



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 23-0822 **Date:** February 27, 2023
Prime Sponsors: Sen. Will; Jaquez Lewis **Bill Status:** Senate Health & Human Services
Fiscal Analyst: Shukria Maktabi | 303-866-4720
shukria.maktabi@colleg.gov

Bill Topic: **INCREASE ACCESS TO PHARMACY SERVICES**

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 expands the responsibilities of pharmacy technicians in certain circumstances and allows pharmacies and pharmacists to receive reimbursement for administering vaccines to children. The bill increases state workload beginning in FY 2023-2024.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill authorizes supervising pharmacists to delegate certain tasks to pharmacy technicians, based on their area of training. It also eliminates the supervision ratio for pharmacists overseeing pharmacy technicians in non-public facing pharmacies who are filling a prescription for an originating pharmacy. The bill also allows pharmacies or pharmacists to receive reimbursement for vaccinating children under 19 years old through the medical assistance program.

Background and Assumptions

The fiscal note assumes the reimbursement of pharmacies and pharmacists for vaccine administration will occur through existing federal programs administered by state departments. The Vaccines for Children (VFC) Program is a federally-funded program administered by the Department of Public Health and Environment (CDPHE). The program distributes routine vaccines for free to providers registered in the program. Providers may not charge a patient or bill Medicaid for the cost of these vaccines, but they may receive Medicaid reimbursement for vaccine administration fees. In Colorado, over 500 provider offices, community health centers, and public health agencies are enrolled in the VFC program. No pharmacies are currently enrolled in the VCF program.

If reimbursements for pharmacies and pharmacists do not occur through the existing VCF Program, workload would increase for HCPF to make a state plan amendment and regulatory changes to allow for both reimbursements for vaccines and vaccine administration, pending federal approval. Because of the expected time and cost to implement a state plan amendment, the fiscal note assumes pharmacies will participate in the existing VFC program.

State Expenditures

Beginning in FY 2023-24, workload will increase for the CDPHE, Department of Health Care Policy and Financing (HCPF), and Department of Regulatory Agencies, as described below.

Department of Public Health and Environment. Workload for CDPHE will increase to enroll pharmacies into the VFC program to receive free vaccines. This includes providing training, enrollment visits, handling compliance activities, and compliance site visit requirements. Initial workload can be accomplished within current resources. If a significant number of pharmacies enroll in the program, CPDHE will request additional FTE through the annual budget process, based on actual enrollment.

Department of Health Care Policy and Financing. Workload for HCPF will increase to reimburse enrolled pharmacies and pharmacists, in addition to providers, for the administration of vaccines. This workload is minimal and can be accomplished within existing resources. While pharmacies will be another option for Medicaid members to seek vaccination, overall, vaccination rates are assumed to be fairly consistent and any change to reimbursement costs under Medicaid are assumed to be minimal.

Department of Regulatory Agencies. In FY 2023-24 only, workload will increase for the Division of Professions and Occupations to conduct outreach and education on the new regulations for pharmacy technicians and pharmacists. This workload is minimal and can be accomplished within existing resources.

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	Health Care Policy and Financing	Higher Education
Human Services	Information Technology	Law
Public Health and Environment	Regulatory Agencies	

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit: leg.colorado.gov/fiscalnotes.