



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 25-1270: PATIENTS' RIGHT TO TRY INDIVIDUALIZED TREATMENTS

Prime Sponsors:

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Sen. Kirkmeyer; Daugherty

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Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill expands the Right to Try act to include individualized treatments.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

House Bill 14-1281 enacted the Right to Try Act, permitting eligible terminally ill patients to use investigational drugs, biological products, or devices that are pending approval from the United States Food and Drug Administration under select circumstances.

The bill expands the act to cover individualized products that are unique and produced exclusively for the patient, based on their own genetic profile, including individualized gene therapy and individualized neoantigen vaccines for patients who are terminally-ill or severely debilitated from an illness.

State Expenditures

The bill does not require any state agency to pay for the cost of investigational products and any workload to facilitate access for eligible persons in the custody of the state will be minimal. At any given time, the Department of Corrections and the Department of Human Services will have custody of only a small number of patients, if any, who are terminally ill and meet other eligibility criteria set forth in the bill. In situations where a manufacturer charges patients for the cost of investigational products, the fiscal note assumes that persons in the custody of state agencies will be able to apply financial resources, insurance, and any other similar benefit to the extent allowed by current law. Investigational drugs are not covered by the state Medicaid program.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Health Care Policy and Financing

Public Health and Environment

Judicial

Regulatory Agencies

Law

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).