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Fiscal Note

Drafting Number: LLS 22-0640 Date: February 18, 2022
Prime Sponsors: Sen. Rodriguez Bill Status: Senate HHS
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Bill Topic: PROGRAM ALLOWING REDISPENSING OF UNUSED DRUGS

- Summary of Fiscal Impact: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

The bill creates the Drug Reuse Opportunity Program to provide unused, donated drugs to eligible patients at no cost. Beginning in FY 2022-23, this bill will increase state workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

Effective January 1, 2023, the bill creates the Drug Reuse Opportunity Program to provide unused, donated prescription and over-the-counter drugs to eligible patients at no cost, with priority given to certain patients. Controlled substances and methamphetamine precursors are excluded from the program. The State Board of Pharmacy is required to adopt rules for the program and the bill provides for limited immunity from civil and criminal liability for drug manufacturers, donors and receivers. The bill outlines requirements for the donation and receipt of drugs.

Eligibility. A Colorado resident with a prescription for a drug, or who reports symptoms that may be treated by an over-the-counter medication is eligible to receive donated drugs. The bill requires that priority be given to an eligible patient who is not covered by, or lacks adequate, health insurance, or has an income that is at or below 200 percent of the federal poverty line.

Donors and receivers. Drugs may be donated by a variety of sources including individuals, manufacturers, health care providers, pharmacies, health care facilities or correctional facilities. Drugs may be received by a person with a license, registration, or permit to legally possess medicine. The receiver is authorized to redispense or administer a drug to an eligible patient according to the program requirements, and requires that redispensed drugs be provided to priority patients, where possible. Donated drugs may not be sold, but the receiver may charge a handling fee for processing and dispensing the drug, not to exceed the cost to the receiver of providing the drug.

State Expenditures

Beginning in FY 2022-23, the bill will increase workload for the State Board of Pharmacy in the Department of Regulatory Agencies to promulgate rules for the program and conduct outreach and education. The fiscal note assumes that this increase in workload can be accomplished within existing appropriations.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Corrections
Law

Information Technology
Public Health and Environment

Judicial
Regulatory Agencies