

## CHAPTER 97

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**PROFESSIONS AND OCCUPATIONS**

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**HOUSE BILL 97-1025**

BY REPRESENTATIVES S. Johnson, Arrington, Clarke, Gotlieb, Lawrence, and Mace;  
also SENATOR Schroeder.

**AN ACT**

CONCERNING END-STAGE RENAL DIALYSIS.

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

**SECTION 1.** 12-22-116.5, Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

**12-22-116.5. Exemptions from licensure - hospital residency programs - home renal dialysis.** (1) The board shall have the authority to approve hospital residency programs in the practice of pharmacy. Persons accepted into an approved hospital residency program who are licensed to practice pharmacy in another state shall be exempt from the licensing requirements of this part 1 so long as their practice is limited to participation in the residency program.

(2) THIS ARTICLE SHALL NOT APPLY TO THE SALE OR DELIVERY OF A DIALYSIS SOLUTION IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

(a) THE SALE OR DELIVERY IS MADE DIRECTLY BY THE MANUFACTURER TO A PERSON WITH CHRONIC KIDNEY FAILURE OR TO THE DESIGNEE OF SUCH A PERSON;

(b) SUCH SALE OR DELIVERY IS FOR THE PURPOSE OF SELF-ADMINISTRATION BY THE PERSON PURSUANT TO AN ORDER BY A PHYSICIAN LAWFULLY PRACTICING IN THIS STATE; AND

(c) THE SOLUTION IS SOLD OR DELIVERED IN ORIGINAL PACKAGES, PROPERLY LABELED, AND UNADULTERATED IN ACCORDANCE WITH THE REQUIREMENTS OF THE "COLORADO FOOD AND DRUG ACT", PART 4 OF ARTICLE 5 OF TITLE 25, C.R.S., AND THE FEDERAL "FOOD, DRUG, AND COSMETIC ACT".

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 19, 1997