

Support SB25-289: Creation of A Drug Donation Program

Sponsors:

Senator Lisa Cutter and Representative Kyle Brown

Bill Summary:

- SB25-289 amends statutory provisions related to unused prescription medicine to allow individuals in legal possession of unused medicine to donate these medicines to a donation recipient such as a pharmacy or other entity allowed to dispense medications.
- **Who can donate unused and unopened medications?** - Any person in possession of an unopened and unused prescription medication will be able to donate to a participating pharmacy or dispensing organization. This will also apply to certain facilities such as nursing homes, assisted living residencies, hospice care or other facilities in legal position of unused and unopened medications. The law currently allows return of medications within certain institutional settings such as prisons and nursing homes.
- **Who can receive donated medications?** - A donation recipient can be any licensed, eligible, and/or certified in good standing redistribution center such as a pharmacy, clinic, health-care provider, or prescriber's office, third-party logistics provider, repackager, and/or hospital. Eligible donation recipients can opt in to participate; the program is not mandatory. This bill also specifies how the donation receiving entity examines and determines if the medicine can be re-dispensed.
- **Who can be prescribed donated medications?** - Any person in Colorado can request donated medications at no cost. Donation recipients will be allowed to charge a nominal fee to cover re-dispensing.
- **Can controlled substances, such as pain medicines, be donated and re-dispensed?** NO. Opioids and other scheduled medications are included in the list of prohibited medicines. Other medicines that are prohibited include drugs that require special storage conditions such as refrigeration unless storage conditions can be verified.
- **Does SB25-289 have a fiscal note?** - No, the creation of a drug donation program in Colorado creates the framework for a drug donation program. Program participation is voluntary. There is no cost to taxpayers.

The Problem:

Despite important strides in Colorado to improve health care affordability, 9.7% of Colorado citizens reported being unable to fill their prescription due to cost. Of those individuals, 40% stated their health condition worsened as a result of being unable to obtain their medications.¹

A Common-Sense Solution:

Every year, the United States spends over \$5.4 billion to dispose of unused prescription medicines from nursing homes, assisted living residences, hospices, and jails. Additionally, many left-over prescriptions are flushed down the toilet or thrown into regular trash. The harm to the environment is immeasurable.

¹Colorado Health Institute (2022, October 31). A Dose of Reality: Prescription Drugs in Colorado. <https://www.coloradohealthinstitute.org/research/dose-reality-prescription-drugs-colorado>

By supporting SB25-289, policymakers have an opportunity to create a legal framework for unopened and unused medication to become available for Coloradans who cannot afford their medication.

The creation of a drug repository program, including best practices from other states and safety provisions, have been extensively researched by a task force created by SB22-098.

SB25-289 Goals:

- Reduce financial barriers and increase access for uninsured and underinsured Coloradans to essential medications.
- Lower state costs for disposal of unused prescription medicines.
- Decrease the burden on emergency departments and other healthcare institutions from individuals suffering from untreated conditions due to the lack of ability to access medications.
- Address healthcare disparities for vulnerable populations.
- Ensure broader access to necessary medicines, creating a more equitable healthcare system and a healthier Colorado.

Supporters of SB25-289 Include:

- Advocates for Compassionate Therapy Now
- American Diabetes Association
- Chronic Care Collaborative
- Chronically Informed
- Colorado Consumer Health Initiative
- Colorado Gerontological Society
- Colorado Pharmacists Society
- Healthier Colorado
- Lupus Colorado
- Parkinson Association of the Rockies
- SIRUM
- Vivent Health

For more information, please contact Sara Froelich, at sara.froelich@ccc-co.org, or Mai Gross, at mai.gross@ccc-co.org, representing the Chronic Care Collaborative.