

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

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

Health & Human Services  
Appropriations

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.

SENATE  
2nd Reading Unamended  
May 1, 2014

HOUSE  
3rd Reading Unamended  
April 7, 2014

HOUSE  
Amended 2nd Reading  
April 4, 2014

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.

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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.