

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB23-1225 be amended as follows:

- 1 Amend reengrossed bill, page 5, strike line 27.
- 2 Page 6, strike lines 1 through 8 and substitute "**- severability.** (1) (a) The board may establish an upper payment limit for any prescription drug for which the board has performed an affordability review pursuant to section 10-16-1406 and determined that the use of the prescription drug is unaffordable for Colorado consumers; except that:
  - 7 (I) The board may not establish an upper payment limit for more than twelve prescription drugs in each calendar year for three years beginning April 1, 2022, UNLESS THE BOARD DETERMINES THAT THERE IS A NEED TO ESTABLISH UPPER PAYMENT LIMITS FOR MORE THAN TWELVE PRESCRIPTION DRUGS, IN WHICH CASE THE BOARD MAY ESTABLISH AN UPPER PAYMENT LIMIT FOR UP TO EIGHTEEN PRESCRIPTION DRUGS SO LONG AS THE BOARD HAS SUFFICIENT STAFF SUPPORT TO DO SO; AND
  - 14 (II) FOR EACH PRESCRIPTION DRUG FOR WHICH THE BOARD ESTABLISHES AN UPPER PAYMENT LIMIT, THE BOARD MAY INCLUDE MULTIPLE NATIONAL DRUG CODES, AS DESCRIBED IN 21 CFR 207.33, THAT ARE INDICATED FOR THE PRESCRIPTION DRUG.
- 18 (b) The failure of an entity to provide information to the board pursuant to section 10-16-1406 (7)(b) does not affect the authority of the board to establish an upper payment limit for ~~the~~ A prescription drug.".
- 21 Page 1, line 104, strike "UNLIMITED" and substitute "ADDITIONAL".

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