



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated March 08, 2021)

Drafting Number:	LLS 21-0535	Date:	March 29, 2021
Prime Sponsors:	Sen. Fields Rep. Mullica; Pelton	Bill Status:	Senate Appropriations
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Bill Topic: PHARMACIST PRESCRIBE DISPENSE OPIATE ANTAGONIST

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires pharmacists to implement new dispensing procedures for opioid medications. The bill increases state expenditures on an ongoing basis.

Appropriation Summary: No appropriation is required. Costs are paid from funds continuously appropriated to the Department of Human Services.

Fiscal Note Status: This fiscal note reflects the bill as amended by the Senate Health & Human Services Committee and reflects additional information.

**Table 1
State Fiscal Impacts Under SB 21-011**

		Budget Year FY 2021-22	Out Year FY 2022-23
Revenue		-	-
Expenditures	Cash Funds	\$92,812	\$123,749
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

The bill requires pharmacists who dispense opioids to inform individuals of the potential dangers of a high dose of an opioid, and offer to dispense them an opiate antagonist if:

- the individual is also prescribed a benzodiazepine, a sedative hypnotic drug, carisoprodol, tramadol, or gabapentin; or
- the opioid prescription being dispensed is 90 morphine milligram equivalent or greater.

The bill does not apply to pharmacists dispensing medication to a patient who is in hospice or palliative care.

Background

The Office of Adult, Aging and Disability Services in the Department of Human Services (DHS) operates five Veterans Community Living Centers (VCLCs) that serve honorably discharged veterans, their spouses/widows, and Gold Star parents of children who died while serving in the armed forces. Four of the five VCLCs, located throughout the state, are served by a single pharmacy in Aurora. The Office of Behavioral Health, also in the DHS, operates two mental health institutes that have their own pharmacies.

State Expenditures

The bill increases cash fund expenditures in the DHS by \$92,812 in FY 2021-22, and by \$123,749 in out years from the Central Fund for Veterans Community Living Centers. The bill also minimally increases workload in the Department of Regulatory Agencies for FY 2021-22, and may increase trial court workload on an ongoing basis.

Department of Human Services. The bill will have various impacts on DHS pharmacies, as discussed below.

- *VCLC pharmacy.* Beginning in FY 2021-22, the pharmacy that serves four of the state's VCLCs will be required to stock opiate antagonists and provide information to facility residents, and to prescribe or dispense an opiate antagonist when applicable. DHS will also be required to pay for pharmacists to travel to dispense the antagonists and provide consultations to VCLC residents with opioid prescriptions. This will require backfilling the pharmacists' duties at the pharmacy while traveling to the three facilities that do not operate their own pharmacy. These costs are estimated at \$123,749 per year, and will be paid from the Central Fund for Veterans Community Living Centers, which is continuously appropriated to DHS. The costs include \$108,528 for pharmacy costs, \$13,968 for travel costs and \$1,253 for the purchase of opiate antagonists. These costs are prorated for FY 2021-22 to account for the effective date of the bill with the petition clause.
- *Mental Health Institute pharmacies.* The bill will also require pharmacy staff at the state's two mental health institutes to implement new dispensing procedures for opioid medications. However, this workload can be accomplished within existing appropriations.

Department of Regulatory Agencies. The bill may require the department to conduct outreach and education to pharmacists about the new requirements. It will also require rule amendments by the State Board of Pharmacy. No increase in appropriations is required.

Judicial Department. The bill could increase civil case filings in trial courts if pharmacists fail to act in accordance with the law. However, due to the high likelihood that pharmacists will comply with the new law, any increase in cases as a result of this legislation will be minimal and can be addressed within existing appropriations.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Health Care Policy and Financing
Information Technology
Law
Human Services

Human Services
Judicial
Regulatory Agencies