

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0478.01 Brita Darling x2241

SENATE BILL 18-168

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SENATE SPONSORSHIP

Tate,

HOUSE SPONSORSHIP

(None),

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Senate Committees

Business, Labor, & Technology

House Committees

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A BILL FOR AN ACT

101 CONCERNING PAYMENT REFORM IN THE MEDICAL ASSISTANCE  
102 PROGRAM TO PROVIDE ACCESS TO MEDICATION-ASSISTED  
103 TREATMENT FOR THE PREVENTION OF RELAPSE FOR PERSONS  
104 SUFFERING FROM SUBSTANCE USE DISORDERS.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill requires extended-release opioid antagonists for use in medication-assisted treatment to be included as a pharmacy benefit under the medical assistance program.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

The bill permits a pharmacist who has entered into a collaborative pharmacy practice agreement with one or more prescribers to administer injectable medication-assisted treatment for substance use disorders and receive an enhanced dispensing fee under the Colorado medical assistance program for the administration.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add 25.5-5-509** as  
3 follows:

4 **25.5-5-509. Substance use disorder - medication-assisted**  
5 **treatment - pharmacy injections - reimbursement - legislative**  
6 **declaration - definitions.** (1) (a) THE GENERAL ASSEMBLY FINDS THAT:

7 (I) COLORADO IS EXPERIENCING AN UNPRECEDENTED HEROIN AND  
8 OPIOID EPIDEMIC THAT IS DEVASTATING COMMUNITIES ACROSS THE STATE;

9 (II) CERTAIN MEDICATIONS HAVE PROVEN TO BE EFFECTIVE IN  
10 TREATING OPIOID ADDICTION; HOWEVER, MEDICAL PROVIDERS EXPERIENCE  
11 AN UNDUE ACCESS BARRIER THAT PREVENTS THE USE OF ALL FEDERAL  
12 FOOD AND DRUG ADMINISTRATION-APPROVED MEDICATIONS FOR  
13 MEDICATION-ASSISTED TREATMENT; AND

14 (III) RECOMMENDED TREATMENT OPTIONS ARE BEST LEFT TO THE  
15 PROVIDER COMMUNITY AND NOT THE GOVERNMENT. MEDICAL PROVIDERS  
16 SHOULD DETERMINE WHETHER IT IS APPROPRIATE TO USE OPIATE AGONISTS  
17 OR ANTAGONISTS.

18 (b) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT DRUGS  
19 APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR USE IN  
20 MEDICATION-ASSISTED TREATMENT, LIKE METHADONE, BUPRENORPHINE,  
21 AND NALTREXONE, MUST BE EQUALLY AVAILABLE AND ACCESSIBLE.

22 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
23 REQUIRES:

1 (a) "MEDICATION-ASSISTED TREATMENT" MEANS A COMBINATION  
2 OF BEHAVIORAL THERAPY AND MEDICATIONS APPROVED BY THE FEDERAL  
3 FOOD AND DRUG ADMINISTRATION TO TREAT SUBSTANCE USE DISORDERS,  
4 INCLUDING BUT NOT LIMITED TO ALL OPIOID ANTAGONIST MEDICATIONS.

5 (b) "OPIOID ANTAGONIST" MEANS A MEDICATION APPROVED BY  
6 THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE PREVENTION OF  
7 RELAPSE TO ALCOHOL OR OPIOIDS.

8 (3) THE MEDICAL ASSISTANCE PROGRAM PHARMACY BENEFIT MUST  
9 INCLUDE EXTENDED-RELEASE OPIOID ANTAGONISTS FOR USE IN  
10 MEDICATION-ASSISTED TREATMENT.

11 (4) IF A PHARMACY OR PHARMACIST HAS ENTERED INTO A  
12 COLLABORATIVE PHARMACY PRACTICE AGREEMENT WITH ONE OR MORE  
13 PRESCRIBERS PURSUANT TO SECTION 12-42.5-602 TO ADMINISTER  
14 INJECTABLE MEDICATION FOR MEDICATION-ASSISTED TREATMENT FOR  
15 SUBSTANCE USE DISORDERS, THE PHARMACIST ADMINISTERING THE DRUG  
16 MUST RECEIVE AN ENHANCED DISPENSING FEE THAT ALIGNS WITH THE  
17 ADMINISTRATION FEE PAID TO A PROVIDER IN A CLINICAL SETTING.

18 **SECTION 2. Act subject to petition - effective date.** This act  
19 takes effect at 12:01 a.m. on the day following the expiration of the  
20 ninety-day period after final adjournment of the general assembly (August  
21 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
22 referendum petition is filed pursuant to section 1 (3) of article V of the  
23 state constitution against this act or an item, section, or part of this act  
24 within such period, then the act, item, section, or part will not take effect  
25 unless approved by the people at the general election to be held in  
26 November 2018 and, in such case, will take effect on the date of the  
27 official declaration of the vote thereon by the governor.