

SENATE COMMITTEE OF REFERENCE REPORT

	March 19, 2025
Chair of Committee	Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB25-124 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, after line 8 insert:
- 2 "25.5-2.5-302. **Legislative declaration.** (1) THE GENERAL
- 3 ASSEMBLY FINDS THAT:
- 4 (a) NONPROFIT HOSPITALS COVERED UNDER THE 340B PROGRAM
- 5 USE 340B PROFITS TO DECREASE OUT-OF-POCKET COSTS FOR LOW-INCOME
- 6 PATIENTS;
- 7 (b) FEDERALLY QUALIFIED HEALTH CENTERS, RYAN WHITE
- 8 CLINICS, STATE AIDS DRUG ASSISTANCE PROGRAMS, AND CHILDREN'S
- 9 HOSPITALS ARE REQUIRED TO REPORT CERTAIN REVENUE AND USE DATA
- 10 TO THE BENEFIT OF THE COMMUNITIES THEY SERVE. NO SIMILARLY
- 11 SITUATED REQUIREMENT EXISTS FOR NONPROFIT HOSPITALS COVERED
- 12 UNDER THE 340B PROGRAM.
- 13 (c) REQUIRING HOSPITALS COVERED UNDER THE 340B PROGRAM
- 14 THAT ARE LICENSED BY THE STATE TO REPORT INFORMATION RELATED TO
- 15 THEIR PARTICIPATION IN THE 340B PROGRAM TO THE STATE WOULD
- 16 CREATE PARITY IN THE USE OF 340B PROGRAM PROFITS.
- 17 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT THE
- 18 STATE OF COLORADO HAS BOTH A SPECIFIED INTEREST IN AND PROPER
- 19 RESPONSIBILITY TO MONITOR NONPROFIT HOSPITALS COVERED UNDER THE
- 20 340B PROGRAM AND ENSURE THEY ARE APPROPRIATELY SERVING THEIR
- 21 COMMUNITIES AND THE TAXPAYER INTERESTS OF THE STATE."
- 22 Renumber succeeding C.R.S. sections accordingly.
- 23 Page 3, strike lines 1 through 5.
- 24 Renumber succeeding subsections accordingly.

- 1 Page 3, strike lines 11 through 13.
- 2 Renumber succeeding subsection accordingly.
- 3 Page 3, line 20, strike "OR DENVER HEALTH AND HOSPITALS." and  
4 substitute "DENVER HEALTH AND HOSPITALS, A COMPREHENSIVE  
5 HEMOPHILIA DIAGNOSTIC TREATMENT CENTER DESCRIBED IN 42 U.S.C.  
6 SEC. 256b (a)(4)(G), A FEDERALLY-QUALIFIED HEALTH CENTER AS  
7 DEFINED IN 42 U.S.C. SEC. 1396d (l)(2)(B), RYAN WHITE CLINICS, THE  
8 COLORADO STATE DRUG ASSISTANCE PROGRAM, OR CHILDREN'S HOSPITALS  
9 IN COLORADO."
- 10 Page 3, line 21, strike "(1) BEGINNING".
- 11 Page 3, strike lines 22 through 27.
- 12 Page 4, strike lines 1 through 17.
- 13 Page 4, line 18, strike "(3)" and substitute "(1)".
- 14 Page 5, line 22, after "PROFITS;" insert "AND".
- 15 Page 5, strike lines 26 and 27.
- 16 Page 6, strike lines 1 through 6.
- 17 Page 6, strike lines 8 through 11 and substitute "ITEMIZED COSTS RELATED  
18 TO PROVIDING CHARITY CARE; AND".
- 19 Page 6, line 23, strike "AGGREGATE" and substitute "COLLECT".
- 20 Page 7, after line 4 insert:
- 21 **"25.5-2.5-306. Access to 340B drugs.** UNLESS THE RECEIPT OF  
22 340B DRUGS IS PROHIBITED BY THE FEDERAL DEPARTMENT OF HEALTH  
23 AND HUMAN SERVICES, A MANUFACTURER, WHOLESALER, THIRD-PARTY  
24 LOGISTICS PROVIDER, OR REPACKAGER, OR AN AGENT, CONTRACTOR, OR  
25 AFFILIATE OF A MANUFACTURER, WHOLESALER, THIRD-PARTY LOGISTICS  
26 PROVIDER, OR REPACKAGER, INCLUDING AN ENTITY THAT COLLECTS OR  
27 PROCESSES HEALTH INFORMATION, SHALL NOT, DIRECTLY OR INDIRECTLY,  
28 DENY, RESTRICT, PROHIBIT, DISCRIMINATE AGAINST, OR OTHERWISE LIMIT  
29 THE ACQUISITION OF A 340B DRUG BY, OR DELIVERY OF A 340B DRUG TO,  
30 A HOSPITAL THAT IS EITHER A SOLE COMMUNITY HOSPITAL DESCRIBED IN

1 42 U.S.C. SEC. 256b (a)(4)(O) OR A CRITICAL ACCESS HOSPITAL  
2 DESCRIBED IN 42 U.S.C. SEC. 256b (a)(4)(N).".

3 Renumber succeeding C.R.S. sections accordingly.

4 Page 7, line 5, strike "**Reporting.**" and substitute "**Request of**  
5 **information.**".

6 Page 7, lines 6 and 7, strike "THE STATE DEPARTMENT SHALL SUBMIT A  
7 REPORT TO THE JOINT BUDGET COMMITTEE" and substitute "THE JOINT  
8 BUDGET COMMITTEE SHALL ISSUE A REQUEST FOR INFORMATION TO THE  
9 STATE DEPARTMENT REQUESTING INFORMATION".

10 Page 7, lines 12 and 13, strike "THE DEPARTMENT OF PERSONNEL AND  
11 ADMINISTRATION SHALL SUBMIT A REPORT TO THE JOINT BUDGET  
12 COMMITTEE" and substitute "THE JOINT BUDGET COMMITTEE SHALL ISSUE  
13 A REQUEST FOR INFORMATION TO THE DEPARTMENT OF PERSONNEL AND  
14 ADMINISTRATION".

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