

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

REVISED

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

LLS NO. 10-1078.01 Kristen Forrestal

SENATE BILL 10-197

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SENATE SPONSORSHIP

Hodge,

HOUSE SPONSORSHIP

Riesberg,

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Senate Committees

Health and Human Services

House Committees

Health and Human Services

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A BILL FOR AN ACT

101 CONCERNING EXEMPTING THE TRANSFER OF PRESCRIPTION DRUGS  
102 PURCHASED WITH PUBLIC FUNDS BY PUBLIC ENTITIES FROM THE  
103 DEFINITION OF "WHOLESALE DISTRIBUTION" OF PRESCRIPTION  
104 DRUGS.

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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>.)*

Currently, agencies that do not have a wholesaler pharmacy license cannot transfer prescription drugs between sites. By exempting the

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.

HOUSE  
2nd Reading Unamended  
May 7, 2010

SENATE  
3rd Reading Unamended  
May 4, 2010

SENATE  
2nd Reading Unamended  
May 3, 2010

transfer of prescription drugs purchased with public funds by public entities from the definition of "wholesale distribution", the bill allows the department of public health and environment and a district or county public health agency to make the transfers.

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

2 **SECTION 1.** 12-22-801 (2), Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **12-22-801. Definitions - exemption from licensing**  
5 **requirements.** (2) For the purposes of this part 8, "wholesale  
6 distribution" means distribution of prescription drugs to persons or  
7 entities other than a consumer or patient. "Wholesale distribution" does  
8 not include:

9 (n) THE TRANSFER OF PRESCRIPTION DRUGS WITHIN COLORADO  
10 PURCHASED WITH PUBLIC FUNDS BY THE DEPARTMENT OF PUBLIC HEALTH  
11 AND ENVIRONMENT, CREATED IN SECTION 25-1-102, C.R.S., OR A DISTRICT  
12 OR COUNTY PUBLIC HEALTH AGENCY, CREATED PURSUANT TO SECTION  
13 25-1-506, C.R.S., AND PROCURED BY A PHYSICIAN LICENSED IN COLORADO  
14 WHO IS EITHER THE EXECUTIVE DIRECTOR OR THE CHIEF MEDICAL OFFICER  
15 APPOINTED PURSUANT TO SECTION 25-1-105, C.R.S., OR A PUBLIC HEALTH  
16 DIRECTOR OR MEDICAL OFFICER OF A COUNTY OR DISTRICT PUBLIC HEALTH  
17 AGENCY SELECTED PURSUANT TO SECTION 25-1-508 (5) (c) (I), C.R.S.  
18 THE TRANSFERS MAY ONLY BE MADE TO THE DEPARTMENT OF PUBLIC  
19 HEALTH AND ENVIRONMENT PURSUANT TO THE COLORADO MEDICAL  
20 LICENSE OF THE EXECUTIVE DIRECTOR OR CHIEF MEDICAL OFFICER, A  
21 DISTRICT OR COUNTY PUBLIC HEALTH AGENCY PURSUANT TO THE  
22 COLORADO MEDICAL LICENSE OF THE PUBLIC HEALTH DIRECTOR OR  
23 MEDICAL OFFICER, OR A PHYSICIAN LICENSED IN COLORADO.

1           **SECTION 2. Safety clause.** The general assembly hereby finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, and safety.