

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0438.02 Yelana Love x2295

**SENATE BILL 19-227**

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**SENATE SPONSORSHIP**

**Pettersen and Gonzales,**

**HOUSE SPONSORSHIP**

**Kennedy and Herod,**

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**Senate Committees**  
Health & Human Services

**House Committees**

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**A BILL FOR AN ACT**

101       **CONCERNING THE REDUCTION OF HARM CAUSED BY SUBSTANCE USE**  
102               **DISORDERS, AND, IN CONNECTION THEREWITH, AUTHORIZING**  
103               **SCHOOLS TO OBTAIN A SUPPLY OF OPIATE ANTAGONISTS;**  
104               **SPECIFYING THAT A LICENSED OR CERTIFIED HOSPITAL MAY BE**  
105               **USED AS A CLEAN SYRINGE EXCHANGE SITE; CREATING THE**  
106               **OPIATE ANTAGONIST PURCHASE FUND; EXPANDING THE**  
107               **HOUSEHOLD MEDICATION TAKE-BACK PROGRAM IN THE**  
108               **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;**  
109               **REQUIRING A PERSON THAT MAKES AN AUTOMATED EXTERNAL**  
110               **DEFIBRILLATOR AVAILABLE TO THE PUBLIC TO ALSO MAKE AN**  
111               **OPIATE ANTAGONIST AVAILABLE; REQUIRING THE DEPARTMENT**  
112               **OF HUMAN SERVICES TO USE MOBILE RESPONSE UNITS TO**  
113               **PROVIDE MEDICATION-ASSISTED TREATMENT AND OPIATE**

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.*

101           ANTAGONIST TRAINING; AND PROHIBITING THE OFFICE OF  
102           BEHAVIOR HEALTH IN THE DEPARTMENT OF HUMAN SERVICES  
103           FROM PENALIZING A FACILITY THAT INITIATES INTO  
104           MEDICATION-ASSISTED TREATMENT AN INDIVIDUAL WHO DOES  
105           NOT HAVE DOCUMENTATION VERIFYING IDENTIFICATION.

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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:

- ! Allows school districts and nonpublic schools to develop policies by which schools are authorized to obtain a supply of opiate antagonists and school employees are trained to administer opiate antagonists to individuals at risk of experiencing a drug overdose (**sections 1 through 7** of the bill);
- ! Specifies that a licensed or certified hospital may be used as a clean syringe exchange site (**section 8**);
- ! Creates the opiate antagonist bulk purchase fund to facilitate bulk purchasing of opiate antagonists at a discounted price (**section 9**);
- ! Expands the household medication take-back program in the department of public health and environment for the purpose of allowing the safe collection and disposal of needles, syringes, and other devices used to inject medication (**section 10**);
- ! Requires a person or entity that makes an automated external defibrillator available to the public to also make an opiate antagonist available to the public (**sections 2 through 7 and 11**);
- ! Requires the department of human services to make mobile response units available for the purpose of providing medication-assisted treatment in jails and department of corrections facilities and community-based opiate antagonist training (**section 12**);
- ! Prohibits the office of behavior health in the department of human services from penalizing a facility that initiates an individual into medication-assisted treatment who does not

have documentation verifying identification. To continue treatment, the individual has 6 weeks to provide the required documentation (**section 13**); and  
! Makes conforming amendments necessary to harmonize the bill with the title 12 recodification bill, House Bill 19-1172 (**sections 14 and 15**).

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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** 22-1-119.1 as  
3 follows:

4           **22-1-119.1. Policy for employee and agent possession and**  
5 **administration of opiate antagonists - definitions.** (1) A SCHOOL  
6 DISTRICT BOARD OF EDUCATION OF A PUBLIC SCHOOL, THE STATE CHARTER  
7 SCHOOL INSTITUTE FOR AN INSTITUTE CHARTER SCHOOL, OR THE  
8 GOVERNING BOARD OF A NONPUBLIC SCHOOL MAY ADOPT AND IMPLEMENT  
9 A POLICY WHEREBY:

