHALL REIMBURSE A PHARMACIST EMPLOYED BY AN IN-NETWORK PHARMACY FOR PRESCRIBING AND DISPENSING AN OPIATE ANTAGONIST IN ACCORDANCE WITH SECTION 12-30-111 TO A COVERED PERSON. A CARRIER SHALL PROVIDE A PHARMACIST WHO PRESCRIBES AND DISPENSES AN OPIATE ANTAGONIST PURSUANT TO SECTION 12-30-111:

(a) If medical billing is available, an adequate consultative fee equivalent to the consultative fee provided to a physician licensed pursuant to article 240 of title 12 or an advanced practice nurse licensed pursuant to article 255 of title 12; or

(b) If medical billing is not available, an enhanced dispensing fee that is equivalent to the consultative fee specified in subsection (3)(a) of this section.

SECTION 2. In Colorado Revised Statutes, 12-30-110, amend (1)(a) introductory portion, (2)(a), (3) introductory portion, (4)(a), and (7)(h); and repeal (7)(g) as follows:

12-30-110. Prescribing or dispensing opiate antagonists - authorized recipients - definitions. (1) (a) A prescriber may prescribe
or dispense, directly or in accordance with standing orders and protocols, and a pharmacist may dispense, pursuant to an order or standing orders and protocols; an opiate antagonist to:

(2) (a) A prescriber who prescribes or dispenses, or a pharmacist who dispenses, DISPENSES an opiate antagonist pursuant to this section is strongly encouraged to educate persons receiving the opiate antagonist on the use of an opiate antagonist for overdose, including instruction concerning risk factors for overdose, recognizing an overdose, calling emergency medical services, rescue breathing, and administering an opiate antagonist.

(3) Neither A prescriber described in subsection (7)(h)(I) of this section nor a pharmacist engages in unprofessional conduct pursuant to section 12-240-121, or 12-280-126, respectively, and a prescriber described in subsection (7)(h)(II) of this section does not engage in conduct that is grounds for discipline pursuant to section OR 12-255-120, RESPECTIVELY, if the prescriber issues standing orders and protocols regarding opiate antagonists or prescribes or dispenses, or the pharmacist dispenses, pursuant to an order or standing orders and protocols, an opiate antagonist in a good-faith effort to assist:

(4) (a) A prescriber or pharmacist who prescribes or dispenses an opiate antagonist in accordance with this section is not subject to civil liability or criminal prosecution, as specified in sections 13-21-108.7 (4) and 18-1-712 (3), respectively.

(7) As used in this section:

(g) "Pharmacist" means an individual licensed by the state pursuant to article 280 of this title 12 to engage in the practice of pharmacy.

(h) "Prescriber" means:

(I) A physician or physician assistant licensed pursuant to article 240 of this title 12; or

(II) An advanced practice nurse, as defined in section 12-255-104 (1), with prescriptive authority pursuant to section 12-255-112; OR

(III) A PHARMACIST LICENSED PURSUANT TO SECTION 12-280-114.".

Renumber succeeding sections accordingly.

Page 2, lines 13 and 14, strike "add (1)(c)" and substitute "amend (3); and add (1)(c) and (4)".

Page 3, strike lines 1 through 11 and substitute "opiate antagonists -
selling nonprescription syringes and needles. (1)(c)(I) A PHARMACIST WHO DISPENSES A PRESCRIPTION ORDER FOR A PRESCRIPTION DRUG THAT IS AN OPIOID SHALL INFORM THE INDIVIDUAL TO WHOM THE OPIOID IS BEING DISPENSED OF THE POTENTIAL DANGERS OF A HIGH DOSE OF OPIOID AND OFFER TO PRESCRIBE THE INDIVIDUAL, ON AT LEAST AN ANNUAL BASIS, AN OPIATE ANTAGONIST APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE REVERSAL OF AN OPIOID OVERDOSE IF:

(A) IN THE PHARMACIST'S PROFESSIONAL JUDGMENT, THE INDIVIDUAL WOULD BENEFIT FROM THE NOTIFICATION; OR

(B) THE OPIOID PRESCRIPTION IS AT OR IN EXCESS OF NINETY MORPHINE MILLIGRAM EQUIVALENT, AS DESCRIBED IN THE GUIDELINES OF THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION.

(II) IF AN INDIVIDUAL TO WHOM AN OPIOID IS BEING DISPENSED CHOOSES TO ACCEPT THE PHARMACIST'S PRESCRIPTION FOR AN OPIATE ANTAGONIST, THE PHARMACIST SHALL COUNSEL THE INDIVIDUAL ON HOW TO USE THE OPIATE ANTAGONIST IN THE EVENT OF AN OVERDOSE.

(III) AN IN-NETWORK PHARMACIST WHO PRESCRIBES AN OPIOID ANTAGONIST TO AN INDIVIDUAL PURSUANT TO THIS SECTION IS ENTITLED TO AN ADEQUATE CONSULTATIVE FEE OR AN ENHANCED DISPENSING FEE AS SPECIFIED IN SECTION 10-16-152 (3).

(3) A pharmacist may PRESCRIBE AND dispense an opiate antagonist in accordance with section 12-30-110.

(4) A PHARMACIST OR PHARMACY TECHNICIAN MAY SELL A".

Reumber succeeding sections accordingly.

Page 5, strike lines 16 through 27.

Page 6, strike lines 1 through 12 and substitute:

"SECTION 8. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

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