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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3814

02/28/2022 Authored by McDonald, Heintzeman, Grossell, Raleigh, Lucero and others
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; permitting pharmacists to dispense ivermectin according to
1.3 standing order; prohibiting personal financial benefit; requiring provision of
1.4 informational sheet; prohibiting detrimental action by licensing boards; proposing
1.5 coding for new law in Minnesota Statutes, chapter 151.

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

1.7 Section 1. [151.411] DISPENSING IVERMECTIN ACCORDING TO STANDING
1.8 ORDER.

1.9 Subdivision 1. Definition. For the purposes of this section, "standing order" means a
1.10 written and signed protocol:

1.11 (1) created by:

1.12 (i) one or more physicians licensed under chapter 14;

1.13 (ii) one or more physician assistants licensed under chapter 147A; or

1.14 (iii) one or more advanced practice registered nurses licensed under chapter 148;

1.15 (2) that establishes a protocol permitting a pharmacist licensed under chapter 151 to
1.16 dispense ivermectin under the authority of the physician, physician assistant, or advanced
1.17 practice registered nurse; and

1.18 (3) that specifies a:

1.19 (i) mechanism to document in the patient's medical record the screening performed with
1.20 the patient and the prescription dose dispensed; and

1.21 (ii) plan for evaluating and treating adverse patient events.

2.1 Subd. 2. Pharmacists dispensing ivermectin according to standing order. (a) A
2.2 pharmacist who is licensed under chapter 151 and acts in accordance with a standing order
2.3 compliant with subdivision 1 may dispense ivermectin to an individual in Minnesota without
2.4 a prior prescription.

2.5 (b) A prescription dispensed under a standing order is issued for a legitimate medical
2.6 purpose in the usual course of professional practice.

2.7 Subd. 3. Prohibition on personal financial benefit. Neither a physician, a physician
2.8 assistant, or an advanced practice registered nurse who issues a standing order, nor a
2.9 pharmacist or pharmacy that acts in accordance with a standing order may seek or receive
2.10 a personal financial benefit by participating in any incentive-based program or by accepting
2.11 any inducement that influences or encourages:

2.12 (1) therapeutic or product changes; or

2.13 (2) the ordering of tests or services.

2.14 Subd. 4. Provision of informational sheet. A pharmacist dispensing ivermectin in
2.15 accordance with a standing order shall provide each recipient of ivermectin a standardized
2.16 informational sheet that:

2.17 (1) is written in plain language;

2.18 (2) includes the importance of follow-up care and health care referral information; and

2.19 (3) does not discourage the recipient from using ivermectin for the treatment of
2.20 COVID-19.

2.21 Subd. 5. Prohibition on detrimental action by licensing board. (a) If a physician
2.22 complies with the requirements of this chapter, the Board of Medical Practice shall not
2.23 deny, revoke, suspend, or otherwise take disciplinary action against the physician or their
2.24 license based on a pharmacist's failure to act in accordance with a standing order.

2.25 (b) If a physician assistant complies with the requirements of this chapter, the Board of
2.26 Medical Practice shall not deny, revoke, suspend, or otherwise take disciplinary action
2.27 against the physician assistant or their license based on a pharmacist's failure to act in
2.28 accordance with a standing order.

2.29 (c) If an advanced practice registered nurse complies with the requirements of this
2.30 chapter, the Board of Nursing shall not deny, revoke, suspend, or otherwise take disciplinary
2.31 action against the advanced practice registered nurse or their license or registration based
2.32 on a pharmacist's failure to act in accordance with a standing order.

3.1 (d) If a pharmacist acts in accordance with a standing order and complies with the
3.2 requirements of this chapter, the State Board of Pharmacy shall not deny, revoke, suspend,
3.3 or otherwise take disciplinary action against the pharmacist or their license based on a defect
3.4 in a standing order.

3.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.