



Legislative Council Staff

Research Note

Version: Final

Date: 9/16/2016

Bill Number

House Bill 16-1324

Sponsors

***Representative Ginal
Senator Sonnenberg***

Short Title

***Veterinary Access Compounded
Pharmaceutical Drugs***

Research Analyst

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Status

This research note reflects the final version of the bill which became effective on August 10, 2016.

Summary

This bill allows a pharmacy to distribute compounded drugs to a veterinarian to maintain as part of the veterinarian's office stock. A veterinarian may dispense a compounded drug maintained as part of the veterinarian's office stock only if the compounded drug is necessary for the treatment of a patient's emergency condition and the veterinarian cannot access the compounded drug through a registered prescription drug outlet in a timely manner. Veterinarians are prohibited from dispensing a compound drug in an amount greater than the amount required to treat the patient's emergency condition for five days. A veterinarian cannot administer or dispense a compounded drug maintained for office stock without a valid veterinarian-client-patient relationship, and the veterinarian must have a valid manufacturing registration from the federal Drug Enforcement Administration. The State Board of Pharmacy can promulgate rules concerning compounded veterinary drugs.

Background

In general, compounding is a practice in which a licensed pharmacist, a licensed physician, or, in the case of an outsourcing facility, a person under the supervision of a licensed pharmacist, combines, mixes, or alters ingredients of a drug to create a medication tailored to the needs of an individual patient. Compounding for animals may be necessary when approved drugs need to be modified to sufficiently treat the animal, such as compounding a pill into liquid form so the animal will take the medicine.

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House Action

House Health, Insurance, and Environment Committee (March 17, 2016). At the hearing, representatives from the Colorado Federation of Animal Welfare, Colorado Veterinary Medical Association, Roadrunner Pharmacy, and Rx Plus Pharmacies testified in support of the bill. Representatives from the Department of Regulatory Agencies testified in a neutral capacity.

The committee adopted amendments L.001 and L.002, and referred the bill, as amended, to the House Finance Committee. Amendment L.001 allowed a wholesaler to sell or deliver the compounded drug to a veterinarian without the veterinarian having a veterinarian-client-patient relationship in place at the time of the sale or distribution if the drug is for office use or for office stock. However, the amendment prohibited a veterinarian from administering or dispensing a compounded drug to a patient without a valid veterinarian-client-patient relationship. Amendment L.002 clarified the definition of prescription drug outlet as it relates to nonresident pharmacy outlets and changed the effective date of the bill to January 1, 2017.

House Finance Committee (April 20, 2016). At the hearing, representatives from the Colorado Veterinary Medical Association testified in support of the bill. The committee adopted amendments L.003 and L.004, and referred the bill as amended to the House Appropriations Committee. Amendment L.003:

- revised the requirements for a veterinarian-client-patient relationship to exist prior to administering or dispensing a compound drug;
- amended the definition of prescription drug outlets; and
- clarified the ability of the State Board of Pharmacy to promulgate rules concerning compounded veterinary drugs.

Amendment L.004 clarified references to registered prescription drug outlet and the definition of patient.

House Appropriations Committee (April 22, 2016). The committee adopted amendment J.001 and referred the bill to the House Committee of the Whole. The amendment added an appropriations clause to the bill.

House second reading (April 22, 2016). The House adopted the House Health, Insurance, and Environment, House Finance, and House Appropriations committee reports. The House passed the bill on second reading, as amended.

House third reading (April 25, 2016). The House passed the bill on third reading with no amendments.

Senate Action

Senate Agriculture, Natural Resources, and Energy Committee (April 27, 2016). At the hearing, representatives from the Colorado Veterinary Medical Association testified in support of the bill.

The committee adopted a conceptual amendment, and referred the bill, as amended, to the Senate Appropriations Committee. The conceptual amendment changed the effective date of the bill to the day following the 90-day period after the final adjournment of the General Assembly, which made the effective date of the bill August 10, 2016.

Senate Appropriations Committee (April 29, 2016). The committee adopted amendment

J.002 and referred the bill to the Senate Committee of the Whole. The amendment adjusted the bill's appropriations clause.

Senate second reading (April 29, 2016). The Senate adopted the Senate Agriculture, Natural Resources, and Energy and Senate Appropriations committee reports. The Senate passed the bill on second reading, as amended.

Senate third reading (May 2, 2016). The Senate passed the bill on third reading with no amendments.

Consideration of Amendments

House consideration of amendments (May 3, 2016). The House concurred with Senate amendments and repassed the bill.