

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 17-0851.01 Kip Kolkmeier x4510 & Christy Chase x2008

**SENATE BILL 17-146**

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**SENATE SPONSORSHIP**

**Jahn,**

**HOUSE SPONSORSHIP**

**Ginal,**

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**Senate Committees**  
Health & Human Services

**House Committees**  
Health, Insurance, & Environment

HOUSE  
3rd Reading Unamended  
March 22, 2017

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101

**CONCERNING ACCESS TO THE ELECTRONIC PRESCRIPTION DRUG**

102

**MONITORING PROGRAM.**

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HOUSE  
2nd Reading Unamended  
March 21, 2017

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

SENATE  
3rd Reading Unamended  
February 28, 2017

The bill modifies provisions relating to licensed health professionals' access to the electronic prescription drug monitoring program as follows:

- ! Allows a health care provider who has authority to prescribe controlled substances, or the provider's designee, to query the program regarding a current patient, regardless

SENATE  
2nd Reading Unamended  
February 27, 2017

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

of whether the provider is prescribing or considering prescribing a controlled substance to that patient;

- ! Specifies that a veterinarian who is authorized to prescribe controlled substances may access the program to inquire about a current patient or client if the veterinarian suspects that the client has committed drug abuse or mistreated an animal; and
- ! Specifies that, in addition to accessing the program when dispensing or considering dispensing a controlled substance, a pharmacist or designee of the pharmacist may access the program regarding a current patient to whom the pharmacist is dispensing or considering dispensing a prescription drug.

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1       *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, 12-42.5-404, **amend**  
3       (3)(b) and (3)(d); and **add** (3)(b.5) as follows:

4           **12-42.5-404. Program operation - access - rules - definitions.**

5       (3) The program is available for query only to the following persons or  
6       groups of persons:

7           (b) Any practitioner with the statutory authority to prescribe  
8       controlled substances, or an individual designated by the practitioner to  
9       act on his or her behalf in accordance with section 12-42.5-403 (1.5)(b),  
10      to the extent the query relates to a current patient of the practitioner; ~~to~~  
11      ~~whom the practitioner is prescribing or considering prescribing any~~  
12      ~~controlled substance;~~

13           (b.5) (I) ANY VETERINARIAN WITH STATUTORY AUTHORITY TO  
14       PRESCRIBE CONTROLLED SUBSTANCES, TO THE EXTENT THE QUERY  
15       RELATES TO A CURRENT PATIENT OR TO A CLIENT AND IF THE  
16       VETERINARIAN, IN THE EXERCISE OF PROFESSIONAL JUDGMENT, HAS A  
17       REASONABLE BASIS TO SUSPECT THE CLIENT HAS COMMITTED DRUG ABUSE  
18       OR HAS MISTREATED AN ANIMAL.

(II) AS USED IN THIS SUBSECTION (3)(b.5):

2 (A) "CLIENT" HAS THE SAME MEANING AS SET FORTH IN SECTION  
3 12-64-103 (4.3).

4 (B) "MISTREAT" HAS THE SAME MEANING AS SET FORTH IN  
5 SECTION 35-42-103 (9).

6 (C) "PATIENT" HAS THE SAME MEANING AS SET FORTH IN SECTION  
7 12-64-103 (9.7).

15                   **SECTION 2. Applicability.** This act applies to queries to the  
16                   electronic prescription drug monitoring program occurring on or after the  
17                   effective date of this act.

18                   **SECTION 3. Safety clause.** The general assembly hereby finds,  
19                   determines, and declares that this act is necessary for the immediate  
20                   preservation of the public peace, health, and safety.