

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. 14-0756.01 Christy Chase x2008

HOUSE BILL 14-1290

HOUSE SPONSORSHIP

Becker, Coram, Court, Sonnenberg, Vigil

SENATE SPONSORSHIP

Roberts,

House Committees

Public Health Care & Human Services

Senate Committees

Health & Human Services

A BILL FOR AN ACT

101 CONCERNING AN ADDITION TO THE DEFINITION OF "OTHER OUTLET"
102 TO ENABLE THE OPERATION OF A REMOTELY LOCATED
103 TELEPHARMACY OUTLET.

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>.)

The bill adds to the definition of "other outlet" under the statutes governing the practice of pharmacy a telepharmacy outlet located more than 20 miles from the nearest pharmacy. A prescribing practitioner cannot own a telepharmacy, and the state board of pharmacy is authorized

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
Amended 2nd Reading
April 15, 2014

HOUSE
3rd Reading Unamended
March 17, 2014

HOUSE
Amended 2nd Reading
March 14, 2014

to impose additional telepharmacy ownership restrictions by rule.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-42.5-102, **amend**
3 (39); and **add** (25) (c) and (40.5) as follows:

4 **12-42.5-102. Definitions.** As used in this article, unless the
5 context otherwise requires or the term is otherwise defined in another part
6 of this article:

7 (25) "Other outlet" means:

8 (c) A TELEPHARMACY OUTLET.

9 (39) "Supervision" means that a licensed pharmacist is on the
10 location and readily available to consult with and assist unlicensed
11 personnel performing tasks described in paragraph (b) of subsection (31)
12 of this section. IF THE UNLICENSED PERSON IS A PHARMACY TECHNICIAN
13 LOCATED AT A REGISTERED TELEPHARMACY OUTLET, THE LICENSED
14 PHARMACIST NEED NOT BE PHYSICALLY PRESENT AT THE TELEPHARMACY
15 OUTLET AS LONG AS THE LICENSED PHARMACIST IS CONNECTED TO THE
16 TELEPHARMACY OUTLET VIA COMPUTER LINK, VIDEOLINK, AND
17 AUDIOLINK, OR VIA OTHER TELECOMMUNICATION EQUIPMENT OF
18 EQUIVALENT FUNCTIONALITY, AND IS READILY AVAILABLE TO CONSULT
19 WITH AND ASSIST THE PHARMACY TECHNICIAN IN PERFORMING TASKS
20 DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (31) OF THIS SECTION.

21 (40.5) (a) "TELEPHARMACY OUTLET" MEANS A REMOTE PHARMACY
22 SITE THAT:

23 (I) IS REGISTERED AS AN OTHER OUTLET UNDER THIS ARTICLE;

24 (II) AT THE TIME OF REGISTRATION, IS LOCATED MORE THAN
25 TWENTY MILES FROM THE NEAREST PRESCRIPTION DRUG OUTLET AND

1 FROM ANY OTHER TELEPHARMACY OUTLET REGISTERED UNDER THIS
2 ARTICLE;

3 (III) IS CONNECTED VIA COMPUTER LINK, VIDEOLINK, AND
4 AUDIOLINK, OR VIA OTHER FUNCTIONALLY EQUIVALENT
5 TELECOMMUNICATION EQUIPMENT, WITH A CENTRAL PHARMACY THAT IS
6 REGISTERED UNDER THIS ARTICLE; AND

7 (IV) HAS A PHARMACY TECHNICIAN ON SITE WHO, UNDER THE
8 REMOTE SUPERVISION OF A LICENSED PHARMACIST LOCATED AT THE
9 CENTRAL PHARMACY, PERFORMS THE TASKS DESCRIBED IN PARAGRAPH (b)
10 OF SUBSECTION (31) OF THIS SECTION.

11 (b) THE BOARD MAY ADOPT RULES AS NECESSARY TO SPECIFY
12 ADDITIONAL CRITERIA FOR A TELEPHARMACY OUTLET THAT THE BOARD
13 DEEMS NECESSARY.

14 **SECTION 2. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2014 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.