

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**REREVISED**

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

LLS NO. 25-0194.01 Anna Petrini x5497

**SENATE BILL 25-084**

**SENATE SPONSORSHIP**

**Mullica and Simpson**, Cutter, Exum, Gonzales J., Jodeh, Kipp, Michaelson Jenet, Snyder, Wallace, Weissman

**HOUSE SPONSORSHIP**

**Bradfield and Rydin**, Bacon, Bird, Boesenecker, Brown, Clifford, Duran, English, Froelich, Gilchrist, Gonzalez R., Hamrick, Lieder, Lindsay, Lukens, Marshall, McCormick, Paschal, Phillips, Ricks, Rutinel, Sirota, Stewart K., Titone

---

**Senate Committees**

Health & Human Services  
Appropriations

**House Committees**

Health & Human Services  
Appropriations

---

**A BILL FOR AN ACT**

101      **CONCERNING THE ADEQUACY OF THE INFUSION PHARMACY NETWORK**  
102              **SUPPLYING PARENTERAL NUTRITION TO MEDICAID MEMBERS,**  
103              **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

---

**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>.)*

Infusion pharmacies supply medicaid members with parenteral nutrition, which provides patients with essential nutrients through an intravenous infusion.

The bill requires the state department of health care policy and financing (state department) to ensure policies and reimbursement levels

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

HOUSE  
3rd Reading Unamended  
May 6, 2025

HOUSE  
Amended 2nd Reading  
May 5, 2025

SENATE  
3rd Reading Unamended  
April 28, 2025

SENATE  
Amended 2nd Reading  
April 25, 2025

for infusion pharmacies for the preparation and dispensing of parenteral nutrition are sufficient to encourage an adequate level of market participation among infusion pharmacies.

The bill requires the state department to annually report on the adequacy of the infusion pharmacy network that supplies parenteral nutrition to medicaid members.

---

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

2             **SECTION 1. Legislative declaration.** (1) The general assembly  
3     finds and declares that:

4             (a) Parenteral nutrition is a feeding method that bypasses the  
5     gastrointestinal tract and delivers nutrition directly into a patient's veins.  
6     Parenteral nutrition is the only way for some patients with significant  
7     feeding and digestion disabilities to survive. Children who need  
8     parenteral nutrition may need it their entire lives.

9             (b) Because parenteral nutrition is highly regulated and specially  
10    formulated for each individual patient, it is expensive to produce and  
11    store, according to data from the American Society for Parenteral and  
12    Enteral Nutrition. Infusion pharmacies that make parenteral nutrition and  
13    other in-home infusion medications must dedicate time, training, and  
14    facilities to their formulation. Infusion pharmacies must produce  
15    parenteral nutrition daily, with frequent formulation changes, and must  
16    ensure that the parenteral nutrition meets all safety and quality  
17    regulations.

18            (c) According to recent data from the American Society for  
19    Parenteral and Enteral Nutrition, because of recent financial pressures,  
20    many infusion pharmacies have stopped supplying parenteral nutrition  
21    across the nation, particularly for children. As a result, medical providers  
22    spend more time locating infusion pharmacies that will agree to serve the

1 medical providers' patients, who risk losing access to medically necessary  
2 and life-saving parenteral nutrition treatment.

3 (d) Federal law establishes early and periodic screening,  
4 diagnosis, and treatment requirements as the cornerstone medicaid health  
5 coverage for children. Pursuant to 42 U.S.C. sec. 1396 and sec. 1396d  
6 (r)(5), children enrolled in medicaid are eligible for early and periodic  
7 screening, diagnosis, and treatment benefits. As a result, the state must  
8 ensure that children enrolled in medicaid have timely access to medically  
9 necessary health care in the most appropriate setting.

10 (e) It is not clear if the medicaid reimbursement methodologies  
11 that are currently in place in Colorado are sufficient to cover the extensive  
12 costs of producing parenteral nutrition and other specialty  
13 pharmaceuticals.

14 (2) Therefore, the general assembly declares that it is necessary to  
15 ensure that Colorado medicaid members have access to an adequate  
16 network of infusion pharmacies supplying parenteral nutrition.

17 **SECTION 2.** In Colorado Revised Statutes, **add** 25.5-5-519 as  
18 follows:

19 **25.5-5-519. Pharmacy reimbursement - parenteral nutrition**  
20 **- report - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE  
21 CONTEXT OTHERWISE REQUIRES:

22 (a) "INFUSION PHARMACY" MEANS A PRESCRIPTION DRUG OUTLET  
23 THAT PREPARES AND DISPENSES A SOLUTION THAT INCLUDES PARENTERAL  
24 NUTRITION FOR DIRECT ADMINISTRATION INTO A PATIENT'S BLOODSTREAM.  
25 THE SOLUTION MAY CONTAIN MEDICATIONS OR OTHER TREATMENTS AND  
26 MAY BE ADMINISTERED IN A PATIENT'S HOME OR IN A HEALTH-CARE  
27 FACILITY.

