

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

February 19, 2020

Committee on Health & Insurance.

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

HB20-1085 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, strike lines 9 through 11.
- 2 Page 4, strike lines 1 through 15 and substitute "ALTERNATIVE TO
3 OPIOIDS."
- 4 Page 4, line 16, strike "(c)" and substitute "(b)".
- 5 Page 4, strike lines 17 through 20 and substitute:
6 "(I) INCLUDE, AT THE CARRIERS' LOWEST COST-SHARING TIER, A
7 MINIMUM OF SIX PHYSICAL THERAPY VISITS, SIX OCCUPATIONAL THERAPY
8 VISITS, SIX CHIROPRACTIC VISITS, AND SIX ACUPUNCTURE VISITS; AND".
- 9 Page 4, after line 23 insert:
10 "(c) AT THE TIME OF A COVERED PERSON'S INITIAL VISIT FOR
11 TREATMENT, A PHYSICAL THERAPIST, OCCUPATIONAL THERAPIST,
12 ACUPUNCTURIST, OR CHIROPRACTOR SHALL NOTIFY THE COVERED
13 PERSON'S CARRIER THAT THE COVERED PERSON HAS STARTED TREATMENT
14 WITH THE PROVIDER."
- 15 Page 6, strike lines 5 through 8 and substitute:
16 "(c) FOR THE PURPOSES OF THIS SECTION, "NONOPIOID OR AN

1 ATYPICAL OPIOID" MEANS ANALGESICS WITH FAR LOWER FATALITY RATES
2 THAN PURE OPIOID AGONISTS AS SPECIFIED BY RULE OF THE
3 COMMISSIONER."

4 Page 7, line 9, strike "**repeal (5)**" and substitute "**amend (1)(a)**
5 introductory portion, (1)(a)(I), (1)(a)(IV), (1)(b), and (4) introductory
6 portion; **amend as it exists until July 1, 2021, (2); repeal (5); and add**
7 **(6)**".

8 Page 7, strike lines 11 through 27.

9 Page 8, strike lines 1 through 14 and substitute:

10 **"12-30-109. Prescriptions - limitations - definition - rules.**

11 (1) (a) ~~An opioid~~ A prescriber shall not prescribe more than a seven-day
12 supply of an opioid to a patient who has not had an opioid prescription in
13 the last twelve months by that ~~opioid~~ prescriber and may exercise
14 discretion to include a second fill for a seven-day supply. The limits on
15 initial prescribing do not apply if, in the judgment of the ~~opioid~~
16 prescriber, the patient:

17 (I) Has chronic pain that typically lasts longer than ninety days or
18 past the time of normal healing, as determined by the ~~opioid~~ prescriber,
19 or following transfer of care from another ~~opioid~~ prescriber who practices
20 the same profession and who prescribed an opioid to the patient;

21 (IV) Is undergoing palliative care or hospice care focused on
22 providing the patient with relief from symptoms, pain, and stress resulting
23 from a serious illness in order to improve quality of life; except that this
24 subsection (1)(a)(IV) applies only if the ~~opioid~~ prescriber is a physician,
25 a physician assistant, or an advanced practice nurse.

26 (b) Prior to prescribing the second fill of any opioid OR
27 BENZODIAZEPINE prescription pursuant to this section, ~~an opioid~~ A
28 prescriber must comply with the requirements of section 12-280-404 (4).
29 Failure to comply with section 12-280-404 (4) constitutes unprofessional
30 conduct or grounds for discipline, as applicable, under section
31 12-220-130, 12-240-121, 12-255-120, 12-275-120, 12-290-108, or
32 12-315-112, as applicable to the particular ~~opioid~~ prescriber, only if the
33 ~~opioid~~ prescriber repeatedly fails to comply.

34 (2) ~~An opioid~~ A prescriber licensed pursuant to article 220, 240,
35 255, 275, 290, or 315 of this title 12 may prescribe opioids AND
36 BENZODIAZEPINES electronically.

37 (4) As used in this section, "~~opioid prescriber~~" "PRESCRIBER"

1 means:

2 (5) ~~This section is repealed, effective September 1, 2021.~~

3 (6) THE EXECUTIVE DIRECTOR SHALL, BY RULE, LIMIT THE SUPPLY
4 OF A BENZODIAZEPINE THAT A PRESCRIBER MAY PRESCRIBE TO A PATIENT
5 WHO HAS NOT HAD A BENZODIAZEPINE PRESCRIPTION IN THE LAST TWELVE
6 MONTHS BY THAT PRESCRIBER.

7 **SECTION 5.** In Colorado Revised Statutes, 12-30-109, **amend**
8 **as it exists from July 1, 2021, until July 1, 2023,** (2) as follows:

9 **12-30-109. Prescriptions - limitations - definition - rules.**

10 (2) ~~An opioid~~ A prescriber licensed pursuant to article 220 or 315 of this
11 title 12 may prescribe opioids AND BENZODIAZEPINES electronically.

