



Legislative Council Staff

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Fiscal Note

Drafting Number:	LLS 22-0222	Date:	February 2, 2022
Prime Sponsors:	Sen. Smallwood; Rodriguez Rep. Michaelson Jenet; Larson	Bill Status:	Senate HHS
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Bill Topic: **PRESCRIPTION DRUG MONITORING PROGRAM**

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 implements performance audit recommendations for the Prescription Drug Monitoring Program. It increases state workload in FY 2022-23 only.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill, which was recommended by the Legislative Audit Committee.

Summary of Legislation

Current law requires the Prescription Drug Monitoring Program (PDMP) in the Department of Regulatory Agencies (DORA) to track all controlled substances prescribed in Colorado and prescribers are required to query the PDMP prior to prescribing a second fill of any opioid or benzodiazepine prescription. The bill makes modifications to the PDMP, including:

- requiring each prescriber holding a Colorado license and a current federal Drug Enforcement Administration (DEA) registration to register and maintain a PDMP user account;
- requiring a prescriber to query the PDMP prior to prescribing any opioid or benzodiazepine;
- clarifying that each pharmacist holding a Colorado license is required to maintain a user account with the PDMP; and
- requiring that the Prescription Drug Monitoring Task Force evaluate and make recommendations to the Executive Director of DORA regarding balancing enforcement of the PDMP with its use as a healthcare tool.

Background

The PDMP performance audit was published by the Office of the State Auditor in March 2021: <https://leg.colorado.gov/audits/colorado-prescription-drug-monitoring-program>.

State Expenditures

For FY 2022-23, this bill will minimally increase workload in the Division of Professions and Occupations in DORA to conduct rulemaking, policy revisions, outreach, and education. No change in appropriations is required.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Health Care Policy and Financing

Information Technology

Regulatory Agencies