1 (b) "PARENTERAL NUTRITION" MEANS A FORM OF NUTRITIONAL  
2 SUPPORT THAT PROVIDES A PATIENT WITH NEEDED NUTRIENTS, INCLUDING,  
3 AT A MINIMUM, CARBOHYDRATES, AMINO ACIDS, AND LIPIDS, THROUGH AN  
4 INTRAVENOUS INFUSION.

5 (2) (a) UPON RECEIVING ANY NECESSARY FEDERAL APPROVAL  
6 PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION, BEGINNING ON OR  
7 BEFORE JANUARY 1, 2026, THE STATE DEPARTMENT SHALL CREATE  
8 SPECIFIC PROFESSIONAL DISPENSING FEES FOR THE PREPARATION AND  
9 DISPENSING OF PARENTERAL NUTRITION TO ENCOURAGE AN ADEQUATE  
10 LEVEL OF MARKET PARTICIPATION AMONG INFUSION PHARMACIES.

11 (b) DURING THE YEAR BEGINNING JANUARY 1, 2026, THE SPECIFIC  
12 PROFESSIONAL DISPENSING FEES MUST NOT EXCEED THIRTY PERCENT OF  
13 INFUSION PHARMACY ADMINISTRATIVE COSTS FOR THE PREPARATION AND  
14 DISPENSING OF PARENTERAL NUTRITION.

15 (c) THE STATE DEPARTMENT SHALL SEEK FEDERAL  
16 AUTHORIZATION, AS NECESSARY, TO IMPLEMENT THE PROFESSIONAL  
17 DISPENSING FEES PURSUANT TO THIS SUBSECTION (2).

18 (3) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR  
19 BEFORE NOVEMBER 1, 2026, AND ON OR BEFORE EVERY NOVEMBER 1  
20 THEREAFTER, THE STATE DEPARTMENT SHALL, WITHIN EXISTING  
21 APPROPRIATIONS, REPORT IN ITS PRESENTATION TO THE JOINT BUDGET  
22 COMMITTEE AND ITS "SMART ACT" HEARING HELD PURSUANT TO  
23 SECTION 2-7-203 ON:

24 (a) THE TOTAL NUMBER AND GEOGRAPHIC DISTRIBUTION OF  
25 INFUSION PHARMACIES THROUGHOUT COLORADO THAT PROVIDE  
26 PARENTERAL NUTRITION TO MEMBERS;

27 (b) THE NUMBER OF NEW INFUSION PHARMACIES PARTICIPATING IN

1     THE MEDICAL ASSISTANCE PROGRAM;

2             (c) SEPARATE DATA ON THE PARENTERAL NUTRITION NEEDS OF  
3 ADULT AND CHILD MEMBERS AND THE SUFFICIENCY OF THE INFUSION  
4 PHARMACY NETWORK TO SERVE EACH; AND

5             (d) ANY REGULATORY OR REIMBURSEMENT CHANGES THE STATE  
6 DEPARTMENT HAS UNDERTAKEN TO ENCOURAGE AN ADEQUATE LEVEL OF  
7 MARKET PARTICIPATION AMONG INFUSION PHARMACIES TO MEET THE  
8 PARENTERAL NUTRITION NEEDS OF MEMBERS.

9             **SECTION 3. Appropriation.** (1) For the 2025-26 state fiscal  
10 year, \$54,832 is appropriated to the department of health care policy and  
11 financing. This appropriation is from the general fund, which amount is  
12 subject to the "(M)" notation as defined in the annual general  
13 appropriation act for the same fiscal year. To implement this act, the  
14 department may use this appropriation for medical and long-term care  
15 services for medicaid eligible individuals.

16             (2) For the 2025-26 state fiscal year, the general assembly  
17 anticipates that the department of health care policy and financing will  
18 receive \$54,832 in federal funds to implement this act. The appropriation  
19 in subsection (1) of this section is based on the assumption that the  
20 department will receive this amount of federal funds to be used for  
21 general professional services and special projects medical and long-term  
22 care services for medicaid eligible individuals.

23             **SECTION 4. Act subject to petition - effective date.** This act  
24 takes effect at 12:01 a.m. on the day following the expiration of the  
25 ninety-day period after final adjournment of the general assembly; except  
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
27 of the state constitution against this act or an item, section, or part of this

1     act within such period, then the act, item, section, or part will not take  
2     effect unless approved by the people at the general election to be held in  
3     November 2026 and, in such case, will take effect on the date of the  
4     official declaration of the vote thereon by the governor.