12 **SECTION 6.** In Colorado Revised Statutes, 12-30-109, **amend**
13 **as it will become effective July 1, 2023,** (2) as follows:

14 **12-30-109. Prescriptions - limitations - definition - rules.**

15 (2) ~~An opioid~~ A prescriber licensed pursuant to article 315 of this title 12
16 may prescribe opioids AND BENZODIAZEPINES electronically.

17 **SECTION 7.** In Colorado Revised Statutes, 12-220-111, **amend**
18 (2) as follows:

19 **12-220-111. Dentists may prescribe drugs - surgical operations**
20 **- anesthesia - limits on prescriptions.** (2) ~~(a)~~ A dentist is subject to the
21 limitations on ~~prescribing opioids~~ PRESCRIPTIONS specified in section
22 12-30-109.

23 ~~(b) This subsection (2) is repealed, effective September 1, 2021.~~

24 **SECTION 8.** In Colorado Revised Statutes, **amend** 12-240-123
25 as follows:

26 **12-240-123. Prescriptions - limitations.** ~~(+)~~ A physician or
27 physician assistant is subject to the limitations on ~~prescribing opioids~~
28 PRESCRIPTIONS specified in section 12-30-109.

29 ~~(2) This section is repealed, effective September 1, 2021.~~

30 **SECTION 9.** In Colorado Revised Statutes, 12-255-112, **amend**
31 (6) as follows:

32 **12-255-112. Prescriptive authority - advanced practice nurses**
33 **- limits on prescriptions - rules - financial benefit for prescribing**

34 **prohibited.** (6) ~~(a)~~ An advanced practice nurse with prescriptive
35 authority pursuant to this section is subject to the limitations on
36 ~~prescribing opioids~~ PRESCRIPTIONS specified in section 12-30-109.

37 ~~(b) This subsection (6) is repealed, effective September 1, 2021."~~

38 **SECTION 10.** In Colorado Revised Statutes, 12-275-113, **amend**
39 (5) as follows:

40 **12-275-113. Use of prescription and nonprescription drugs -**
41 **limits on prescriptions.** (5) ~~(a)~~ An optometrist is subject to the

1 limitations on ~~prescribing opioids~~ PRESCRIPTIONS specified in section
2 12-30-109.

3 ~~(b) This subsection (5) is repealed, effective September 1, 2021.~~

4 **SECTION 11.** In Colorado Revised Statutes, 12-290-111, **amend**
5 (3) as follows:

6 **12-290-111. Prescriptions - requirement to advise patients -**
7 **limits on prescriptions.** (3) ~~(a)~~ A podiatrist is subject to the limitations
8 on ~~prescribing opioids~~ PRESCRIPTIONS specified in section 12-30-109.

9 ~~(b) This subsection (3) is repealed, effective September 1, 2021.~~

10 **SECTION 12.** In Colorado Revised Statutes, **amend** 12-315-126
11 as follows:

12 **12-315-126. Prescriptions - limitations.** ~~(1)~~ A veterinarian is
13 subject to the limitations on ~~prescribing opioids~~ PRESCRIPTIONS specified
14 in section 12-30-109.

15 ~~(2) This section is repealed, effective September 1, 2021."~~

16 **SECTION 13.** In Colorado Revised Statutes, 12-240-130, **repeal**
17 (3) as follows:

18 **12-240-130. Procedure - registration - fees.** (3) Applicants for
19 relicensure shall not be required to attend and complete continuing
20 medical education programs, except as directed by the board to correct
21 deficiencies of training or education as directed under section 12-240-125
22 ~~(5)(c)(II)(B)~~."

23 Renumber succeeding sections accordingly.

24 Page 8, strike lines 18 and 19 and substitute "**prescribing opioids - rules.**
25 THE BOARD, IN CONSULTATION WITH THE CENTER FOR RESEARCH INTO".

26 Page 8, line 26, strike "INITIAL" and strike "AND".

27 Page 9, line 7, strike "DIRECTOR" and substitute "BOARD".

28 Page 9, line 10, strike "DIRECTOR;" and substitute "BOARD;".

29 Page 9, line 24, strike "DIRECTOR" and substitute "BOARD".

30 Page 11, line 26, after "A" insert "SECOND FILL FOR A".

31 Page 12, line 2, strike "OR PSYCHOLOGICAL".

32 Page 12, strike line 7 and substitute "prescribing the second fill for an

- 1 opioid OR A BENZODIAZEPINE and the".
- 2 Page 12, line 10, strike "DIRECTOR" and substitute "BOARD".
- 3 Page 15, line 4, strike "2019-20" and substitute "2020-21".
- 4 Page 15, strike lines 11 through 14 and substitute "EXPANDED TRAINING
- 5 AND TECHNICAL ASSISTANCE IN ORDER TO MONITOR FIDELITY TO THE
- 6 SCREENING, BRIEF INTERVENTION, AND REFERRAL TO TREATMENT MODEL
- 7 THROUGH QUALITATIVE AND".

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