

CHAPTER 252

PROFESSIONS AND OCCUPATIONS

SENATE BILL 10-197

BY SENATOR(S) Hodge, Boyd, Tochtrop;
also REPRESENTATIVE(S) Riesberg, Apuan, Gerou, Kerr J., Labuda, Massey, Todd.

AN ACT

CONCERNING EXEMPTING THE TRANSFER OF PRESCRIPTION DRUGS PURCHASED WITH PUBLIC FUNDS BY PUBLIC ENTITIES FROM THE DEFINITION OF "WHOLESALE DISTRIBUTION" OF PRESCRIPTION DRUGS.

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

SECTION 1. 12-22-801 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-22-801. Definitions - exemption from licensing requirements. (2) For the purposes of this part 8, "wholesale distribution" means distribution of prescription drugs to persons or entities other than a consumer or patient. "Wholesale distribution" does not include:

(n) THE TRANSFER OF PRESCRIPTION DRUGS WITHIN COLORADO PURCHASED WITH PUBLIC FUNDS BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, CREATED IN SECTION 25-1-102, C.R.S., OR A DISTRICT OR COUNTY PUBLIC HEALTH AGENCY, CREATED PURSUANT TO SECTION 25-1-506, C.R.S., AND PROCURED BY A PHYSICIAN LICENSED IN COLORADO WHO IS EITHER THE EXECUTIVE DIRECTOR OR THE CHIEF MEDICAL OFFICER APPOINTED PURSUANT TO SECTION 25-1-105, C.R.S., OR A PUBLIC HEALTH DIRECTOR OR MEDICAL OFFICER OF A COUNTY OR DISTRICT PUBLIC HEALTH AGENCY SELECTED PURSUANT TO SECTION 25-1-508 (5) (c) (I), C.R.S. THE TRANSFERS MAY ONLY BE MADE TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO THE COLORADO MEDICAL LICENSE OF THE EXECUTIVE DIRECTOR OR CHIEF MEDICAL OFFICER, A DISTRICT OR COUNTY PUBLIC HEALTH AGENCY PURSUANT TO THE COLORADO MEDICAL LICENSE OF THE PUBLIC HEALTH DIRECTOR OR MEDICAL OFFICER, OR A PHYSICIAN LICENSED IN COLORADO.

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: May 21, 2010