A BILL FOR AN ACT

Concerning a per day limit on the amount of an opioid that a prescriber may prescribe to a patient, and, in connection therewith, creating an exception for a patient with intractable pain.

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://leg.colorado.gov.)

The bill prohibits a prescriber from issuing to a patient a prescription for an opioid that will be dispensed or administered outside of a health-care facility or the prescriber's practice location if the amount...
of the opioid exceeds 90 morphine milligram equivalents per day, unless the patient suffers from intractable pain.

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

SECTION 1. In Colorado Revised Statutes, 12-30-109, amend (1)(a) and (4) as follows:


(1) (a) A prescriber shall not:

(I) Prescribe more than a seven-day supply of an opioid to a patient who has not obtained an opioid prescription from that prescriber within the last twelve months and may exercise discretion to include a second fill for a seven-day supply. The limits on initial prescribing do not apply if, in the judgment of the prescriber, the patient:

(1) (A) Has chronic pain that typically lasts longer than ninety days or past the time of normal healing, as determined by the prescriber, or following transfer of care from another prescriber who practices the same profession and who prescribed an opioid to the patient;

(1) (B) Has been diagnosed with cancer and is experiencing cancer-related pain;

(1) (C) Is experiencing post-surgical pain that, because of the nature of the procedure, is expected to last more than fourteen days; or

(1) (D) Is undergoing palliative care or hospice care focused on providing the patient with relief from symptoms, pain, and stress resulting from a serious illness in order to improve quality of life; except that this subsection (1)(a)(IV) applies only if the prescriber is a physician, a physician assistant, or an advanced practice registered nurse; or

(II) ISSUE TO A PATIENT A PRESCRIPTION FOR AN OPIOD THAT WILL
BE DISPENSED OR ADMINISTERED OUTSIDE OF A HEALTH-CARE FACILITY OR
THE PRESCRIBER'S PRACTICE LOCATION IF THE PRESCRIPTION IS FOR AN
AMOUNT THAT EXCEEDS NINETY MORPHINE MILLIGRAM EQUIVALENTS PER
DAY. THE NINETY MORPHINE MILLIGRAM EQUIVALENTS PER DAY LIMIT
DOES NOT APPLY TO A PATIENT WHO HAS INTRACTABLE PAIN.

(4) As used in this section:

(a) "HEALTH-CARE FACILITY" MEANS A FACILITY LICENSED OR
CERTIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
PURSUANT TO SECTION 25-1.5-103.

(b) "INTRACTABLE PAIN" MEANS PAIN THAT:

(I) IS EXCRUCIATING, CONSTANT, INCURABLE, AND OF SUCH
SEVERITY THAT IT DOMINATES VIRTUALLY EVERY CONSCIOUS MOMENT;

AND

(II) PRODUCES MENTAL AND PHYSICAL DEBILITATION.

(c) "Prescriber" means:

(α) (I) A dentist licensed pursuant to article 220 of this title 12;
(β) (II) A physician or physician assistant licensed pursuant to article 240 of this title 12;
(ε) (III) An advanced practice registered nurse with prescriptive authority pursuant to section 12-255-112;
(δ) (IV) An optometrist licensed pursuant to article 275 of this title 12;
(ε) (V) A podiatrist licensed pursuant to article 290 of this title 12;

or

(φ) (VI) A veterinarian licensed pursuant to part 1 of article 315 of this title 12.

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