10           (a) A SCHOOL UNDER ITS JURISDICTION MAY ACQUIRE AND  
11 MAINTAIN A STOCK SUPPLY OF OPIATE ANTAGONISTS; AND

12           (b) AN EMPLOYEE OR AGENT OF THE SCHOOL MAY, AFTER  
13 RECEIVING APPROPRIATE TRAINING, ADMINISTER AN OPIATE ANTAGONIST  
14 ON SCHOOL GROUNDS TO ASSIST AN INDIVIDUAL WHO IS AT RISK OF  
15 EXPERIENCING AN OPIATE-RELATED DRUG OVERDOSE EVENT. THE  
16 TRAINING PROVIDED PURSUANT TO THIS SUBSECTION (1)(b) MUST INCLUDE  
17 RISK FACTORS FOR OVERDOSE, RECOGNIZING AN OVERDOSE, CALLING  
18 EMERGENCY MEDICAL SERVICES, RESCUE BREATHING, AND ADMINISTERING  
19 AN OPIATE ANTAGONIST.

20           (2) AN EMPLOYEE OR AGENT OF A SCHOOL ACTING IN ACCORDANCE  
21 WITH A POLICY ADOPTED PURSUANT TO THIS SECTION IS NOT SUBJECT TO  
22 CIVIL LIABILITY OR CRIMINAL PROSECUTION, AS SPECIFIED IN SECTIONS

1 13-21-108.7 (3) AND 18-1-712 (2), RESPECTIVELY.

2 (3) AS USED IN THIS SECTION:

3 (a) "OPIATE ANTAGONIST" MEANS NALOXONE HYDROCHLORIDE OR  
4 ANY SIMILARLY ACTING DRUG THAT IS NOT A CONTROLLED SUBSTANCE  
5 AND THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG  
6 ADMINISTRATION FOR THE TREATMENT OF A DRUG OVERDOSE.

7 (b) "OPIATE-RELATED DRUG OVERDOSE EVENT" MEANS AN ACUTE  
8 CONDITION, INCLUDING A DECREASED LEVEL OF CONSCIOUSNESS OR  
9 RESPIRATORY DEPRESSION, THAT:

10 (I) RESULTS FROM THE CONSUMPTION OR USE OF A CONTROLLED  
11 SUBSTANCE OR ANOTHER SUBSTANCE WITH WHICH A CONTROLLED  
12 SUBSTANCE WAS COMBINED;

13 (II) A LAY PERSON WOULD REASONABLY BELIEVE TO BE CAUSED BY  
14 AN OPIATE-RELATED DRUG OVERDOSE EVENT; AND

15 (III) REQUIRES MEDICAL ASSISTANCE.

16 **SECTION 2.** In Colorado Revised Statutes, 12-36-117.7, **amend**  
17 (1) introductory portion, (1)(c), (1)(d), and (3)(c); and **add** (1)(e), (1)(f),  
18 and (6)(f.5) as follows:

19 **12-36-117.7. Prescribing opiate antagonists - definitions.** (1) A  
20 physician or physician assistant licensed pursuant to this ~~article~~ ARTICLE  
21 36 may prescribe or dispense, directly or in accordance with standing  
22 orders and protocols, an opiate antagonist to:

23 (c) An employee or volunteer of a harm reduction organization;

24 ~~or~~

25 (d) A LAW ENFORCEMENT AGENCY OR first responder;

26 (e) A SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A  
27 SCHOOL; OR

1 (f) A PERSON DESCRIBED IN SECTION 25-20.5-901.

2 (3) A licensed physician or physician assistant does not engage in  
3 unprofessional conduct pursuant to section 12-36-117 if the physician or  
4 physician assistant issues standing orders and protocols regarding opiate  
5 antagonists or prescribes or dispenses an opiate antagonist in a good-faith  
6 effort to assist:

7 (c) ~~A first responder or an employee or volunteer of a harm~~  
8 ~~reduction organization~~ THE FOLLOWING PERSONS in responding to,  
9 treating, or otherwise assisting an individual who is experiencing or is at  
10 risk of experiencing an opiate-related drug overdose event or a friend,  
11 family member, or other person in a position to assist an at-risk  
12 individual:

13 (I) A LAW ENFORCEMENT AGENCY OR FIRST RESPONDER;

14 (II) AN EMPLOYEE OR VOLUNTEER OF A HARM REDUCTION  
15 ORGANIZATION;

16 (III) A SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A  
17 SCHOOL; OR

18 (IV) A PERSON DESCRIBED IN SECTION 25-20.5-901.

