

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-1063.01 Renee Leone x2695

SENATE BILL 25-301

SENATE SPONSORSHIP

Wallace and Kirkmeyer, Coleman, Cutter, Gonzales J., Hinrichsen, Jodeh, Kipp, Kolker, Marchman, Michaelson Jenet, Roberts, Rodriguez, Sullivan, Weissman, Winter F.

HOUSE SPONSORSHIP

Lieder and Johnson, Barron, Bradfield, Clifford, Garcia Sander, Joseph, Rutinel, Stewart K., Taggart, Titone, Willford

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION FOR A HEALTH-CARE PROVIDER TO**
102 **ADJUST A CHRONIC MAINTENANCE DRUG PRESCRIPTION**
103 **WITHOUT PRIOR AUTHORIZATION FROM AN INSURANCE**
104 **CARRIER.**

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 health-care provider to, under certain circumstances, adjust the dose or frequency of a chronic maintenance drug without needing prior authorization from an insurance carrier.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 10-16-124.5, **add**
3 (6.2) as follows:

4 **10-16-124.5. Prior authorization form - drug benefits -**
5 **program - chronic maintenance drugs - rules of commissioner -**
6 **definitions - repeal.** (6.2) A PRESCRIBING PROVIDER MAY ADJUST THE
7 DOSE OR FREQUENCY OF A PRESCRIPTION DRUG TO MEET THE SPECIFIC
8 MEDICAL NEEDS OF A COVERED PERSON WITHOUT PRIOR AUTHORIZATION
9 OR SUBSEQUENT UTILIZATION MANAGEMENT, AS DEFINED IN SECTION
10 10-16-1002 (10), IF:

11 (a) THE PRESCRIPTION DRUG IS A CHRONIC MAINTENANCE DRUG,
12 AS DEFINED IN SECTION 12-280-103 (9.5), THAT HAS PREVIOUSLY BEEN
13 APPROVED FOR COVERAGE BY THE CARRIER OR PBM FOR THE COVERED
14 PERSON'S CHRONIC OR DEBILITATING DISEASE AND THE PRESCRIBING
15 PROVIDER CONTINUES TO PRESCRIBE THE DRUG FOR THE SAME CHRONIC OR
16 DEBILITATING DISEASE;

17 (b) THE PRESCRIPTION DRUG IS NOT AN OPIOID OR A SCHEDULED
18 CONTROLLED SUBSTANCE;

19 (c) THE DOSE OR FREQUENCY HAS NOT BEEN ADJUSTED MORE THAN
20 TWO TIMES WITHOUT PRIOR AUTHORIZATION; AND

21 (d) IF THE ADJUSTMENT IS BASED ON EVIDENCE-BASED
22 GUIDELINES.

23 **SECTION 2. 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

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