

SENATE COMMITTEE OF REFERENCE REPORT

March 30, 2022

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Chair of Committee

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Date

Committee on Health & Human Services.

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

SB22-098 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, strike everything below the enacting clause  
2 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** 25-1.5-118 as  
4 follows:

5 **25-1.5-118. Drug repository task force - creation - report -**  
6 **definitions - repeal.** (1) THE DRUG REPOSITORY TASK FORCE IS HEREBY  
7 CREATED IN THE DEPARTMENT. THE PURPOSE OF THE TASK FORCE IS TO  
8 EXAMINE DRUG REPOSITORY PROGRAMS FOR UNUSED PRESCRIPTION DRUGS  
9 AND OVER-THE-COUNTER MEDICATIONS IN THE COUNTRY TO DETERMINE  
10 THE BEST MODEL FOR COLORADO TO IMPLEMENT A SAFE, EFFICIENT, AND  
11 EFFECTIVE DRUG REPOSITORY PROGRAM IN THE STATE.

12 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
13 REQUIRES:

14 (a) "MEDICINE" MEANS PRESCRIPTION DRUGS AND  
15 OVER-THE-COUNTER MEDICATIONS.

16 (b) "TASK FORCE" MEANS THE DRUG REPOSITORY TASK FORCE  
17 CREATED IN THIS SECTION.

18 (3) THE TASK FORCE CONSISTS OF AT LEAST THIRTEEN AND NO  
19 MORE THAN FIFTEEN VOTING MEMBERS, AS FOLLOWS:

20 (a) SIX MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR OF THE  
21 DEPARTMENT, AS FOLLOWS:

22 (I) ONE MEMBER REPRESENTING THE DEPARTMENT;

23 (II) ONE MEMBER REPRESENTING PATIENTS;

24 (III) ONE MEMBER FROM A STATEWIDE ADVOCACY GROUP  
25 REPRESENTING CHRONIC HEALTH CONDITIONS;

26 (IV) ONE MEMBER FROM A STATEWIDE ORGANIZATION OF  
27 HOSPITALS;

1 (V) ONE MEMBER FROM A SAFETY NET HOSPITAL; AND  
2 (VI) ONE MEMBER FROM A STATEWIDE ASSOCIATION OF  
3 PLAINTIFF'S ATTORNEYS;  
4 (b) SIX MEMBERS APPOINTED BY THE EXECUTIVE DIRECTOR OF THE  
5 DEPARTMENT OF REGULATORY AGENCIES, AS FOLLOWS:  
6 (I) ONE MEMBER REPRESENTING THE DEPARTMENT OF  
7 REGULATORY AGENCIES;  
8 (II) ONE MEMBER REPRESENTING A STATEWIDE ASSOCIATION OF  
9 PHARMACISTS;  
10 (III) ONE MEMBER REPRESENTING A STATEWIDE ASSOCIATION OF  
11 COMMUNITY PHARMACIES;  
12 (IV) ONE MEMBER REPRESENTING PHARMACEUTICAL  
13 MANUFACTURERS;  
14 (V) ONE MEMBER REPRESENTING DRUG REPOSITORY PROGRAMS;  
15 AND  
16 (VI) ONE MEMBER WHO IS A PHYSICIAN WITH PRESCRIBING  
17 AUTHORITY;  
18 (c) ONE MEMBER APPOINTED BY THE EXECUTIVE DIRECTOR OF THE  
19 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING REPRESENTING THE  
20 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING; AND  
21 (d) UP TO TWO ADDITIONAL MEMBERS APPOINTED BY THE  
22 EXECUTIVE DIRECTOR OF THE DEPARTMENT, AS THE EXECUTIVE DIRECTOR  
23 DEEMS APPROPRIATE TO CARRY OUT THE TASK FORCE'S DUTIES.  
24 (4) THE APPOINTING AUTHORITIES SPECIFIED IN SUBSECTION (3) OF  
25 THIS SECTION SHALL APPOINT MEMBERS OF THE TASK FORCE NO LATER  
26 THAN AUGUST 1, 2022. EACH TASK FORCE MEMBER SERVES AT THE  
27 PLEASURE OF THE APPOINTING AUTHORITY.  
28 (5) EACH TASK FORCE MEMBER SERVES WITHOUT COMPENSATION  
29 AND IS NOT ENTITLED TO REIMBURSEMENT FOR ANY EXPENSES  
30 ASSOCIATED WITH SERVING ON THE TASK FORCE.  
31 (6) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, OR THE  
32 EXECUTIVE DIRECTOR'S DESIGNEE, SHALL CONVENE THE FIRST MEETING OF  
33 THE TASK FORCE NO LATER THAN SEPTEMBER 15, 2022. THE TASK FORCE  
34 SHALL MEET AS NECESSARY TO COMPLETE ITS WORK, AS DETERMINED BY  
35 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, OR THE EXECUTIVE  
36 DIRECTOR'S DESIGNEE.  
37 (7) THE TASK FORCE SHALL CONSIDER, AT A MINIMUM, THE  
38 FOLLOWING ISSUES:  
39 (a) DRUG REPOSITORIES IN OTHER STATES, INCLUDING ILLINOIS  
40 AND IOWA, AS POSSIBLE MODELS FOR A COLORADO DRUG REPOSITORY  
41 PROGRAM;  
42 (b) THE DRUG REPOSITORY MODEL THAT WILL BE THE SAFEST,  
43 MOST EFFICIENT, AND MOST EFFECTIVE FOR COLORADO;