19 (6) As used in this section:

20 (f.5) "SCHOOL" MEANS AN ELEMENTARY OR SECONDARY PUBLIC  
21 OR NONPUBLIC SCHOOL WHOSE GOVERNING AUTHORITY HAS ADOPTED AND  
22 IMPLEMENTED A POLICY PURSUANT TO SECTION 22-1-119.1.

23 **SECTION 3.** In Colorado Revised Statutes, 12-38-125.5, **amend**  
24 (1)(c), (1)(d), and (3)(c); and **add** (1)(e), (1)(f), and (6)(f.5) as follows:

25 **12-38-125.5. Prescribing opiate antagonists - definitions.**

26 (1) An advanced practice nurse with prescriptive authority pursuant to  
27 section 12-38-111.6 may prescribe or dispense, directly or in accordance

1 with standing orders and protocols, an opiate antagonist to:

2 (c) An employee or volunteer of a harm reduction organization;

3 or

4 (d) A LAW ENFORCEMENT AGENCY OR first responder;

5 (e) A SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A  
6 SCHOOL; OR

7 (f) A PERSON DESCRIBED IN SECTION 25-20.5-901.

8 (3) An advanced practice nurse with prescriptive authority does  
9 not engage in conduct that is grounds for discipline pursuant to section  
10 12-38-117 if the advanced practice nurse issues standing orders and  
11 protocols regarding opiate antagonists or prescribes or dispenses an opiate  
12 antagonist in a good-faith effort to assist:

13 ~~(c) A first responder or an employee or volunteer of a harm~~  
14 ~~reduction organization~~ THE FOLLOWING PERSONS in responding to,  
15 treating, or otherwise assisting an individual who is experiencing or is at  
16 risk of experiencing an opiate-related drug overdose event or a friend,  
17 family member, or other person in a position to assist an at-risk  
18 individual:

19 (I) A LAW ENFORCEMENT AGENCY OR FIRST RESPONDER;

20 (II) AN EMPLOYEE OR VOLUNTEER OF A HARM REDUCTION  
21 ORGANIZATION;

22 (III) A SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A  
23 SCHOOL; OR

24 (IV) A PERSON DESCRIBED IN SECTION 25-20.5-901.

25 (6) As used in this section:

26 (f.5) "SCHOOL" MEANS AN ELEMENTARY OR SECONDARY PUBLIC  
27 OR NONPUBLIC SCHOOL WHOSE GOVERNING AUTHORITY HAS ADOPTED AND

1 IMPLEMENTED A POLICY PURSUANT TO SECTION 22-1-119.1.

2 **SECTION 4.** In Colorado Revised Statutes, 12-42.5-105, **amend**  
3 (2) as follows:

4 **12-42.5-105. Rules.** (2) On or before January 1, ~~2016~~ 2020, the  
5 board shall adopt or amend rules as necessary to permit the dispensing of  
6 an opiate antagonist in accordance with section 12-42.5-120 (3).

7 **SECTION 5.** In Colorado Revised Statutes, 12-42.5-120, **amend**  
8 (3)(a)(III), (3)(a)(IV), (3)(c)(I)(C), (3)(d)(I) introductory portion, and  
9 (3)(d)(III); and **add** (3)(a)(V), (3)(a)(VI), and (3)(e)(VI.5) as follows:

10 **12-42.5-120. Prescription required - exception - dispensing**  
11 **opiate antagonists - definitions.** (3) (a) A pharmacist may dispense,  
12 pursuant to an order or standing orders and protocols, an opiate antagonist  
13 to:

14 (III) An employee or volunteer of a harm reduction organization;

15 ~~or~~

16 (IV) A LAW ENFORCEMENT AGENCY OR first responder;

17 (V) A SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A  
18 SCHOOL; OR

19 (VI) A PERSON DESCRIBED IN SECTION 25-20.5-901.

