

CHAPTER 288

HEALTH AND ENVIRONMENT

SENATE BILL 25-301

BY SENATOR(S) Wallace and Kirkmeyer, Coleman, Cutter, Gonzales J., Hinrichsen, Jodeh, Kipp, Kolker, Marchman, Michaelson Jenet, Roberts, Rodriguez, Sullivan, Weissman, Winter F., Amabile, Ball, Carson, Catlin, Frizell, Liston, Pelton B., Pelton R., Snyder;
also REPRESENTATIVE(S) Lieder and Johnson, Barron, Bradfield, Clifford, Garcia Sander, Joseph, Rutinel, Stewart K., Taggart, Titone, Willford, Bacon, Bird, Boesenecker, Brown, Duran, Hamrick, Lindsay, Lukens, Mabrey, McCormick, Paschal, Ricks, Sirota, Smith, Story, McCluskie.

AN ACT

CONCERNING AUTHORIZATION FOR A HEALTH-CARE PROVIDER TO ADJUST A CHRONIC MAINTENANCE DRUG PRESCRIPTION WITHOUT PRIOR AUTHORIZATION FROM AN INSURANCE CARRIER.

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

SECTION 1. In Colorado Revised Statutes, 10-16-124.5, **add** (6.2) as follows:

10-16-124.5. Prior authorization form - drug benefits - program - chronic maintenance drugs - rules of commissioner - definitions - repeal.
(6.2) CONSISTENT WITH AVAILABLE EVIDENCE-BASED GUIDELINES, A PRESCRIBING PROVIDER MAY ADJUST THE DOSE OR FREQUENCY OF A PRESCRIPTION DRUG TO MEET THE SPECIFIC MEDICAL NEEDS OF A COVERED PERSON WITHOUT PRIOR AUTHORIZATION OR SUBSEQUENT UTILIZATION MANAGEMENT, AS DEFINED IN SECTION 10-16-1002 (10), RELATED TO THE DOSE OR FREQUENCY ADJUSTMENT IF:

(a) THE PRESCRIPTION DRUG IS A CHRONIC MAINTENANCE DRUG, AS DEFINED IN SECTION 12-280-103 (9.5), THAT HAS PREVIOUSLY BEEN APPROVED FOR COVERAGE BY THE CARRIER OR PBM FOR THE COVERED PERSON'S CHRONIC OR DEBILITATING DISEASE AND THE PRESCRIBING PROVIDER CONTINUES TO PRESCRIBE THE DRUG FOR THE SAME CHRONIC OR DEBILITATING DISEASE;

(b) THE PRESCRIPTION DRUG IS NOT AN OPIOID OR A SCHEDULED CONTROLLED SUBSTANCE; AND

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(c) THE DOSE OR FREQUENCY HAS NOT BEEN ADJUSTED MORE THAN TWO TIMES WITHOUT PRIOR AUTHORIZATION.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 29, 2025