



March 27, 2026

Chair Kyle Mullica and members of the committee
Colorado Senate Health & Human Services Committee
200 E Colfax, RM 346
Denver, CO 80203

RE: Comments in opposition to SB26-140 Exempt Drugs from Prescription Drug Affordability Board Reviews

As a representative of Colorado's more than 730,000 small businesses, Small Business Majority urges you to oppose SB26-140. This legislation would prevent Colorado's Prescription Drug Affordability Board (PDAB) from reviewing the cost of hundreds of commonly prescribed medications that Coloradans struggle to afford every day.

Access to affordable, quality healthcare is crucial to small businesses' ability to compete with large corporations for talented employees, in addition to ensuring entrepreneurs and their employees get the care they need. Health coverage is most small businesses' largest expense outside of payroll. That's why it's worrisome that our research found small businesses are struggling amid rising healthcare costs, with 76% saying that prescription drug prices in America are too high.¹ It's not surprising that 90% of small business owners support proposals that would bring down the cost of prescription drugs.²

In response, Colorado's policymakers created a PDAB that is now the leader in addressing skyrocketing prescription drug costs. For instance, Colorado's PDAB set the first-in-the-nation Upper Payment Limit (UPL) on Enbrel, which is projected to save Coloradans approximately \$38 million a year.³ That's why it's concerning that SB26-140 is trying to reverse this success, which would drive up costs for Colorado small business owners and their employees.

This legislation would take away the Board's authority to review the affordability of some of the most expensive prescription medications and prevent Colorado's PDAB from lowering the cost of these medications. Patients with rare diseases are among the most harmed by out-of-control drug costs. That's why the pharmaceutical industry is focused on exempting medications that treat rare diseases because they are extremely profitable and face no market competition.

SB26-140 is part of the pharmaceutical industry's national strategy to make it impossible for states to bring down the cost of prescription medications. We urge you to oppose this legislation to protect Colorado PDAB's work to lower costs for small business owners and their employees.

Sincerely,

Awesta Sarkash
Vice President, State Policy & Advocacy
Small Business Majority

¹ "Opinion poll: Small businesses struggling with rising healthcare costs, support bipartisan policy solutions." Small Business Majority. February 21, 2024. <https://smallbusinessmajority.org/our-research/healthcare/small-businesses-struggling-rising-healthcare-costs-support-bipartisan-policy-solutions>

² "Small businesses struggling to access healthcare during COVID-19 pandemic." Small Business Majority. March 31, 2021. <https://smallbusinessmajority.org/our-research/healthcare/small-businesses-struggling-access-healthcare-during-covid-19-pandemic>

³ "Consumer advocates praise Prescription Drug Affordability Board's decision to set first-in-nation Upper Payment Limit on the expensive drug Enbrel." Colorado Consumer Health Initiative. October 3, 2025. <https://cohealthinitiative.org/media-releases/consumer-advocates-praise-prescription-drug-affordability-boards-decision-to-set-first-in-nation-upper-payment-limit-on-the-expensive-drug-enbrel/>