20 (c) (I) A pharmacist does not engage in unprofessional conduct  
21 pursuant to section 12-42.5-123 if the pharmacist dispenses, pursuant to  
22 an order or standing orders and protocols, an opiate antagonist in a  
23 good-faith effort to assist:

24 (C) ~~A first responder or an employee or volunteer of a harm~~  
25 ~~reduction organization~~ THE FOLLOWING PERSONS in responding to,  
26 treating, or otherwise assisting an individual who is experiencing or is at  
27 risk of experiencing an opiate-related drug overdose event or a friend,

1 family member, or other person in a position to assist an at-risk  
2 individual: A LAW ENFORCEMENT AGENCY OR FIRST RESPONDER; AN  
3 EMPLOYEE OR VOLUNTEER OF A HARM REDUCTION ORGANIZATION; A  
4 SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL; OR A  
5 PERSON DESCRIBED IN SECTION 25-20.5-901.

6 (d) (I) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an  
7 employee or volunteer of a harm reduction organization; A SCHOOL  
8 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL; OR A PERSON  
9 DESCRIBED IN SECTION 25-20.5-901 may, pursuant to an order or standing  
10 orders and protocols:

11 (III) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an  
12 employee or volunteer of a harm reduction organization; A SCHOOL  
13 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL; OR A PERSON  
14 DESCRIBED IN SECTION 25-20.5-901 acting in accordance with this  
15 ~~paragraph (d)~~ SUBSECTION (3)(d) is not subject to civil liability or  
16 criminal prosecution, as specified in sections 13-21-108.7 (3) and  
17 18-1-712 (2), ~~C.R.S.~~, respectively.

18 (e) As used in this section:

19 (VI.5) "SCHOOL" MEANS AN ELEMENTARY OR SECONDARY PUBLIC  
20 OR NONPUBLIC SCHOOL WHOSE GOVERNING AUTHORITY HAS ADOPTED AND  
21 IMPLEMENTED A POLICY PURSUANT TO SECTION 22-1-119.1.

22 **SECTION 6.** In Colorado Revised Statutes, 13-21-108.7, **amend**  
23 (3) as follows:

24 **13-21-108.7. Persons rendering emergency assistance through**  
25 **the administration of an opiate antagonist - limited immunity -**  
26 **legislative declaration - definitions. (3) General immunity. (a) A**  
27 **person, other than a health care provider or a health care facility, who acts**



1 in good faith to furnish or administer an opiate antagonist to an individual  
2 the person believes to be suffering an opiate-related drug overdose event  
3 or to an individual who is in a position to assist the individual at risk of  
4 experiencing an opiate-related overdose event is not liable for any civil  
5 damages for acts or omissions made as a result of the act OR FOR ANY ACT  
6 OR OMISSION MADE IF THE OPIATE ANTAGONIST IS STOLEN.

7 (b) This subsection (3) also applies to:

8 (I) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an  
9 employee or volunteer of a harm reduction organization; OR A SCHOOL  
10 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL acting in  
11 accordance with section 12-42.5-120 (3)(d) ~~C.R.S.~~ AND, AS APPLICABLE,  
12 SECTION 22-1-119.1; AND

13 (II) A PERSON WHO ACTS IN GOOD FAITH TO FURNISH OR  
14 ADMINISTER AN OPIATE ANTAGONIST IN ACCORDANCE WITH SECTION  
15 25-20.5-901.

16 **SECTION 7.** In Colorado Revised Statutes, 18-1-712, **amend** (2)  
17 as follows:

18 **18-1-712. Immunity for a person who administers an opiate**  
19 **antagonist during an opiate-related drug overdose event - definitions.**

20 (2) **General immunity.** (a) A person, other than a health care provider  
21 or a health care facility, who acts in good faith to furnish or administer an  
22 opiate antagonist to an individual the person believes to be suffering an  
23 opiate-related drug overdose event or to an individual who is in a position  
24 to assist the individual at risk of experiencing an opiate-related overdose  
25 event is immune from criminal prosecution for the act OR FOR ANY ACT OR  
26 OMISSION MADE IF THE OPIATE ANTAGONIST IS STOLEN.

27 (b) This subsection (2) also applies to:

1 (I) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an  
2 employee or volunteer of a harm reduction organization; OR A SCHOOL  
3 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL acting in  
4 accordance with section 12-42.5-120 (3)(d) ~~C.R.S.~~ AND, AS APPLICABLE,  
5 SECTION 22-1-119.1; AND

6 (II) A PERSON WHO ACTS IN GOOD FAITH TO FURNISH OR  
7 ADMINISTER AN OPIATE ANTAGONIST IN ACCORDANCE WITH SECTION  
8 25-20.5-901.

