

## SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Cutter

1 Amend printed bill, page 15, after line 20 insert:

2 "SECTION 4. In Colorado Revised Statutes, **add** 12-315-127 as  
3 follows:

4 **12-315-127. Veterinary drug donation program - rules.** (1) AN  
5 OWNER OF AN ANIMAL MAY DONATE A DRUG THAT IS DISPENSED FOR BUT  
6 NOT USED BY THE ANIMAL TO A LICENSED VETERINARIAN OR ANIMAL  
7 SHELTER IN WHICH VETERINARY MEDICINE IS PRACTICED IF THE LICENSED  
8 VETERINARIAN OR ANIMAL SHELTER ACCEPTS THE DRUG.

9 (2) EXCEPT AS PROVIDED IN SUBSECTION (4)(b) OF THIS SECTION,  
10 A LICENSED VETERINARIAN MAY REISSUE A DONATED DRUG ACCEPTED  
11 PURSUANT TO THIS SECTION TO FILL OTHER PRESCRIPTIONS DISPENSED BY  
12 THE LICENSED VETERINARIAN FREE OF CHARGE FOR AN ANIMAL IF:

13 (a) THE LICENSED VETERINARIAN DETERMINES THAT THE OWNER  
14 OF THE ANIMAL IS ELIGIBLE FOR THE REISSUANCE OF THE DRUG BASED ON  
15 ECONOMIC NEED;

16 (b) THE LICENSED VETERINARIAN DETERMINES THAT THE DRUG IS  
17 SUITABLE FOR REISSUANCE;

18 (c) THE DRUG WAS ORIGINALLY DISPENSED BY A LICENSED  
19 VETERINARIAN;

20 (d) THE DRUG IS NOT A CONTROLLED SUBSTANCE;

21 (e) THE DRUG IS NOT A COMPOUNDED DRUG;

22 (f) THE DRUG DOES NOT REQUIRE REFRIGERATION BEFORE OPENING  
23 AND THE DRUG WAS UNOPENED WHEN DONATED;

24 (g) THE DRUG IS NOT IN A LIQUID FORM OR, IF IN LIQUID FORM, THE  
25 DRUG IS PACKAGED IN A SINGLE DOSE IN AN AMPULE OR VIAL;

26 (h) THE DRUG HAS NOT EXPIRED;

27 (i) THE PACKAGING OR BOTTLE CONTAINS THE EXPIRATION DATE  
28 OF THE DRUG; AND

29 (j) THE NAME OF THE ANIMAL AND THE NAME OF THE OWNER OF  
30 THE ANIMAL FOR WHICH THE DRUG WAS ORIGINALLY DISPENSED, THE  
31 PRESCRIPTION NUMBER, AND ANY OTHER IDENTIFYING MARKS ARE  
32 OBLITERATED FROM THE PACKAGING OR BOTTLE BEFORE THE DRUG IS  
33 REISSUED.

34 (3) A LICENSED VETERINARIAN SHALL:

35 (a) IDENTIFY AND MAINTAIN SEPARATELY FROM OTHER STOCK A  
36 DONATED DRUG ACCEPTED PURSUANT TO THIS SECTION; AND

37 (b) MAKE A RECORD OF EACH DONATED DRUG ACCEPTED  
38 PURSUANT TO THIS SECTION THAT INCLUDES, AT A MINIMUM:

39 (A) THE DATE ON WHICH THE DRUG WAS DONATED;

1 (B) THE NAME OF THE PERSON WHO DONATED THE DRUG; AND  
2 (C) THE EXPIRATION DATE OF THE DRUG.  
3 (4) A LICENSED VETERINARIAN SHALL NOT:  
4 (a) SELL OR RESELL A DONATED DRUG ACCEPTED PURSUANT TO  
5 THIS SECTION; OR  
6 (b) DISPENSE A DONATED DRUG ACCEPTED PURSUANT TO THIS  
7 SECTION TO FILL OTHER PRESCRIPTIONS DISPENSED BY THE LICENSED  
8 VETERINARIAN FOR AN ANIMAL IF THE ANIMAL IS RAISED TO PRODUCE  
9 FOOD FOR HUMAN CONSUMPTION OR THE ANIMAL IS ORDINARILY  
10 CONSUMED BY ANIMALS THAT ARE RAISED TO PRODUCE FOOD FOR HUMAN  
11 CONSUMPTION.  
12 (5) (a) A LICENSED VETERINARIAN, ANIMAL SHELTER IN WHICH  
13 VETERINARY MEDICINE IS PRACTICED, OR OTHER PERSON WHO EXERCISES  
14 REASONABLE CARE IN THE DONATION, ACCEPTANCE, DISTRIBUTION, OR  
15 DISPENSATION OF A DRUG IN ACCORDANCE WITH THIS SECTION AND ANY  
16 RULES ADOPTED PURSUANT TO THIS SECTION IS NOT SUBJECT TO CIVIL OR  
17 CRIMINAL LIABILITY OR DISCIPLINARY ACTION BY A PROFESSIONAL  
18 LICENSING BOARD FOR ANY LOSS, INJURY, OR DEATH THAT RESULTS FROM  
19 THE DONATION, ACCEPTANCE, DISTRIBUTION, OR DISPENSATION OF THE  
20 DRUG.  
21 (b) A MANUFACTURER OF A DRUG IS NOT SUBJECT TO CIVIL OR  
22 CRIMINAL LIABILITY FOR ANY CLAIM OR INJURY ARISING FROM THE  
23 DONATION, ACCEPTANCE, DISTRIBUTION, OR DISPENSATION OF THE DRUG  
24 PURSUANT TO THIS SECTION AND ANY RULES ADOPTED PURSUANT TO THIS  
25 SECTION.  
26 (6) THE BOARD MAY ADOPT RULES AS NECESSARY TO IMPLEMENT  
27 THIS SECTION, INCLUDING:  
28 (a) REQUIREMENTS FOR REISSUING DONATED DRUGS PURSUANT TO  
29 THIS SECTION, INCLUDING REQUIREMENTS THAT PROVIDE APPROPRIATE  
30 SAFEGUARDS FOR ENSURING THAT THE DRUGS ARE NOT COMPROMISED OR  
31 ILLEGALLY DIVERTED BEFORE BEING REISSUED;  
32 (b) REQUIREMENTS FOR ACCEPTING DRUGS DONATED BY A  
33 LICENSED VETERINARIAN OR ANIMAL SHELTER; AND  
34 (c) REQUIREMENTS FOR MAINTAINING RECORDS RELATING TO THE  
35 ACCEPTANCE AND USE OF DONATED DRUGS TO FILL OTHER PRESCRIPTIONS  
36 PURSUANT TO THIS SECTION."

37 Renumber succeeding section accordingly.

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