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A BILL FOR AN ACT

101   CONCERNING THE ABILITY OF A PHARMACIST TO PARTIALLY FILL

102   PRESCRIPTIONS FOR OPIOIDS.

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.)

The bill:

!   Allows a pharmacist to dispense a schedule II opioid in a lesser amount than the prescribed amount if certain circumstances are met;

!   Limits the time that the remaining portions of a partially filled prescription for a schedule II opioid drug may be

filled; and

! Directs a pharmacist partially filling a prescription for a schedule II opioid to retain the original prescription at the pharmacy, report the partial fill to the prescription drug monitoring program, and notify the prescribing health care provider that the prescription was partially filled.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly

3 hereby finds and declares that:

4 (a) Overdose deaths from just one kind of opioid painkiller

5 outnumbered all homicides in Colorado in 2015;

6 (b) In 2015, two hundred fifty-nine people died from overdoses

7 for what health officials call natural prescription opioids like

8 hydrocodone and oxycodone;

9 (c) It is important to create state policy that will limit the amount

10 of opioids that are prescribed to the amount necessary for a patient's

11 treatment;

12 (d) All health care providers who prescribe or dispense opioids

13 should be part of the effort to prevent and reduce addiction to opioids;

14 and

15 (e) The federal "Comprehensive Addiction and Recovery Act of

16 2016", (Pub.L. 114-198), includes a provision to allow pharmacists to

17 partially fill a prescription for a controlled substance, such as an opioid.

18 (2) It is the intent of the general assembly to engage stakeholders

19 in a discussion regarding opioid addiction, including partial-fill

20 prescriptions for opioids.

21 **SECTION 2.** In Colorado Revised Statutes, 12-42.5-118, **add**

22 (19) as follows:

12-42.5-118. Compounding - dispensing - sale of drugs and devices - dispensing portions of opioid prescriptions - rules - definition. (19) A PHARMACIST MAY PARTIALLY FILL A PRESCRIPTION FOR A SCHEDULE II CONTROLLED SUBSTANCE, SUCH AS AN OPIOID, IF THE PARTIAL FILL IS REQUESTED BY THE PATIENT OR THE PRESCRIBING PRACTITIONER AND THE TOTAL QUANTITY DISPENSED IN ALL PARTIAL FILLINGS DOES NOT EXCEED THE QUANTITY PRESCRIBED.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.