9 **SECTION 8.** In Colorado Revised Statutes, 25-1-520, **add** (2.5)  
10 as follows:

11 **25-1-520. Clean syringe exchange programs - approval -**  
12 **reporting requirements.** (2.5) A PROGRAM DEVELOPED PURSUANT TO  
13 THIS SECTION MAY BE OPERATED IN A HOSPITAL LICENSED OR CERTIFIED  
14 BY THE STATE DEPARTMENT PURSUANT TO SECTION 25-1.5-103 (1)(a).

15 **SECTION 9.** In Colorado Revised Statutes, **add** 25-1.5-114 as  
16 follows:

17 **25-1.5-114. Opiate antagonist bulk purchase fund - creation**  
18 **- definition - rules - report.** (1) (a) THE OPIATE ANTAGONIST BULK  
19 PURCHASE FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY  
20 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF PAYMENTS  
21 MADE TO THE DEPARTMENT BY PARTICIPATING ELIGIBLE ENTITIES FOR THE  
22 PURCHASE OF OPIATE ANTAGONISTS; GIFTS, GRANTS, AND DONATIONS  
23 CREDITED TO THE FUND PURSUANT TO SUBSECTION (1)(b) OF THIS  
24 SECTION; AND ANY MONEY THAT THE GENERAL ASSEMBLY MAY  
25 APPROPRIATE OR TRANSFER TO THE FUND.

26 (b) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS,  
27 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE

1 PURPOSES OF THIS SECTION. THE DEPARTMENT SHALL TRANSMIT ALL  
2 MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE  
3 TREASURER, WHO SHALL CREDIT THE MONEY TO THE FUND.

4 (c) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND  
5 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE  
6 FUND TO THE FUND.

7 (2) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE  
8 DEPARTMENT FOR BULK PURCHASING OF OPIATE ANTAGONISTS. ELIGIBLE  
9 ENTITIES MAY PURCHASE OPIATE ANTAGONISTS FROM THE DEPARTMENT.  
10 THE DEPARTMENT MAY CONTRACT WITH A PRESCRIPTION DRUG OUTLET,  
11 AS DEFINED IN SECTION 12-42.5-102 (35), FOR THE BULK PURCHASING AND  
12 DISTRIBUTION OF OPIATE ANTAGONISTS. THE DEPARTMENT SHALL PROVIDE  
13 TECHNICAL ASSISTANCE TO PARTICIPATING ELIGIBLE ENTITIES TO ENSURE  
14 THAT ELIGIBLE ENTITIES COMPLETE ALL TRAINING AND REGISTRATION  
15 REQUIREMENTS.

16 (3) THE DEPARTMENT SHALL PROMULGATE RULES SPECIFYING THE  
17 AMOUNT AN ELIGIBLE ENTITY MUST PAY TO PURCHASE OPIATE  
18 ANTAGONISTS FROM THE DEPARTMENT.

19 (4) (a) NO LATER THAN OCTOBER 1, 2020, AND EVERY OCTOBER  
20 1 THEREAFTER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE  
21 EXECUTIVE DIRECTOR'S DESIGNEE SHALL REPORT TO THE HOUSE AND  
22 SENATE APPROPRIATIONS COMMITTEES, OR THEIR SUCCESSOR  
23 COMMITTEES, ON THE FUND'S ACTIVITY. THE REPORT MUST INCLUDE:

24 (I) REVENUE RECEIVED BY THE FUND;

25 (II) REVENUE AND EXPENDITURE PROJECTIONS FOR THE  
26 FORTHCOMING FISCAL YEAR AND DETAILS OF ALL EXPENDITURES FROM  
27 THE FUND;

1 (III) THE ELIGIBLE ENTITIES THAT PURCHASED OPIATE  
2 ANTAGONISTS;

3 (IV) THE AMOUNT OF OPIATE ANTAGONISTS PURCHASED BY EACH  
4 ELIGIBLE ENTITY; AND

5 (V) THE DISCOUNT PROCURED THROUGH BULK PURCHASING.

6 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT  
7 REQUIRED IN THIS SUBSECTION (4) CONTINUES INDEFINITELY.

