

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 15-0786.01 Kristen Forrestal x4217

HOUSE BILL 15-1214

HOUSE SPONSORSHIP

Singer,

SENATE SPONSORSHIP

Cooke,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING OPIOID ANALGESICS WITH ABUSE-DETERRENT**
102 **PROPERTIES.**

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://www.leg.state.co.us/billsummaries>.)

The bill prohibits an opioid analgesic drug product that is not abuse-deterrent to be substituted for an abuse-deterrent opioid analgesic drug product if a health care provider prescribes an abuse-deterrent opioid analgesic drug product to a patient and the prescription includes the instructions "dispense as written". A carrier must cover the abuse-deterrent opioid analgesic drug product at the lowest cost-sharing

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

level as an opioid analgesic drug product. A carrier cannot require treatment failure with an opioid analgesic drug product that is not abuse-deterrent prior to providing coverage for the abuse-deterrent opioid analgesic drug product if the prescribing health care provider determines that the covered person would benefit from the abuse-deterrent opioid analgesic drug product.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 10-16-124.7 as
3 follows:

4 **10-16-124.7. Opioid analgesics with abuse-deterrent properties**
5 **- study - definitions.** (1) THE GOVERNOR SHALL DIRECT THE GOVERNOR'S
6 CONSORTIUM FOR PRESCRIPTION DRUG ABUSE PREVENTION TO STUDY THE
7 BARRIERS TO AND THE EFFICACY OF THE USE OF ABUSE-DETERRENT OPIOID
8 ANALGESIC DRUG PRODUCTS AS A WAY TO REDUCE ABUSE AND DIVERSION
9 OF OPIOID DRUG PRODUCTS. ON OR BEFORE JANUARY 15, 2016, THE
10 CONSORTIUM SHALL REPORT ITS FINDINGS TO THE PUBLIC HEALTH CARE
11 AND HUMAN SERVICES COMMITTEE AND THE HEALTH, INSURANCE, AND
12 ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
13 HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR THEIR
14 SUCCESSOR COMMITTEES.

15 (2) AS USED IN THIS SECTION:

16 (a) "ABUSE-DETERRENT OPIOID ANALGESIC DRUG PRODUCT"
17 MEANS A BRAND OR GENERIC OPIOID ANALGESIC DRUG PRODUCT
18 APPROVED BY THE UNITED STATE FOOD AND DRUG ADMINISTRATION
19 WITH ABUSE-DETERRENCE LABELING CLAIMS THAT INDICATE THAT THE
20 DRUG PRODUCT IS EXPECTED TO RESULT IN A MEANINGFUL REDUCTION IN
21 ABUSE.

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1 (b) "OPIOID ANALGESIC DRUG PRODUCT" MEANS A DRUG PRODUCT
2 IN THE OPIOID ANALGESIC DRUG CLASS PRESCRIBED TO TREAT MODERATE
3 TO SEVERE PAIN OR OTHER CONDITIONS, WHETHER IN IMMEDIATE RELEASE
4 OR EXTENDED RELEASE OR LONG-ACTING FORM, THAT MAY BE COMBINED
5 WITH OTHER DRUG SUBSTANCES TO FORM A SINGLE DRUG PRODUCT OR
6 DOSAGE FORM.

7 **SECTION 2. Act subject to petition - effective date.** This act
8 takes effect January 1, 2016; except that, if a referendum petition is filed
9 pursuant to section 1 (3) of article V of the state constitution against this
10 act or an item, section, or part of this act within the ninety-day period
11 after final adjournment of the general assembly, then the act, item,
12 section, or part will not take effect unless approved by the people at the
13 general election to be held in November 2016 and, in such case, will take
14 effect on the date of the official declaration of the vote thereon by the
15 governor.