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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3024

- 02/26/2018 Authored by Dean, M.; Loonan; Munson; Loeffler and Hornstein  
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
- 03/19/2018 Adoption of Report: Re-referred to the Committee on Commerce and Regulatory Reform
- 03/26/2018 Adoption of Report: Re-referred to the Committee on Health and Human Services Finance
- 04/09/2018 Adoption of Report: Placed on the General Register as Amended  
Read for the Second Time

1.1 A bill for an act

1.2 relating to health care; prohibiting a health plan company from contractually

1.3 preventing a pharmacist from informing a patient of a price differential; establishing

1.4 a standard for prescription cost to consumers; amending Minnesota Statutes 2016,

1.5 sections 151.214, subdivision 2; 151.71, by adding a subdivision.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2016, section 151.214, subdivision 2, is amended to read:

1.8 Subd. 2. **No prohibition on disclosure.** No contracting agreement between an

1.9 employer-sponsored health plan or health plan company, or its contracted pharmacy benefit

1.10 manager, and a resident or nonresident pharmacy ~~registered~~ licensed under this chapter,

1.11 may prohibit ~~the~~ \_\_\_\_\_:

1.12 (1) a pharmacy from disclosing to patients information a pharmacy is required or given

1.13 the option to provide under subdivision 1; or

1.14 (2) a pharmacist from informing a patient when the amount the patient is required to

1.15 pay under the patient's health plan for a particular drug is greater than the amount the patient

1.16 would be required to pay for the same drug if purchased out-of-pocket at the pharmacy's

1.17 usual and customary price.

1.18 Sec. 2. Minnesota Statutes 2016, section 151.71, is amended by adding a subdivision to

1.19 read:

1.20 Subd. 3. **Lowest cost to consumers.** (a) A health plan company or pharmacy benefits

1.21 manager shall not require an individual to make a payment at the point of sale for a covered

2.1 prescription medication in an amount greater than the allowable cost to consumers, as  
2.2 defined in paragraph (b).

2.3 (b) For purposes of paragraph (a), "allowable cost to consumers" means the lowest of:  
2.4 (1) the applicable co-payment for the prescription medication; or (2) the amount an individual  
2.5 would pay for the prescription medication if the individual purchased the prescription  
2.6 medication without using a health plan benefit.