8 (5) AS USED IN THIS SECTION, "ELIGIBLE ENTITY" MEANS:

9 (a) A UNIT OF LOCAL GOVERNMENT, AS DEFINED IN SECTION  
10 29-3.5-101 (4);

11 (b) A PERSON REQUIRED TO MAKE AN OPIATE ANTAGONIST  
12 AVAILABLE PURSUANT TO SECTION 25-20.5-901; OR

13 (c) THE FOLLOWING ENTITIES, IF THE ENTITY HAS ADOPTED A  
14 POLICY ALLOWING THE ACQUISITION, MAINTENANCE, AND  
15 ADMINISTRATION OF OPIATE ANTAGONISTS PURSUANT TO SECTION  
16 22-1-119.1:

17 (I) A SCHOOL DISTRICT BOARD OF EDUCATION OF A PUBLIC  
18 SCHOOL;

19 (II) THE STATE CHARTER SCHOOL INSTITUTE FOR AN INSTITUTE  
20 CHARTER SCHOOL; OR

21 (III) A GOVERNING BOARD OF A NONPUBLIC SCHOOL.

22 **SECTION 10.** In Colorado Revised Statutes, 25-15-328, **amend**  
23 (3) and (5) as follows:

24 **25-15-328. Household medication take-back program -**  
25 **collection and disposal of medication injection devices - creation -**  
26 **liability - definitions - cash fund - rules.** (3) (a) Subject to available  
27 funds, the executive director of the department shall establish a household

1 medication take-back program to collect and dispose of unused household  
2 medications. The program must allow for individuals to dispose of  
3 unused household medications at approved collection sites and for  
4 carriers to transport unused household medications from approved  
5 collection sites to disposal locations.

6 (b) STARTING IN THE 2020-21 FISCAL YEAR, THE EXECUTIVE  
7 DIRECTOR OF THE DEPARTMENT SHALL USE THE MONEY APPROPRIATED TO  
8 THE DEPARTMENT PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION TO  
9 IMPLEMENT A PROCESS FOR THE SAFE COLLECTION AND DISPOSAL OF  
10 NEEDLES, SYRINGES, AND OTHER DEVICES USED TO INJECT MEDICATION.  
11 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL DETERMINE THE  
12 PROCESSES AND LOCATIONS FOR THE SAFE COLLECTION AND DISPOSAL OF  
13 MEDICATION INJECTION DEVICES.

14 (5) (a) The household medication take-back cash fund is created  
15 in the state treasury for the direct and indirect costs associated with the  
16 implementation of this section. The fund consists of ~~moneys~~ MONEY  
17 appropriated or transferred to the fund by the general assembly and any  
18 gifts, grants, and donations from any public or private entity. The  
19 department shall transmit gifts, grants, and donations collected by the  
20 department to the state treasurer, who shall credit the ~~moneys~~ MONEY to  
21 the fund. The ~~moneys~~ MONEY in the fund ~~are~~ IS subject to annual  
22 appropriation by the general assembly.

23 (b) FOR THE 2020-21 FISCAL YEAR AND EACH YEAR THEREAFTER,  
24 THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM THE GENERAL  
25 FUND TO THE DEPARTMENT FOR THE PURPOSE OF EXPANDING THE  
26 HOUSEHOLD MEDICATION TAKE-BACK PROGRAM TO INCLUDE THE SAFE  
27 COLLECTION AND DISPOSAL OF MEDICATION INJECTION DEVICES PURSUANT

1 TO SUBSECTION (3)(b) OF THIS SECTION.

2 **SECTION 11.** In Colorado Revised Statutes, **add** part 9 to article  
3 20.5 of title 25 as follows:

4 PART 9  
5 REQUIREMENT TO MAKE OPIATE  
6 ANTAGONISTS AVAILABLE

7 **25-20.5-901. Requirement to make opiate antagonists**  
8 **available - bulk purchasing - immunity.** (1) A PERSON THAT MAKES A  
9 DEFIBRILATOR OR AED, AS DEFINED IN SECTION 13-21-108.1, AVAILABLE  
10 TO AID THE GENERAL PUBLIC SHALL ALSO MAKE AVAILABLE AN OPIATE  
11 ANTAGONIST TO AID AN INDIVIDUAL BELIEVED TO BE SUFFERING AN  
12 OPIATE-RELATED DRUG OVERDOSE EVENT OR TO AN INDIVIDUAL WHO IS IN  
13 A POSITION TO ASSIST THE INDIVIDUAL AT RISK OF EXPERIENCING AN  
14 OPIATE-RELATED DRUG OVERDOSE EVENT.

