

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-1041.02 Jennifer Berman x3286

HOUSE BILL 17-1274

HOUSE SPONSORSHIP

Ginal,

SENATE SPONSORSHIP

Baumgardner,

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE LIMITED CIRCUMSTANCES UNDER WHICH A**
102 **VETERINARIAN MAY USE A COMPOUNDED PHARMACEUTICAL**
103 **DRUG FOR THE TREATMENT OF AN ANIMAL PATIENT THAT IS A**
104 **FOOD ANIMAL.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

House Bill 16-1324 allowed a veterinarian to maintain an office stock of compounded drugs, which are drugs that are combined, mixed, or otherwise altered to create a specific drug or formulation, for later

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

distribution or administration to animal patients. The bill defines "food animal" and sets forth the limited circumstances under which a veterinarian may administer a compounded drug to, or dispense a compounded drug for, a food animal. The bill further clarifies that references to "patient" set forth in House Bill 16-1324 refer to an "animal patient".

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-42.5-118.5,
3 **amend** (2)(a)(I), (2)(b), (5)(b)(II), and (5)(b)(III); **repeal** (5)(c); and
4 **add** (3.5) and (5)(a.5) as follows:

5 **12-42.5-118.5. Compounding drugs for office use by a**
6 **veterinarian - rules - definitions.** (2) (a) A veterinarian may dispense
7 a compounded drug maintained as part of the veterinarian's office stock
8 pursuant to subsection (1) of this section only if:

9 (I) The compounded drug is necessary for the treatment of a AN
10 ANIMAL patient's emergency condition; and

11 (b) A veterinarian shall not dispense a compounded drug pursuant
12 to this section in an amount greater than the amount required to treat a AN
13 ANIMAL patient's emergency condition for five days.

14 (3.5) WITH RESPECT TO A FOOD ANIMAL, A LICENSED
15 VETERINARIAN SHALL NOT ADMINISTER OR DISPENSE A COMPOUNDED
16 DRUG OBTAINED FROM A PRESCRIPTION DRUG OUTLET UNLESS THE
17 COMPOUNDED DRUG IS BEING USED FOR THE FOOD ANIMAL AS:

18 (a) A POISON ANTIDOTE;

19 (b) A EUTHANASIA AGENT; OR

20 (c) A METHOD USED FOR DEPOPULATION.

21 (5) As used in this section, unless the context otherwise requires:

22 (a.5) "FOOD ANIMAL" MEANS AN ANIMAL RAISED FOR HUMAN OR

1 ANIMAL CONSUMPTION.

2 (b) "Office stock" means the storage of a compounded drug:

3 (II) Without a specific ANIMAL patient indicated to receive the
4 compounded drug; and

5 (III) That the veterinarian may subsequently administer to a AN
6 ANIMAL patient or dispense to a client.

7 (c) ~~"Patient" means a companion animal, as that term is defined~~
8 ~~by rule by the board of veterinary medicine, in consultation with the board~~
9 ~~of pharmacy.~~

10 **SECTION 2. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2018 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.