



## Key Colorado Legislation For the Creation / Sustainability of Naloxone Dispensing from Hospitals.

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### **HB 1065 - Harm Reduction Substance Use Disorders - passed in 2020**

It is the first bill to mandate coverage by private insurers in the state of Colorado for dispensed naloxone from hospitals.

Link to [full act here](#).

Pertinent language - Page 1

10-16-154. Coverage for opiate antagonists provided by a hospital - definition.

(1) As USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "OPIATE ANTAGONIST" HAS THE SAME MEANING AS SET FORTH IN SECTION 12-30-110 (7)(d).

(2) A CARRIER THAT PROVIDES COVERAGE FOR OPIATE ANTAGONISTS PURSUANT TO THE TERMS OF A HEALTH COVERAGE PLAN THE CARRIER OFFERS SHALL REIMBURSE A HOSPITAL FOR THE HOSPITAL'S COST OF AN OPIATE ANTAGONIST IF THE HOSPITAL GIVES A COVERED PERSON AN OPIATE ANTAGONIST UPON DISCHARGE FROM THE HOSPITAL.

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### **HB 1326 - Fentanyl Accountability And Prevention Act - passed in 2022**

The bill mandates coverage by Colorado Medicaid in the state of Colorado for dispensed naloxone from hospitals. HB1326 strips all labeling and pharmacy requirements as they pertain to opioid antagonists, so that hospitals may dispense naloxone with greater ease and less regulation or threat of penalty for not complying with board of pharmacy regulations.

Link to [full act here](#).

## Legislation

Pertinent Language - Page 21 - Board of Pharmacy

(3.5) (a) NOTWITHSTANDING ANY PROVISION OF THIS TITLE 12 OR RULES IMPLEMENTING THIS TITLE 12, A PRESCRIBER PRESCRIBING OR DISPENSING AN OPIATE ANTAGONIST IN ACCORDANCE WITH THIS SECTION, OTHER THAN A PHARMACIST OR OTHER PRESCRIBER PRESCRIBING AND DISPENSING FROM A PRESCRIPTION DRUG OUTLET OR PHARMACY, IS NOT REQUIRED TO COMPLY



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WITH LAWS RELATING TO LABELING, STORAGE, OR RECORD KEEPING FOR THE OPIATE ANTAGONIST.

(b) A PRESCRIBER PRESCRIBING OR DISPENSING AN OPIATE ANTAGONIST EXEMPTED FROM LABELING, STORAGE, OR RECORD-KEEPING REQUIREMENTS PURSUANT TO THIS SUBSECTION (3.5):

### **Pertinent Language - Page 65 - Medicaid Reimbursement**

In Colorado Revised Statutes, amend 25.5-5-509 as Follows: 25.5-5-509. Substance use disorder - prescription drugs - opiate antagonist.

(1) Notwithstanding any provisions of this part 5 to the contrary, for the treatment of a substance use disorder, in promulgating rules, and subject to any necessary federal authorization, the state board shall authorize reimbursement for at least one federal food and drug administration-approved ready-to-use opioid overdose reversal drug without prior authorization.

(2) (a) AS USED IN THIS SUBSECTION (2), UNLESS THE CONTEXT OTHERWISE REQUIRES, "OPIATE ANTAGONIST" HAS THE SAME MEANING AS SET FORTH IN SECTION 12-30-110 (7)(d).

(b) A HOSPITAL OR EMERGENCY DEPARTMENT SHALL RECEIVE REIMBURSEMENT UNDER THE MEDICAL ASSISTANCE PROGRAM FOR THE COST OF AN OPIATE ANTAGONIST IF, IN ACCORDANCE WITH SECTION 12-30-110, A PRESCRIBER, AS DEFINED IN SECTION 12-30-110 (7)(h), DISPENSES AN OPIATE ANTAGONIST UPON DISCHARGE TO A MEDICAL ASSISTANCE RECIPIENT WHO IS AT RISK OF EXPERIENCING AN OPIATE-RELATED DRUG OVERDOSE EVENT OR TO A FAMILY MEMBER, FRIEND, OR OTHER PERSON IN A POSITION TO ASSIST A MEDICAL ASSISTANCE RECIPIENT WHO IS AT RISK OF EXPERIENCING AN OPIATE-RELATED DRUG OVERDOSE EVENT.

(c) THE STATE DEPARTMENT SHALL SEEK FEDERAL FINANCIAL PARTICIPATION FOR THE COST OF REIMBURSEMENT FOR THE OPIATE ANTAGONIST, BUT SHALL PROVIDE REIMBURSEMENT TO THE HOSPITAL OR EMERGENCY DEPARTMENT FOR THE OPIATE ANTAGONIST USING STATE MONEY UNTIL FEDERAL FINANCIAL PARTICIPATION IS AVAILABLE.