15 (2) A PERSON REQUIRED TO MAKE AN OPIATE ANTAGONIST  
16 AVAILABLE IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION IS  
17 ELIGIBLE TO PURCHASE OPIATE ANTAGONISTS FROM THE DEPARTMENT IN  
18 ACCORDANCE WITH SECTION 25-1.5-114.

19 (3) A PERSON WHO ACTS IN GOOD FAITH TO FURNISH OR  
20 ADMINISTER AN OPIATE ANTAGONIST TO AN INDIVIDUAL THE PERSON  
21 BELIEVES TO BE SUFFERING AN OPIATE-RELATED DRUG OVERDOSE EVENT  
22 OR TO AN INDIVIDUAL WHO IS IN A POSITION TO ASSIST THE INDIVIDUAL AT  
23 RISK OF EXPERIENCING AN OPIATE-RELATED DRUG OVERDOSE EVENT IS  
24 NOT SUBJECT TO CIVIL LIABILITY OR CRIMINAL PROSECUTION, AS SPECIFIED  
25 IN SECTIONS 13-21-108.7 (3) AND 18-1-712 (2), RESPECTIVELY.

26 (4) THIS SECTION DOES NOT APPLY TO AN ELEMENTARY OR  
27 SECONDARY PUBLIC OR NONPUBLIC SCHOOL.

1           **SECTION 12.** In Colorado Revised Statutes, **add** 27-80-119 as  
2 follows:

3           **27-80-119. Mobile response units.** (1) ON OR BEFORE JULY 1,  
4 2020, THE DEPARTMENT SHALL ENSURE THAT MOBILE RESPONSE UNITS ARE  
5 AVAILABLE TO PROVIDE:

6           (a) MEDICATION-ASSISTED TREATMENT IN JAILS AND DEPARTMENT  
7 OF CORRECTIONS FACILITIES; AND

8           (b) COMMUNITY-BASED OPIATE ANTAGONIST TRAINING FOR  
9 AT-RISK POPULATIONS.

10           **SECTION 13.** In Colorado Revised Statutes, 27-82-103, **amend**  
11 (5) as follows:

12           **27-82-103. Standards for public and private treatment**  
13 **facilities - fees - enforcement procedures - penalties.** (5) (a) The office  
14 of behavioral health, after hearing, may suspend, revoke, limit, restrict,  
15 or refuse to grant an approval for failure to meet its standards.

16           (b) THE OFFICE OF BEHAVIORAL HEALTH SHALL NOT TAKE ACTION  
17 UNDER SUBSECTION (5)(a) OF THIS SECTION AGAINST A FACILITY THAT  
18 INITIATES AN INDIVIDUAL INTO TREATMENT WHO DOES NOT HAVE  
19 DOCUMENTATION VERIFYING IDENTITY. IN ORDER TO CONTINUE  
20 TREATMENT AT THE FACILITY, THE INDIVIDUAL MUST PROVIDE THE  
21 REQUIRED DOCUMENTATION VERIFYING IDENTITY WITHIN SIX WEEKS  
22 AFTER INITIAL TREATMENT AT THE FACILITY.

23           **SECTION 14.** In Colorado Revised Statutes, 12-30-110, **amend**  
24 **as relocated by House Bill 19-1172** (1)(a)(III), (1)(a)(IV), (1)(b)  
25 introductory portion, (2)(b), (3) introductory portion, (3)(c), and (4)(b);  
26 and **add** (1)(a)(V), (1)(a)(VI), and (7)(i.5) as follows:

27           **12-30-110. Prescribing or dispensing opiate antagonists -**

1 **authorized recipients - definitions.** (1) (a) A prescriber may prescribe  
2 or dispense, directly or in accordance with standing orders and protocols,  
3 and a pharmacist may dispense, pursuant to an order or standing orders  
4 and protocols, an opiate antagonist to:

5 (III) An employee or volunteer of a harm reduction organization;

6 ~~or~~

7 (IV) A LAW ENFORCEMENT AGENCY OR first responder;

8 (V) A SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A  
9 SCHOOL; OR

10 (VI) A PERSON DESCRIBED IN SECTION 25-20.5-901.

