HB19-1131 be amended as follows:

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, add 12-42.5-308 as
follows:

12-42.5-308. Manufacturer, agent, representative, employee
-drug cost information - required - definitions. (1) A MANUFACTURER,
OR A REPRESENTATIVE, AGENT, OR EMPLOYEE OF A MANUFACTURER,
SHALL PROVIDE TO A PRESCRIBER, IN WRITING, THE WHOLESALE
ACQUISITION COST OF A PRESCRIPTION DRUG WHEN, IN THE COURSE OF
CONDUCTING BUSINESS, THE MANUFACTURER, REPRESENTATIVE, AGENT,
OR EMPLOYEE PROVIDES INFORMATION CONCERNING THE DRUG TO THE
PRESCRIBER.

(2) (a) WHEN PROVIDING THE INFORMATION REQUIRED BY
SUBSECTION (1) OF THIS SECTION, A MANUFACTURER, OR A
REPRESENTATIVE, AGENT, OR EMPLOYEE OF A MANUFACTURER, SHALL
ALSO DISSEMINATE EDUCATIONAL MATERIALS CONCERNING THE
WHOLESALE ACQUISITION COSTS OF AT LEAST THREE OTHER PRESCRIPTION
DRUGS FROM THE SAME THERAPEUTIC CLASS, OR IF THREE ARE NOT
AVAILABLE, AS MANY AS ARE AVAILABLE FOR PRESCRIPTIVE USE.

(b) FOR THE PURPOSES OF THIS SECTION:

(I) "PRESCRIBER" MEANS A HEALTH CARE PROVIDER LICENSED
PURSUANT TO THIS TITLE 12 WHO IS AUTHORIZED TO PRESCRIBE
CONTROLLED SUBSTANCES OR PRESCRIPTION DRUGS.

(II) "THERAPEUTIC CLASS" MEANS A GROUP OF SIMILAR DRUGS
THAT HAVE THE SAME OR SIMILAR MECHANISMS OF ACTION AND ARE USED
TO TREAT A SPECIFIC CONDITION.

SECTION 2. In Colorado Revised Statutes, add to article 280
as relocated by House Bill 19-1172 12-280-308 as follows:

12-280-308. Manufacturer, agent, representative, employee
-drug cost information - required - definitions. (1) A MANUFACTURER,
OR A REPRESENTATIVE, AGENT, OR EMPLOYEE OF A MANUFACTURER,
SHALL PROVIDE TO A PRESCRIBER, IN WRITING, THE WHOLESALE
ACQUISITION COST OF A PRESCRIPTION DRUG WHEN, IN THE COURSE OF
CONDUCTING BUSINESS, THE MANUFACTURER, REPRESENTATIVE, AGENT,
OR EMPLOYEE PROVIDES INFORMATION CONCERNING THE DRUG TO THE
PRESCRIBER.

(2) (a) WHEN PROVIDING THE INFORMATION REQUIRED BY
SUBSECTION (1) OF THIS SECTION, A MANUFACTURER, OR A
REPRESENTATIVE, AGENT, OR EMPLOYEE OF A MANUFACTURER, SHALL
ALSO DISSEMINATE EDUCATIONAL MATERIALS CONCERNING THE
WHOLESALE ACQUISITION COSTS OF AT LEAST THREE OTHER PRESCRIPTION DRUGS FROM THE SAME THERAPEUTIC CLASS, OR IF THREE ARE NOT AVAILABLE, AS MANY AS ARE AVAILABLE FOR PRESCRIPTIVE USE.

(b) FOR THE PURPOSES OF THIS SECTION:

(I) "PRESCRIBER" MEANS A HEALTH CARE PROVIDER LICENSED PURSUANT TO THIS TITLE 12 WHO IS AUTHORIZED TO PRESCRIBE CONTROLLED SUBSTANCES OR PRESCRIPTION DRUGS.

(II) "THERAPEUTIC CLASS" MEANS A GROUP OF SIMILAR DRUGS THAT HAVE THE SAME OR SIMILAR MECHANISMS OF ACTION AND ARE USED TO TREAT A SPECIFIC CONDITION.

SECTION 3. Act subject to petition - effective date. (1) Except as otherwise provided in subsection (2) of this section, 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 (August 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 2 of this act takes effect only if House Bill 19-1172 becomes law, in which case section 2 takes effect October 1, 2019.".

*** ** *** ** *** **