



Legislative Council Staff

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Fiscal Note

Drafting Number: LLS 21-0766
Prime Sponsors: Rep. Luck

Date: March 26, 2021
Bill Status: House Health & Insurance
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Bill Topic: OFF-LABEL USE OF APPROVED DRUGS TO TREAT COVID-19

Summary of Fiscal Impact:

- | | |
|-------------------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

The bill authorizes off-label use of FDA-approved drugs to treat COVID-19. It has a minimal impact on state expenditures.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill allows health care providers to prescribe and dispense therapeutic drugs that are FDA-approved for other purposes to treat COVID-19. The bill specifies that this includes hydroxychloroquine sulfate and ivermectin. The authorization applies to physicians, physician assistants, advanced practice nurses, and pharmacists. Prescribing drugs in this manner does not constitute unprofessional conduct, and a regulator may not initiate an investigation or other disciplinary action for this conduct.

State Expenditures

The bill is anticipated to minimally affect state expenditures in multiple agencies. Any state agency that pays for prescription drugs directly or through insurance carriers may experience a change in expenditures to the extent that these drugs are prescribed. The fiscal note assumes that purchases of these drugs would generally be as a substitute for other drugs, with a minimal net cost impact. Workload in the Department of Regulatory Agencies may increase for outreach and education, which can be accomplished within existing appropriations.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature. It applies to conduct occurring on or after the bill's effective date.

State and Local Government Contacts

Health Care Policy and Financing
Public Health and Environment

Regulatory Agencies
Law