11 (b) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an  
12 employee or volunteer of a harm reduction organization; A SCHOOL  
13 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL; OR A PERSON  
14 DESCRIBED IN SECTION 25-20.5-901 may, pursuant to an order or standing  
15 orders and protocols:

16 (2) (b) A LAW ENFORCEMENT AGENCY, first responder, ~~or~~ harm  
17 reduction organization, OR PERSON DESCRIBED IN SECTION 25-20.5-901 is  
18 strongly encouraged to educate its employees and volunteers, as well as  
19 persons receiving an opiate antagonist from the LAW ENFORCEMENT  
20 AGENCY, first responder, ~~or~~ harm reduction organization, OR PERSON  
21 DESCRIBED IN SECTION 25-20.5-901 on the use of an opiate antagonist for  
22 overdose, including instruction concerning risk factors for overdose,  
23 recognizing an overdose, calling emergency medical services, rescue  
24 breathing, and administering an opiate antagonist.

25 (3) NEITHER a prescriber described in subsection (7)(h)(I) of this  
26 section ~~or~~ NOR A pharmacist ~~does not engage~~ ENGAGES in unprofessional  
27 conduct pursuant to section 12-240-121 or 12-280-126, respectively, and



1 a prescriber described in subsection (7)(h)(II) of this section does not  
2 engage in conduct that is grounds for discipline pursuant to section  
3 12-255-120, if the prescriber issues standing orders and protocols  
4 regarding opiate antagonists or prescribes or dispenses, or the pharmacist  
5 dispenses, pursuant to an order or standing orders and protocols, an opiate  
6 antagonist in a good-faith effort to assist:

7 (c) ~~A first responder or an employee or volunteer of a harm~~  
8 ~~reduction organization~~ THE FOLLOWING PERSONS in responding to,  
9 treating, or otherwise assisting an individual who is experiencing or is at  
10 risk of experiencing an opiate-related drug overdose event or a friend,  
11 family member, or other person in a position to assist an at-risk  
12 individual:

13 (I) A LAW ENFORCEMENT AGENCY OR FIRST RESPONDER;

14 (II) AN EMPLOYEE OR VOLUNTEER OF A HARM REDUCTION  
15 ORGANIZATION;

16 (III) A SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A  
17 SCHOOL; OR

18 (IV) A PERSON DESCRIBED IN SECTION 25-20.5-901.

19 (4) (b) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an  
20 employee or volunteer of a harm reduction organization; A SCHOOL  
21 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL; OR A PERSON  
22 DESCRIBED IN SECTION 25-20.5-901 acting in accordance with this section  
23 is not subject to civil liability or criminal prosecution, as specified in  
24 sections 13-21-108.7 (3) and 18-1-712 (2), respectively.

25 (7) As used in this section:

26 (i.5) "SCHOOL" MEANS AN ELEMENTARY OR SECONDARY PUBLIC OR  
27 NONPUBLIC SCHOOL WHOSE GOVERNING AUTHORITY HAS ADOPTED AND

1 IMPLEMENTED A POLICY PURSUANT TO SECTION 22-1-119.1.

2           **SECTION 15.** In Colorado Revised Statutes, 12-280-107, **amend**  
3 **as relocated by House Bill 19-1172** (2) as follows:

4           **12-280-107. Rules.** (2) On or before January 1, ~~2016~~ 2020, the  
5 board shall adopt or amend rules as necessary to permit the dispensing of  
6 an opiate antagonist in accordance with sections 12-30-110 and  
7 12-280-123 (3).

8           **SECTION 16. Effective date - applicability.** (1) This act takes  
9 effect upon passage; except that sections 14 and 15 of this act take effect  
10 only if House Bill 19-1172 becomes law, in which case sections 14 and  
11 15 take effect October 1, 2019.

12           (2) This act applies to conduct occurring on or after the effective  
13 date of this act.

14           **SECTION 17. Safety clause.** The general assembly hereby finds,  
15 determines, and declares that this act is necessary for the immediate  
16 preservation of the public peace, health, and safety.