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Colorado Governor Signs Opioid Prescribing Limits Legislation

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On May 21, 2018, Colorado Governor John Hickenlooper signed SB18-22, concerning clinical practice measures for safer opioid prescribing. Colorado joins a growing number of states who are combating the opioid epidemic by imposing prescribing limits on the initial use of opioids for acute pain. The legislation amends the specific practice acts for podiatrists, dentists, physicians, physician assistants, advanced practice nurses, optometrists, and veterinarians. For all listed practitioners the bill does the following:

- Limits an initial opioid prescription to 7 days if the patient has not received an opioid prescription in the last 12 months.
- A second 7-day fill is allowed at the discretion of the practitioner.
- The opioid prescribing limits do not apply for these exceptions:
 - Chronic pain that lasts longer than 90 days or past the normal time of healing
 - The patient has been diagnosed with cancer and is experiencing cancer-related pain
 - Post-surgical pain that is expected to last greater than 14 days
 - Palliative care or hospice care
- Prior to prescribing the second fill of any opioid, the practitioner must comply with the requirements for reviewing the prescription drug monitoring program database (PDMP)

The final provision in the bill is a requirement for the Colorado Department of Health to report to the legislature the results of a study being conducted pursuant to a federal grant titled the "Prescription Drug Overdose Prevention for States Cooperative Agreement." The study is focused on the PDMP integration methods and health care provider report cards. The report is due on or before December 1, 2019.

The prescribing limitations in the legislation have a sunset date of September 1, 2021. Presumably the legislature will revisit the opioid prescribing limits policy based on the findings of the aforementioned study. The legislature included an urgency clause in the bill so it became effective upon the signature of the Governor.

Complete text of the legislation can be found [here](#).

For additional information about this legislation or for questions regarding any legislative or regulatory issue around the country, please contact Brian Allen, vice president of government affairs, at Brian.Allen@mitchell.com or at 801.903.5754.



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