

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 12, 2024
Date

Committee on Health & Human Services.

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

SB24-087 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, after line 1 insert:

2 "SECTION 1. In Colorado Revised Statutes, add 12-30-123 as
3 follows:

4 **12-30-123. Health-care providers - on-site administered**
5 **topical medication - use for continued treatment - definition.** (1) AS
6 USED IN THIS SECTION, "FACILITY-PROVIDED MEDICATION" OR
7 "MEDICATION" MEANS A TOPICAL MEDICATION THAT A HEALTH-CARE
8 PROVIDER OR MEDICAL OFFICE HAS ON HAND OR THAT IS RETRIEVED FROM
9 A DISPENSING SYSTEM FOR A SPECIFIED PATIENT FOR USE DURING A
10 SURGICAL PROCEDURE OR A VISIT TO A HEALTH-CARE PROVIDER.

11 (2) (a) A HEALTH-CARE PROVIDER MAY OFFER ANY UNUSED
12 PORTION OF A FACILITY-PROVIDED MEDICATION TO A PATIENT UPON THE
13 PATIENT'S DISCHARGE FROM A HEALTH FACILITY IF THE MEDICATION IS
14 REQUIRED FOR CONTINUED TREATMENT, THE MEDICATION DOES NOT
15 CONTAIN A CONTROLLED SUBSTANCE, AND THE MEDICATION WAS
16 ADMINISTERED TO THE PATIENT DURING THE PATIENT'S VISIT TO THE
17 HEALTH-CARE PROVIDER. THE HEALTH-CARE PROVIDER SHALL DOCUMENT
18 WITHIN THE PATIENT'S MEDICAL RECORD THAT THE PATIENT MUST
19 CONTINUE THE MEDICATION AT HOME, INCLUDING THE PATIENT'S DOSAGE
20 AND DIRECTIONS FOR USE.

21 (b) A HEALTH-CARE PROVIDER SHALL LABEL A FACILITY-PROVIDED
22 MEDICATION AS REQUIRED PURSUANT TO ARTICLE 280 OF THIS TITLE 12.

23 (3) IF A FACILITY-PROVIDED MEDICATION IS USED FOR A PATIENT
24 DURING A VISIT TO A HEALTH-CARE PROVIDER AND THE
25 FACILITY-PROVIDED MEDICATION IS PROVIDED TO THE PATIENT FOR
26 CONTINUITY OF TREATMENT, THE HEALTH-CARE PROVIDER IS RESPONSIBLE
27 FOR COUNSELING THE PATIENT ON THE PROPER USE OF THE MEDICATION,

1 AND A PHARMACIST'S REQUIREMENT TO COUNSEL THE PATIENT
2 CONCERNING THE MEDICATION PURSUANT TO SECTION 12-280-138 IS
3 WAIVED."

4 Renumber succeeding sections accordingly.

5 Page 2, line 4, strike "**health-care providers -**".

6 Page 2, line 13, strike "25-1.5-103," and substitute "25-1.5-103 AND".

7 Page 2, strike lines 14 and 15 and substitute "PURSUANT TO ARTICLE 3 OF
8 THIS TITLE 25."

9 Page 2, line 16, strike "OR HEALTH-CARE PROVIDER" and substitute "OR
10 HOSPITAL PHARMACY".

11 Page 2, line 22, strike "HEALTH-CARE PROVIDER" and substitute "HEALTH
12 FACILITY".

13 Page 2, strike line 26.

14 Page 3, strike lines 1 and 2 and substitute:

15 "(b) A HEALTH FACILITY OR HOSPITAL PHARMACY SHALL:

16 (I) LABEL A FACILITY-PROVIDED MEDICATION WITH, AT A
17 MINIMUM, THE FACILITY NAME, THE PRESCRIBING HEALTH-CARE
18 PROVIDER'S NAME, THE PATIENT'S NAME, THE DRUG IDENTIFICATION, AND
19 THE DIRECTIONS FOR USE IF THE INSTRUCTIONS ARE NOT PROVIDED TO THE
20 PATIENT AT THE TIME OF DISCHARGE FROM THE FACILITY; OR

21 (II) IF THE FACILITY-PROVIDED MEDICATION'S CONTAINER
22 INCLUDES ONLY THE NAME AND STRENGTH OF THE MEDICATION, INCLUDE
23 THE FACILITY NAME, THE PRESCRIBING HEALTH-CARE PROVIDER'S NAME,
24 THE PATIENT'S NAME, AND THE DIRECTIONS FOR USE WITH EDUCATION
25 MATERIALS PROVIDED TO THE PATIENT AT THE TIME OF DISCHARGE FROM
26 THE FACILITY."

27 Page 3, line 7, strike "OR HEALTH-CARE PROVIDER," and substitute "OR
28 HOSPITAL PHARMACY,".

29 Strike "A" and substitute "THE" on: **Page 2**, line 21 two times; and **Page**
30 **3**, line 6.

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