

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 14-0291.01 Jane Ritter x4342

HOUSE BILL 14-1173

HOUSE SPONSORSHIP

Ginal and McCann, Schafer, Tyler, Young, Conti, Landgraf, Primavera, Singer

SENATE SPONSORSHIP

Newell,

House Committees

Public Health Care & Human Services
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CONTINUATION OF THE CONTROLLED SUBSTANCES ABUSE**
102 **ACT, AND, IN CONNECTION THEREWITH, THE TREATMENT OF**
103 **CONTROLLED SUBSTANCES ABUSE AND MAKING AN**
104 **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://www.leg.state.co.us/billsummaries>.)

Sunset Process - House Public Health Care and Human Services Committee. The bill extends the "Colorado Licensing of

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.

Controlled Substances Act" (act) until 2025. The department of human services (department) is granted authority to impose a wider range of disciplinary actions for violations of the act. The bill grants the medical director, or his or her designee, at substance abuse treatment facilities, with patient permission, access to the state prescription drug monitoring program. The office of behavioral health in the department is directed to create a secure online substance abuse treatment registry to allow substance abuse treatment facilities to verify patient eligibility and register patients. The additional license fee of \$75 for a controlled substance addiction treatment program is removed.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (45) (e); and **add** (50.5) (h) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for termination, continuation, or reestablishment.**

6 (45) The following agencies, functions, or both, terminate on July 1,
7 2014:

8 (e) ~~The record-keeping and licensing functions of the department~~
9 ~~of human services relating to addiction programs under which controlled~~
10 ~~substances are compounded, administered, or dispensed in accordance~~
11 ~~with part 2 of article 80 of title 27, C.R.S.~~

12 (50.5) The following agencies, functions, or both, terminate on
13 September 1, 2019:

14 (h) THE RECORD-KEEPING AND LICENSING FUNCTIONS OF THE
15 DEPARTMENT OF HUMAN SERVICES RELATING TO ADDICTION PROGRAMS
16 UNDER WHICH CONTROLLED SUBSTANCES ARE COMPOUNDED,
17 ADMINISTERED, OR DISPENSED IN ACCORDANCE WITH PART 2 OF ARTICLE
18 80 OF TITLE 27, C.R.S.

19 **SECTION 2.** In Colorado Revised Statutes, 27-80-204, **amend**
20 (1) (b) (I) as follows:

1 **27-80-204. License required - controlled substances - repeal.**

2 (1) (b) (I) This subsection (1) is repealed, effective ~~July 1, 2014~~
3 SEPTEMBER 1, 2019.

4 **SECTION 3.** In Colorado Revised Statutes, 27-80-208, **amend**
5 (1) introductory portion; and **add** (2.5) as follows:

6 **27-80-208. Denial, revocation, or suspension of license - other**
7 **disciplinary actions.** (1) The department may deny, suspend, or revoke
8 a license issued under this part 2 pursuant to article 4 of title 24, C.R.S.,
9 OR TAKE OTHER DISCIPLINARY ACTION AS SET FORTH IN SUBSECTION (2.5)
10 OF THIS SECTION, AT THE DEPARTMENT'S DISCRETION, upon a finding that
11 the licensee:

12 (2.5) IF THE DEPARTMENT DETERMINES THAT A LICENSEE HAS
13 COMMITTED AN ACT THAT WOULD AUTHORIZE THE DEPARTMENT TO DENY,
14 REVOKE, OR SUSPEND A LICENSE, THE DEPARTMENT MAY, AT ITS
15 DISCRETION, IMPOSE OTHER DISCIPLINARY ACTIONS THAT MAY INCLUDE,
16 BUT NEED NOT BE LIMITED TO A FINE NOT TO EXCEED FIVE HUNDRED
17 DOLLARS, PROBATION, OR STIPULATION.

18 **SECTION 4.** In Colorado Revised Statutes, 12-42.5-404, **add** (3)
19 (c.5) as follows:

20 **12-42.5-404. Program operation - access - rules.** (3) The
21 program is available for query only to the following persons or groups of
22 persons:

23 (c.5) THE MEDICAL DIRECTOR, OR HIS OR HER DESIGNEE, AT A
24 FACILITY THAT TREATS ADDICTION WITH CONTROLLED SUBSTANCES, IF AN
25 INDIVIDUAL IN TREATMENT AT THE FACILITY GIVES PERMISSION TO THE
26 FACILITY TO ACCESS HIS OR HER PROGRAM RECORDS;

27

1 **SECTION 5.** In Colorado Revised Statutes, 27-80-205, **add** (3)
2 (a.5) and **repeal** (3) (a) (I) as follows:

3 **27-80-205. Issuance of license - fees.** (3) (a) The initial and
4 annual license fees are as follows:

5 (I) ~~Addiction program~~ ~~_____~~ ~~\$ 75.00~~

6 (a.5) THE DEPARTMENT MAY ADMINISTRATIVELY SET INITIAL AND
7 ANNUAL LICENSE FEES FOR ADDICTION PROGRAMS TO APPROXIMATE THE
8 DIRECT AND INDIRECT COSTS OF THE PROGRAM.

9 **SECTION 6. Appropriation.** In addition to any other
10 appropriation, there is hereby appropriated, out of any moneys in the
11 prescription drug monitoring fund created in section 12-42.5-405 (1),
12 Colorado Revised Statutes, not otherwise appropriated, to the department
13 of regulatory agencies, for the fiscal year beginning July 1, 2014, the sum
14 of \$7,500, or so much thereof as may be necessary, for allocation to the
15 division of professions and occupations for computer system changes
16 related to the implementation of this act.

17 **SECTION 7. Effective date.** (1) Except as specified in
18 subsection (2) of this section, this act takes effect upon passage.

19 (2) Section 6 of this act takes effect only if House Bill 14-1283 is
20 not enacted and does not become law.

21 **SECTION 8. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.