1 (c) THE MEDICATIONS THAT WILL BE INCLUDED IN THE DRUG  
2 REPOSITORY PROGRAM;

3 (d) THE NECESSARY REQUIREMENTS FOR DONATING, RECEIVING,  
4 PACKAGING, AND REDISPENSING MEDICINE;

5 (e) ANY LEGAL OR REGULATORY BARRIERS TO IMPLEMENTING THE  
6 DRUG REPOSITORY PROGRAM AND HOW TO ELIMINATE THE BARRIERS;

7 (f) THE FEES OR OTHER COSTS ASSOCIATED WITH THE DRUG  
8 REPOSITORY PROGRAM;

9 (g) WHETHER AND HOW TO PRIORITIZE PATIENT ACCESS TO THE  
10 DRUG REPOSITORY PROGRAM;

11 (h) THE NECESSARY CHANGES TO EXISTING STATUTE OR RULES IN  
12 ORDER TO IMPLEMENT THE DRUG REPOSITORY PROGRAM;

13 (i) HOW THE DRUG REPOSITORY PROGRAM WILL INTERACT WITH  
14 EXISTING DRUG TAKE-BACK PROGRAMS AND DRUG DEPOSITORY PROGRAMS  
15 IN COLORADO; AND

16 (j) HOW TO MARKET THE DRUG REPOSITORY PROGRAM TO DONORS,  
17 CONSUMERS, MANUFACTURERS, AND PERSONS REDISPENSING MEDICINE.

18 (8) THE TASK FORCE MAY SOLICIT INFORMATION FROM AND  
19 CONSULT WITH ADDITIONAL STAKEHOLDERS AS NECESSARY TO DESIGN THE  
20 DRUG REPOSITORY PROGRAM.

21 (9) THE DEPARTMENT SHALL PROVIDE STAFF SUPPORT TO THE TASK  
22 FORCE TO ASSIST THE TASK FORCE IN CARRYING OUT ITS DUTIES.

23 (10) NO LATER THAN DECEMBER 15, 2022, THE TASK FORCE SHALL  
24 SUBMIT ITS REPORT, INCLUDING ITS FINDINGS AND RECOMMENDATIONS ON  
25 ISSUES IDENTIFIED IN SUBSECTION (7) OF THIS SECTION, TO THE GOVERNOR  
26 AND THE PUBLIC AND BEHAVIORAL HEALTH AND HUMAN SERVICES  
27 COMMITTEE AND THE HEALTH AND INSURANCE COMMITTEE OF THE HOUSE  
28 OF REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE  
29 OF THE SENATE, OR ANY SUCCESSOR COMMITTEES.

30 (11) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.

31 **SECTION 2. Safety clause.** The general assembly hereby finds,  
32 determines, and declares that this act is necessary for the immediate  
33 preservation of the public peace, health, or safety."

34 Page 1, line 101, after "CONCERNING" insert "A TASK FORCE TO  
35 EXAMINE".

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