

SB132_L.001

SENATE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Health and Human Services.

After consideration on the merits, the Committee recommends the following:

SB09-132 be amended as follows:

1 Amend printed bill, page 2, strike lines 2 through 11 and substitute the
2 following:

3 "SECTION 1. 25.5-2.5-102, Colorado Revised Statutes, is
4 amended to read:

5 **25.5-2.5-102. Legislative declaration.** (1) The general assembly
6 finds that:

7 (a) Uninsured, underinsured, and older Coloradans pay a
8 disproportionately greater share of their income for prescription drugs.
9 In many cases, current drug prices have the effect of denying residents
10 access to necessary medical care, thereby threatening their health and
11 safety.

12 (b) Prescription drugs play an increasingly important role in
13 improving or stabilizing a person's health and in reducing overall health
14 care costs;

15 (c) Additionally, the new medicare prescription drug benefit
16 restricts persons from purchasing insurance in order to fully cover their
17 prescription drug needs. This restriction on a person's ability to purchase
18 adequate coverage may threaten the person's health and safety.

19 (d) Currently, there is no limit on the amount that a pharmacy may
20 charge for a generic or nonpatented drug, and, although some retail



1 pharmacies are offering some generic and nonpatented drugs at
2 discounted prices, there are no guarantees that the pharmacies will
3 continue to do so.

4 (2) The general assembly, therefore, declares that it is necessary
5 ~~to provide a mechanism for persons~~ IMPORTANT TO MAKE INFORMATION
6 AVAILABLE TO THE PUBLIC CONCERNING WAYS to purchase lower-cost
7 generic and nonpatented prescription drugs through the implementation
8 of "Colorado Cares Rx Act" in order to protect the health of uninsured,
9 underinsured, and older Coloradans. ~~while at the same time protecting~~
10 ~~pharmacies from bearing the cost of providing the drugs to such persons.~~
11 THE GENERAL ASSEMBLY FURTHER DECLARES THAT THE STATE SHOULD
12 CONTINUE TO ACTIVELY RESEARCH COST-EFFECTIVE MECHANISMS OR
13 PROGRAMS THAT MAY PROVIDE ADDITIONAL OPTIONS TO ADDRESS THIS
14 NEED IN COLORADO.

15 **SECTION 2.** 25.5-2.5-103, Colorado Revised Statutes, is
16 REPEALED AND REENACTED, WITH AMENDMENTS, to read:

17 **25.5-2.5-103. Lower-cost prescription drugs - information -**
18 **research - reporting.** (1) THE STATE DEPARTMENT SHALL MAKE
19 INFORMATION AVAILABLE TO THE PUBLIC CONCERNING LOWER-COST
20 PRESCRIPTION DRUG PROGRAMS. THE INFORMATION SHALL INCLUDE, BUT
21 NEED NOT BE LIMITED TO:

22 (a) WAYS IN WHICH LOW-INCOME, UNINSURED PERSONS CAN
23 OBTAIN LOWER-COST PRESCRIPTION DRUGS; AND

24 (b) CONTACT INFORMATION CONCERNING PROGRAMS FOR
25 LOWER-COST PRESCRIPTION DRUGS.

26 (2) THE STATE DEPARTMENT SHALL RESEARCH COST-EFFECTIVE
27 PROGRAMS OR MECHANISMS BY WHICH LOW-INCOME, UNINSURED PERSONS
28 MAY PURCHASE LOWER-COST PRESCRIPTION DRUGS.

29 (3) THE STATE DEPARTMENT SHALL REPORT ANNUALLY TO THE
30 HEALTH AND HUMAN SERVICES COMMITTEES OF THE HOUSE OF
31 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES,
32 CONCERNING THE PROVISIONS OF THIS ARTICLE.

33 **SECTION 3. Repeal.** 25.5-2.5-104, 25.5-2.5-105, and

- 1 25.5-2.5-106, Colorado Revised Statutes, are repealed."
- 2 Renumber succeeding sections accordingly.

** ** ** ** **



