

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 21-0535.01 Yelana Love x2295

SENATE BILL 21-011

SENATE SPONSORSHIP

Fields, Priola, Ginal

HOUSE SPONSORSHIP

Mullica and Pelton, Amabile, Bernett, Bird, Boesenecker, Cutter, Duran, Esgar, Froelich, Gonzales-Gutierrez, Gray, Jodeh, Lontine, McCluskie, McCormick, Michaelson Jenet, Ortiz, Ricks, Sirota, Snyder, Titone, Valdez A., Valdez D., Young

Senate Committees

Health & Human Services
Appropriations

House Committees

Public & Behavioral Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING RESPONSIBILITIES OF A PHARMACIST RELATED TO**
102 **OPIATE ANTAGONISTS.**

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 authorizes a pharmacist to prescribe an opiate antagonist.

The bill requires a pharmacist who dispenses an opioid to an individual to inform the individual of the potential dangers of a high dose of opioid and offer to prescribe the individual an opiate antagonist if:

- In the pharmacist's professional judgment, the individual would benefit from the information;

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.*

HOUSE
3rd Reading Unamended
May 17, 2021

HOUSE
2nd Reading Unamended
May 14, 2021

SENATE
3rd Reading Unamended
April 28, 2021

SENATE
Amended 2nd Reading
April 27, 2021

- The individual has a history of prior opioid overdose or substance use disorder;
- The individual is, at the same time, prescribed a benzodiazepine, a sedative hypnotic drug, carisoprodol, tramadol, or gabapentin; or
- The opioid prescription being dispensed is at or in excess of 90 morphine milligram equivalent.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-280-123, **amend**
 3 (1)(c) ___ as follows:

4 **12-280-123. Prescription required - exception - dispensing**
 5 **opiate antagonists - selling nonprescription syringes and needles.**

6 (1) (c) (I) A pharmacist who dispenses a prescription order for a
 7 prescription drug that is an opioid shall ~~notify the individual to whom the~~
 8 ~~opioid is being dispensed about the availability of an opiate antagonist at~~
 9 ~~no charge to the individual when, in the pharmacist's professional~~
 10 ~~judgment, the individual would benefit from the notification~~ INFORM THE
 11 INDIVIDUAL OF THE POTENTIAL DANGERS OF A HIGH DOSE OF AN OPIOID, AS
 12 DESCRIBED BY THE FEDERAL CENTERS FOR DISEASE CONTROL AND
 13 PREVENTION IN THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN
 14 SERVICES, AND OFFER TO ___ DISPENSE TO THE INDIVIDUAL TO WHOM THE
 15 OPIOID IS BEING DISPENSED, ON AT LEAST AN ANNUAL BASIS, AN OPIATE
 16 ANTAGONIST APPROVED BY THE FDA FOR THE REVERSAL OF AN OPIOID
 17 OVERDOSE IF:

18 ___

19 (A) THE INDIVIDUAL IS, AT THE SAME TIME, PRESCRIBED A
 20 BENZODIAZEPINE, A SEDATIVE HYPNOTIC DRUG, CARISOPRODOL,
 21 TRAMADOL, OR GABAPENTIN; OR

22 (B) THE OPIOID PRESCRIPTION IS AT OR IN EXCESS OF NINETY

1 MORPHINE MILLIGRAM EQUIVALENT, AS DESCRIBED IN THE GUIDELINES OF
2 THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION.

3 (II) NOTWITHSTANDING SECTION 12-30-110 (2)(a), IF AN
4 INDIVIDUAL TO WHOM AN OPIOID IS BEING DISPENSED CHOOSES TO ACCEPT
5 THE PHARMACIST'S OFFER FOR AN OPIATE ANTAGONIST, THE PHARMACIST
6 SHALL COUNSEL THE INDIVIDUAL ON HOW TO USE THE OPIATE ANTAGONIST
7 IN THE EVENT OF AN OVERDOSE. THE PHARMACIST SHALL NOTIFY THE
8 INDIVIDUAL OF AVAILABLE GENERIC AND BRAND-NAME OPIATE
9 ANTAGONISTS.

10 (III) THIS SUBSECTION (1)(c) DOES NOT APPLY TO A PHARMACIST
11 DISPENSING A PRESCRIPTION MEDICATION TO:

12 (A) A PATIENT WHO IS IN HOSPICE OR PALLIATIVE CARE; AND

13 (B) A RESIDENT IN A VETERANS COMMUNITY LIVING CENTER, AS
14 DEFINED IN SECTION 26-12-102 (7). _____

15 **SECTION 2.** **Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly; except
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V
19 of the state constitution against this act or an item, section, or part of this
20 act within such period, then the act, item, section, or part will not take
21 effect unless approved by the people at the general election to be held in
22 November 2022 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.