



Legislative Council Staff

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Fiscal Note

Drafting Number:	LLS 24-1151	Date:	April 15, 2024
Prime Sponsors:	Sen. Ginal; Kirkmeyer Rep. Hartsook; Ortiz	Bill Status:	Senate State Affairs
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Bill Topic: **RX DRUG BOARD CONSIDER RARE DISEASE ADVISORY COUNCIL**

Summary of Fiscal Impact:

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

The bill requires the Colorado Prescription Drug Affordability Review Board to consider input from various stakeholders before and during the affordability review process. It minimally increases state workload starting in FY 2024-25.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

When determining whether to conduct an affordability review for a prescription drug, the bill requires the Colorado Prescription Drug Affordability Review Board (PDAB) to consider whether the prescription drug has an approved orphan drug designation for one or more rare diseases and no other indications. If so, the PDAB must also consider input from consumers and the Colorado Rare Disease Advisory Council in the Colorado Department of Public Health and Environment (CDPHE).

The PDAB must also consider input from the Colorado Rare Disease Advisory Council when performing an affordability review for a prescription drug.

Background

The PDAB is a Type 1 board in the Division of Insurance in the Department of Regulatory Agencies (DORA) with the authority to review prescription drug costs, evaluate their impact on Coloradans, and set an upper payment limit for prescription drugs that are deemed unaffordable.

State Expenditures

The bill minimally increases workload for the PDAB in DORA to update the drug affordability review process and consider input from consumers and the Colorado Rare Disease Advisory Council for certain prescription drugs. The department may require legal counsel, provided by the Department of Law, related to implementation and ongoing administration of the program. Any increase in workload can be accomplished within existing appropriations.

The bill may also minimally increase workload for the Colorado Rare Disease Advisory Council in CDPHE to provide input to the PDAB. No change in appropriations is required.

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

Public Health and Environment

Regulatory Agencies

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).