

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

May 3, 2016
Date

Committee on Health, Insurance, & Environment.

After consideration on the merits, the Committee recommends the following:

SB16-135 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 2, line 14, strike "AND".
- 2 Page 2, line 16, strike "PROVIDERS." and substitute "PROVIDERS; AND
- 3 (d) A REIMBURSEMENT RATE HAS BEEN SUCCESSFULLY
- 4 NEGOTIATED IN GOOD FAITH BETWEEN THE PHARMACIST AND THE HEALTH
- 5 PLAN".
- 6 Page 3, line 17, strike "BOARD" and substitute "BOARD, THE COLORADO
- 7 MEDICAL BOARD, AND THE STATE BOARD OF NURSING".
- 8 Page 3, strike lines 18 through 21 and substitute "AND ENVIRONMENT FOR
- 9 PUBLIC HEALTH CARE SERVICES".
- 10 Page 4, strike line 6 and substitute "INSURANCE AS DETERMINED BY THE
- 11 BOARD;".
- 12 Page 4, strike lines 12 through 17 and substitute:
- 13 "(2) UNLESS A STATEWIDE PROTOCOL IS IN PLACE, A PHARMACIST
- 14 MAY NOT ENTER INTO A COLLABORATIVE PHARMACY PRACTICE
- 15 AGREEMENT WITH A PHYSICIAN OR ADVANCED PRACTICE NURSE IF THE
- 16 PHYSICIAN OR ADVANCED PRACTICE NURSE DOES NOT HAVE AN
- 17 ESTABLISHED RELATIONSHIP WITH THE PATIENT OR PATIENTS WHO WILL BE

1 SERVED BY THE PHARMACIST UNDER THE COLLABORATIVE PHARMACY
2 PRACTICE AGREEMENT.

3 (3) FOR A PHARMACIST TO PROVIDE HEALTHCARE SERVICES UNDER
4 A STATEWIDE PROTOCOL, A PROCESS MUST BE IN PLACE FOR THE
5 PHARMACIST TO COMMUNICATE WITH A PATIENT'S PRIMARY CARE
6 PROVIDER AND DOCUMENT CHANGES TO THE PATIENT'S MEDICAL RECORD.
7 IF THE PATIENT DOES NOT HAVE A PRIMARY CARE PROVIDER, OR IS UNABLE
8 TO PROVIDE CONTACT INFORMATION FOR HIS OR HER PRIMARY CARE
9 PROVIDER, THE PHARMACIST SHALL PROVIDE THE PATIENT WITH A
10 WRITTEN RECORD OF THE DRUGS OR DEVICES FURNISHED AND ADVISE THE
11 PATIENT TO CONSULT AN APPROPRIATE HEALTH CARE PROFESSIONAL OF
12 THE PATIENT'S CHOICE.

13 (4) A COLLABORATIVE PRACTICE AGREEMENT BETWEEN A
14 PHYSICIAN AND A PHARMACIST, AS PERMITTED BY THIS ARTICLE, DOES NOT
15 CHANGE THE EMPLOYMENT STATUS OF ANY PARTY TO THE AGREEMENT,
16 DOES NOT CREATE AN EMPLOYER-EMPLOYEE RELATIONSHIP UNDER ANY
17 CIRCUMSTANCE, AND MAY NOT BE USED TO CONFER UPON OR DENY TO ANY
18 PERSON THE STATUS OF A PUBLIC EMPLOYEE AS DESCRIBED IN THE
19 "COLORADO GOVERNMENTAL IMMUNITY ACT", CREATED IN ARTICLE 10
20 OF TITLE 24, C.R.S."

21 Renumber succeeding subsection accordingly.

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