



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number: LLS 23-0822 Date: July 5, 2023
Prime Sponsors: Sen. Will; Jaquez Lewis Bill Status: Signed into Law
Rep. Lindsay; Titone Fiscal Analyst: Shukria Maktabi | 303-866-4720
shukria.maktabi@coleg.gov

Bill Topic: INCREASE ACCESS TO PHARMACY SERVICES

- Summary of Fiscal Impact:
- State Revenue
- State Expenditure
- State Transfer
- TABOR Refund
- Local Government
- 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 2023-24.

Appropriation Summary: No appropriation is required.

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

Summary of Legislation

The bill authorizes supervising pharmacists to delegate certain testing and technical tasks to pharmacy technicians. It also modifies the supervision requirements for pharmacists overseeing pharmacy technicians or pharmacy interns by requiring that when three or more pharmacy technicians are on-duty, the majority must be fully certified by the board, and expanding the supervision ratio for pharmacies that are not public facing or located in hospitals. The bill also allows pharmacies or pharmacists enrolled in the Vaccines for Children Program to receive reimbursement for vaccinating children under 19 years old through Medicaid.

Background

The reimbursement of pharmacies and pharmacists for vaccine administration will occur through the Vaccines for Children (VFC) Program, 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 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 develop a framework for enrolling pharmacies into the VFC program to receive free vaccines. Once developed, workload will increase to enroll participating pharmacies into the program, which includes trainings, enrollment visits, and compliance activities. 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 was signed into law by the Governor on May 4, 2023, and takes effect on August 7, 2023, 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	