

Colorado Legislative Council Staff Fiscal Note

**STATE
FISCAL IMPACT**

Drafting Number: LLS 15-0484	Date: January 14, 2015
Prime Sponsor(s): Rep. Tyler Sen. Neville T.	Bill Status: House Public Health Care and Human Services
	Fiscal Analyst: Lauren Schreier (303-866-3523)

BILL TOPIC: PRESCRIPTION GIVE-BACK FOR INSTITUTIONS

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue		
State Expenditures	Minimal workload increase. See State Expenditures section.	
FTE Position Change		
Appropriation Required: None.		

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

Under current law, facilities licensed by the Department of Public Health and Environment (DPHE) are permitted to donate unused medications only in the event of natural or other disasters. The bill removes this restriction, allowing licensed facilities to donate unused medications, medical supplies, and medical devices (materials) to nonprofit entities that have legal authority to possess such materials. No persons or entities are subject to criminal or civil liability or professional disciplinary action for donating, accepting, or dispensing the medication in a good faith effort.

The bill also removes the requirement that donated medications have an expiration date longer than six months after the date of the donation. Under the bill, unused medical materials donated only need to not be expired. The bill prohibits the resale of donated medications or materials. Authorized entities possessing donated unused medications or materials are permitted to charge a handling fee as specified in rule by the State Board of Pharmacy.

State Expenditures

The bill results in a small workload increase in the Department of Regulatory Affairs (DORA) and the DPHE. In DORA, the State Board of Pharmacy must conduct rulemaking to reflect the new authority of licensed facilities to donate unused materials. The bill will also require the DORA to conduct outreach to alert licensed facilities about these changes. The DPHE must conduct minor rulemaking to reflect the new authority of licensed authorities concerning donated materials. Any workload increase in the DORA and the DPHE will be minimal and can be absorbed within existing staff resources.

Effective Date

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Counties
Higher Education
Healthcare Policy and Financing
Regulatory Agencies

Corrections
Human Services
Public Health and Environment
Sheriffs