

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

SB25-289 be amended as follows:

- 1 Amend printed bill, page 2, line 11, strike "DRUGS, INCLUDING" and
2 substitute "DRUGS.".
- 3 Page 3, strike line 1.
- 4 Page 3, line 5, after "MAINTAINED" insert "BY A DONOR".
- 5 Page 3, line 6, strike "REQUIREMENTS; AND" and substitute
6 "REQUIREMENTS, SO LONG AS THE COLD CHAIN CAN BE VERIFIED; AND".
- 7 Page 3, line 24, strike "a nonprofit" and substitute "a nonprofit AN".
- 8 Page 4, line 6, strike "or entity" and substitute "or entity".
- 9 Page 4, line 25, strike "REQUIREMENTS." and substitute "REQUIREMENTS,
10 SO LONG AS THE COLD CHAIN CAN BE VERIFIED.".
- 11 Page 5, strike lines 25 through 27 and substitute "donated pursuant to this
12 section ~~may~~ SHALL not be resold for profit. The entity that receives the
13 ~~donated materials~~ ~~may charge the end user a handling fee, which fee shall~~
14 ~~not exceed the amount specified by rule of the board~~ AND ARE
15 CONSIDERED NONSALEABLE; EXCEPT THAT HANDLING, DISPENSING, OR
16 USUAL AND CUSTOMARY CHARGES TO AN ELIGIBLE PATIENT, HEALTH PLAN,
17 PHARMACY BENEFIT MANAGER, PHARMACY SERVICE, ADMINISTRATIVE
18 ORGANIZATION, GOVERNMENT AGENCY, OR OTHER ENTITY IS NOT
19 CONSIDERED RESELLING. IF THE DONATION RECIPIENT IS A FOR-PROFIT
20 ENTITY, THESE CHARGES MUST NOT EXCEED THE DONATION RECIPIENT'S
21 COST OF PROVIDING THE MEDICINE, INCLUDING THE CURRENT AND
22 ANTICIPATED COSTS OF EDUCATING ELIGIBLE DONORS AND INDIVIDUAL
23 DONORS, PROVIDING TECHNICAL SUPPORT TO PARTICIPATING DONORS AND
24 INDIVIDUAL DONORS, SHIPPING AND HANDLING, LABOR, STORAGE,
25 LICENSING, UTILITIES, ADVERTISING, TECHNOLOGY, SUPPLIES, AND
26 EQUIPMENT. EXCEPT AS DESCRIBED IN THIS SUBSECTION (4), THE AMOUNT
27 OF THESE CHARGES IS NOT SUBJECT TO ADDITIONAL LIMITATIONS.".
- 28 Page 6, strike line 1.

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