

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 19, 2023  
Date

Committee on Health & Human Services.

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

HB23-1225 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 5, strike line 27.
  
- 2 Page 6, strike lines 1 through 8 and substitute "**severability.** (1) (a) The  
3 board may establish an upper payment limit for any prescription drug for  
4 which the board has performed an affordability review pursuant to section  
5 10-16-1406 and determined that the use of the prescription drug is  
6 unaffordable for Colorado consumers; except that:  
7 (I) The board may not establish an upper payment limit for more  
8 than twelve prescription drugs in each calendar year for three years  
9 beginning April 1, 2022, UNLESS THE BOARD DETERMINES THAT THERE IS  
10 A NEED TO ESTABLISH UPPER PAYMENT LIMITS FOR MORE THAN TWELVE  
11 PRESCRIPTION DRUGS, IN WHICH CASE THE BOARD MAY ESTABLISH AN  
12 UPPER PAYMENT LIMIT FOR UP TO EIGHTEEN PRESCRIPTION DRUGS SO LONG  
13 AS THE BOARD HAS SUFFICIENT STAFF SUPPORT TO DO SO; AND  
14 (II) FOR EACH PRESCRIPTION DRUG FOR WHICH THE BOARD  
15 ESTABLISHES AN UPPER PAYMENT LIMIT, THE BOARD MAY INCLUDE  
16 MULTIPLE NATIONAL DRUG CODES, AS DESCRIBED IN 21 CFR 207.33, THAT  
17 ARE INDICATED FOR THE PRESCRIPTION DRUG.  
18 (b) The failure of an entity to provide information to the board  
19 pursuant to section 10-16-1406 (7)(b) does not affect the authority of the  
20 board to establish an upper payment limit for ~~the~~ A prescription drug."
  
- 21 Page 1, line 104, strike "**UNLIMITED**" and substitute "**ADDITIONAL**".