

Testimony of Sven Bergmann

Senior Advisor to the [Partnership for Safe Medicines](#)

February 17, 2026 - HB26-1056 (Opposed)

Chairman, Ranking Member, and Members of the Committee,

My name is Sven Bergmann. I am the CEO of Venture Global, a consulting firm specializing in illicit trade and supply chain integrity. I'm also a Senior Advisor to the Partnership for Safe Medicines a public health group protecting patients from counterfeit, diverted, and unsafe medicines.

I am here on their behalf in opposition to House Bill 26-1056.

House Bill 26-1056 seeks to promote transparency. Transparency is an important goal and we fully support PBM transparency. However, this bill would discourage communication about safety and legal risks of unauthorized foreign drug importation facilitated by these Pharmacy Stewardship programs.

This bill describes these programs as designed to “*permit the lawful personal-use importation of prescription drugs*”. Proponents claim these programs are lawful under the FDA’s personal importation policy. **That is incorrect.** FDA’s policy is not an authorization, it is an enforcement discretion for individuals bringing in limited quantities under narrow circumstances. It does not authorize commercial importation programs.

Federal law, including 21 U.S.C. §§ 331, 355, and 381(d), prohibits prescription drug importation unless specifically authorized by the FDA, such as through Section 804 for State Importation Programs or SIPs.

Colorado is currently attempting such a SIP, which has not yet been authorized and not operational, and these programs would operate **outside that lawful pathway.**

Importation restrictions exist to ensure that manufacturers, wholesalers, and pharmacies are licensed, inspected, and accountable to U.S. regulators. When drugs are imported outside that system, safeguards such as chain of custody, verified origin, proper handling, and Colorado pharmacy licensing requirements no longer apply.

Therefore, programs that promote illegal importation expose employers and their fiduciaries to patient harm and significant legal liability, including trademark infringement claims.

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Most importantly, House Bill 26-1056 would create legal exposure for those who inform or warn employers and their fiduciaries about these ~~safety and legal~~ risk(s). This creates a chilling effect, making stakeholders less likely to communicate them **reducing transparency.**

For these reasons, the Partnership for Safe Medicines respectfully urges opposition to House Bill 26-1056.

Thank you, and I welcome your questions.