

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

REREVISED

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

LLS NO. 21-0236.01 Kristen Forrestal x4217

HOUSE BILL 21-1012

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A BILL FOR AN ACT

101 **CONCERNING EXPANSION OF THE PRESCRIPTION DRUG MONITORING**
102 **PROGRAM TO TRACK INFORMATION REGARDING ALL**
103 **PRESCRIPTION DRUGS PRESCRIBED IN COLORADO, AND, IN**
104 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

Current law requires the prescription drug monitoring program (program) to track all controlled substances prescribed in Colorado. The bill expands the program, effective February 1, 2023, to track all

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.

SENATE
3rd Reading Unamended
May 27, 2021

SENATE
Amended 2nd Reading
May 26, 2021

HOUSE
3rd Reading Unamended
May 10, 2021

HOUSE
Amended 2nd Reading
May 7, 2021

prescription drugs prescribed in this state. The bill extends the repeal of the program until September 1, 2028.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-280-404, amend
3 (2) as follows:

4 **12-280-404. Program operation - access - rules - definitions -**
5 **repeal.** (2) (a) The board shall adopt all rules necessary to implement the
6 program.

7 (b) THE BOARD SHALL DETERMINE IF THE PROGRAM SHOULD
8 TRACK ALL PRESCRIPTION DRUGS PRESCRIBED IN THIS STATE. IF THE
9 BOARD MAKES SUCH DETERMINATION, THE BOARD SHALL PROMULGATE
10 RULES ON OR BEFORE JUNE 1, 2022, TO INCLUDE ALL PRESCRIPTION DRUGS
11 IN THE PROGRAM. IF THE BOARD DETERMINES THAT ONE OR MORE
12 PRESCRIPTION DRUGS SHOULD NOT BE TRACKED THROUGH THE PROGRAM,
13 THE BOARD SHALL PUBLICLY NOTE THE JUSTIFICATION FOR SUCH
14 EXCLUSION DURING THE RULE-MAKING PROCESS.

15 **SECTION 2. Appropriation.** (1) For the 2021-22 state fiscal
16 year, \$61,118 is appropriated to the department of regulatory agencies for
17 use by the division of professions and occupations. This appropriation is
18 from the prescription drug monitoring fund created in section 12-280-405
19 (1), C.R.S. To implement this act, the division may use this appropriation
20 as follows:

21 (a) \$53,838 for personal services, which amount is based on an
22 assumption that the division will require an additional 0.8 FTE; and

23 (b) \$7,280 for operating expenses."

24 **SECTION 3. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly; except
2 that, if a referendum petition is filed pursuant to section 1 (3) of article V
3 of the state constitution against this act or an item, section, or part of this
4 act within such period, then the act, item, section, or part will not take
5 effect unless approved by the people at the general election to be held in
6 November 2022 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.