

**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**

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**HOUSE SPONSORSHIP**

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

**SENATE SPONSORSHIP**

**Newell,**

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**House Committees**

Public Health Care & Human Services  
Finance

**Senate Committees**

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**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.**

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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>.)*

**Sunset Process - House Public Health Care and Human Services Committee.** The bill extends the "Colorado Licensing of Controlled Substances Act" (act) until 2025. The department of human services (department) is granted authority to impose a wider range 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.*

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:

21 **27-80-204. License required - controlled substances - repeal.**

1 (1) (b) (I) This subsection (1) is repealed, effective ~~July 1, 2014~~  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

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

5 **27-80-208. Denial, revocation, or suspension of license - other**  
6 **disciplinary actions.** (1) The department may deny, suspend, or revoke  
7 a license issued under this part 2 pursuant to article 4 of title 24, C.R.S.,  
8 OR TAKE OTHER DISCIPLINARY ACTION AS SET FORTH IN SUBSECTION (2.5)  
9 OF THIS SECTION, AT THE DEPARTMENT'S DISCRETION, upon a finding that  
10 the licensee:

11 (2.5) IF THE DEPARTMENT DETERMINES THAT A LICENSEE HAS  
12 COMMITTED AN ACT THAT WOULD AUTHORIZE THE DEPARTMENT TO DENY,  
13 REVOKE, OR SUSPEND A LICENSE, THE DEPARTMENT MAY, AT ITS  
14 DISCRETION, IMPOSE OTHER DISCIPLINARY ACTIONS THAT MAY INCLUDE,  
15 BUT NEED NOT BE LIMITED TO A FINE NOT TO EXCEED FIVE HUNDRED  
16 DOLLARS, PROBATION, OR STIPULATION.

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

19 **12-42.5-404. Program operation - access - rules.** (3) The  
20 program is available for query only to the following persons or groups of  
21 persons:

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

26 **SECTION 5.** In Colorado Revised Statutes, **add** 27-60-104 as  
27 follows:

1           **27-60-104. Online substance abuse treatment program**  
2 **registry.** ON OR BEFORE JANUARY 1, 2015, THE OFFICE OF BEHAVIORAL  
3 HEALTH IN THE DEPARTMENT OF HUMAN SERVICES SHALL DEVELOP A  
4 SECURE ONLINE SUBSTANCE ABUSE TREATMENT PROGRAM REGISTRY TO  
5 REGISTER INDIVIDUALS IN SUBSTANCE ABUSE TREATMENT PROGRAMS AND  
6 VERIFY ELIGIBILITY FOR ENROLLMENT IN A SUBSTANCE ABUSE TREATMENT  
7 PROGRAM. THE REGISTRY MUST BE ACCESSIBLE TO LICENSED SUBSTANCE  
8 ABUSE TREATMENT FACILITIES TO INPUT PATIENT DATA AND CHECK  
9 ELIGIBILITY FOR TREATMENT AND MUST BE CONFIDENTIAL AND  
10 PRIVILEGED. THE COSTS OF DEVELOPING THE SECURE ONLINE SUBSTANCE  
11 ABUSE TREATMENT PROGRAM REGISTRY MAY BE PAID FOR THROUGH AN  
12 APPROPRIATION FROM THE GENERAL FUND OR THROUGH GIFTS, GRANTS,  
13 OR DONATIONS.

14           **SECTION 6.** In Colorado Revised Statutes, 27-80-205, **add** (3)  
15 (a.5) and **repeal** (3) (a) (I) as follows:

16           **27-80-205. Issuance of license - fees.** (3) (a) The initial and  
17 annual license fees are as follows:

18           (I) ~~Addiction program~~ ~~\_\_\_\_\_~~ ~~\$ 75.00~~

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

22           **SECTION 7. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, and safety.