Second Regular Session Seventy-fourth General Assembly STATE OF COLORADO

REVISED

This Version Includes All Amendments Adopted on Second Reading in the Second House

LLS NO. 24-1115.01 Kristen Forrestal x4217

SENATE BILL 24-209

SENATE SPONSORSHIP

Rodriguez and Smallwood, Ginal, Hinrichsen, Kolker, Priola, Winter F.

HOUSE SPONSORSHIP

Lindsay and Bird,

Senate Committees

Health & Human Services

House Committees

Health & Human Services

A BILL FOR AN ACT

101 CONCERNING CHANGES TO THE PHARMACY PRACTICE ACT RELATING
102 TO THE DISPENSING OF PRESCRIPTION DRUGS.

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.)

The bill makes changes to the pharmacy practice act regarding the dispensing of prescription drugs by pharmacists, pharmacy technicians, and pharmacy interns.

The bill allows prescription drugs dispensed through an automated pharmacy dispensing system to be redispensed if certain safety requirements are met. HOUSE Amended 2nd Reading May 4, 2024

SENATE d Reading Unamended May 1, 2024

SENATE Amended 2nd Reading April 30, 2024

Shading denotes HOUSE amendment. <u>Double underlining denotes SENATE amendment.</u>

Capital letters or bold & italic numbers indicate new material to be added to existing law.

Dashes through the words or numbers indicate deletions from existing law.

The bill also allows pharmacists certified in immunization, and pharmacy technicians and pharmacy interns working under the direct supervision of a pharmacist certified in immunization, to administer vaccines and other related emergency medications.

Current law defines the practice of pharmacy to allow pharmacists to exercise independent prescriptive authority under certain conditions for patients who are at least 12 years of age. The bill removes the age limitation.

1 Be it enacted by the General Assembly of the State of Colorado: 2 **SECTION 1.** In Colorado Revised Statutes, 12-280-103, amend 3 (38.5)(a)(VIII); repeal (50)(a)(II) and (50)(c)(I); and add (22.5), 4 (38.5)(a)(X), and (38.5)(a)(XI) as follows: 5 **12-280-103. Definitions - rules.** As used in this article 280, unless 6 the context otherwise requires or the term is otherwise defined in another 7 part of this article 280: 8 9 FUNCTION" (22.5)"INVENTORY MEANS ANY 10 NONDISPENSING-RELATED ACTIVITY THAT IS RELATED TO THE 11 MANAGEMENT OF INVENTORY AND THAT MAY BE PERFORMED BY 12 NONLICENSED PERSONNEL UNDER THE SUPERVISION OF A LICENSED 13 PHARMACIST. 14 (38.5) (a) "Practice as a pharmacy technician" means engaging in 15 any of the following activities involved in the practice of pharmacy, under 16 the supervision and delegation of a supervising pharmacist: 17 (VIII) Performing point-of-care testing and patient care technical 18 tasks as specifically trained for and delegated by a supervising 19 pharmacist; and 20 (X) REDISPENSING A PRESCRIPTION DRUG PURSUANT TO SECTION 21 12-280-141 (9)(b) AND (9)(c); AND

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2	(XI) REQUESTING REFILL AUTHORIZATION FROM THE PRESCRIBER
3	OR PRESCRIBER'S AGENT AND RECEIVING <u>CLARIFYING</u> PRESCRIPTION
4	INFORMATION FROM THE PRESCRIBER OR PRESCRIBER'S AGENT.
5	
6	(50) (a) "Telepharmacy outlet" means a remote pharmacy site that:
7	(II) At the time of registration, is located in an area of need;
8	(c) As used in this subsection (50):
9	(I) "Area of need" means:
10	(A) Any health facility licensed or certified by the department of
11	public health and environment pursuant to section 25-1.5-103 (1); or
12	(B) Any area where a demonstration of need is approved by the
13	board.
14	SECTION 2. In Colorado Revised Statutes, 12-280-108, amend
15	(1)(k) as follows:
16	12-280-108. Powers and duties - rules. (1) The board shall:
17	(k) Send a quarterly electronic newsletter to all licensees by e-mail
18	that details changes in state law, INCLUDING CHANGES OUTSIDE OF THIS
19	ARTICLE 280, that affect or are pertinent to the practice of pharmacy.
20	
21	SECTION 3. In Colorado Revised Statutes, add 12-280-143 as
22	<u>follows:</u>
23	12-280-143. Automated cassette - prescription drugs.
24	(1) Under the supervision of a pharmacist, a pharmacy technician
25	OR PHARMACY INTERN MAY REPLENISH MEDICATION IN A CASSETTE
26	DEVICE USED FOR THE AUTOMATIC PACKAGING OF MEDICATION.
27	(2) (a) A PRESCRIPTION DRUG THAT HAS BEEN DISPENSED BY AN

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1	AUTOMATED CASSETTE DEVICE MAY BE RETURNED TO THE CASSETTE
2	DEVICE FOR REDISPENSING AS LONG AS THE INTEGRITY OF THE
3	MEDICATION HAS NOT BEEN ALTERED, BAR CODE SCANNING TECHNOLOGY
4	IS USED FOR RETURNING THE DRUG, QUALIFICATIONS FOR RETURNING THE
5	DRUG ARE MAINTAINED, AND THE EXPIRATION DATE OF THE DRUG HAS NOT
6	PASSED. A PHARMACY TECHNICIAN MAY CARRY OUT THE PROCESS OF
7	REDISPENSING THE DRUG ISSUED IN ACCORDANCE WITH RULES
8	ESTABLISHED BY THE BOARD.
9	(b) A PRESCRIPTION DRUG THAT IS DISPENSED BUT NOT DELIVERED
10	TO A PATIENT MAY BE RETURNED TO STOCK AND REDISPENSED AS LONG AS
11	IT IS STORED IN THE CONTAINER IN WHICH IT WAS DISPENSED AND
12	MAINTAINS A LABEL THAT ACCURATELY IDENTIFIES ITS CONTENTS WITH
13	RESPECT TO THE ORIGINAL PRESCRIPTION LABEL.
14	SECTION 4. Effective date - applicability. This act takes effect
15	July 1, 2024, and applies to prescription drugs dispensed on or after said
16	date.
17	SECTION 5. Safety clause. The general assembly finds,
18	determines, and declares that this act is necessary for the immediate
19	preservation of the public peace, health, or safety or for appropriations for
20	the support and maintenance of the departments of the state and state
21	institutions.

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