

CHAPTER 265

PROFESSIONS AND OCCUPATIONS

SENATE BILL 07-204

BY SENATOR(S) Tochtrop, Boyd, Fitz-Gerald, Groff, Hagedorn, Spence, Tupa, and Williams;
also REPRESENTATIVE(S) Primavera, Frangas, McGihon, and Todd.

AN ACT**CONCERNING THE CREATION OF A FUNDING SOURCE FOR THE PRESCRIPTION DRUG MONITORING PROGRAM, AND MAKING AN APPROPRIATION THEREFOR.**

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

SECTION 1. 12-22-706 (2), (3), and (4), Colorado Revised Statutes, are amended, and the said 12-22-706 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

12-22-706. Prescription drug monitoring fund - creation - gifts, grants, and donations - fee. (2) ~~The provisions of this part 7 shall not be required unless there are moneys in the fund to implement and maintain the program. If sufficient gifts, grants, or donations are not identified and guaranteed on or before October 1, 2006, to implement the program, this part 7 shall not take effect. No moneys from the general fund shall be used to implement or maintain the program. The license and registration fees collected pursuant to section 12-22-114 shall not be increased to implement or maintain the program.~~

(3) ~~Subsequent to the implementation of~~ AFTER IMPLEMENTING the program, the board shall seek gifts, grants, and donations on an annual basis for the purpose of maintaining the program. THE BOARD SHALL REPORT ANNUALLY TO THE HEALTH AND HUMAN SERVICES COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, REGARDING THE GIFTS, GRANTS, AND DONATIONS REQUESTED, OF WHOM THEY WERE REQUESTED, AND THE AMOUNTS RECEIVED.

(4) ~~If the fund does not contain at least four hundred thousand dollars as of October 1, 2006, the board shall notify the state treasurer and the revisor of statutes, and this part 7 shall be repealed, effective October 1, 2006.~~

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

(5) IF, BASED UPON THE APPROPRIATIONS FOR THE DIRECT AND INDIRECT COSTS OF THE PROGRAM, THERE ARE INSUFFICIENT FUNDS TO MAINTAIN THE PROGRAM, THE BOARD MAY COLLECT A FEE OF NO MORE THAN SEVEN DOLLARS AND FIFTY CENTS PER YEAR FROM AN INDIVIDUAL WHO HOLDS A LICENSE FROM THE DIVISION THAT AUTHORIZES HIM OR HER TO PRESCRIBE A CONTROLLED SUBSTANCE AS DEFINED BY SECTION 18-18-102, C.R.S. THE FEE SHALL BE ESTABLISHED PURSUANT TO SECTION 24-34-105, C.R.S., AND SHALL BE COLLECTED IN CONJUNCTION WITH THE LICENSE RENEWAL FEES COLLECTED PURSUANT TO SECTION 24-34-105, C.R.S. MONEYS COLLECTED PURSUANT TO THIS SUBSECTION (5) SHALL BE CREDITED TO THE PRESCRIPTION DRUG MONITORING FUND CREATED IN SUBSECTION (1) OF THIS SECTION.

SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of registrations, for the prescription drug monitoring program, for the fiscal year beginning July 1, 2007, the sum of thirty-one thousand two hundred sixty-seven dollars (\$31,267), or so much thereof as may be necessary, for the implementation of this act.

SECTION 3. 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: May 22, 2007