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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4114

03/04/2020 Authored by Bahner, Liebling, Schultz and Morrison
The bill was read for the first time and referred to the Committee on Commerce

1.1 A bill for an act
1.2 relating to health; placing additional limits on enrollee prescription drug
1.3 cost-sharing; amending Minnesota Statutes 2019 Supplement, section 62W.12.

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

1.5 Section 1. Minnesota Statutes 2019 Supplement, section 62W.12, is amended to read:

1.6 62W.12 POINT OF SALE.

1.7 (a) No pharmacy benefit manager or health carrier shall require an enrollee to make a
1.8 payment at the point of sale for a covered prescription drug in an amount greater than the
1.9 lesser of:

1.10 (1) the applicable co-payment for the prescription drug;

1.11 (2) the allowable claim amount for the prescription drug; or

1.12 (3) the amount an enrollee would pay for the prescription drug if the enrollee purchased
1.13 the prescription drug without using a health plan or any other source of prescription drug
1.14 benefits or discounts; or

1.15 (4) the net price of the prescription drug.

1.16 (b) For purposes of this section, "net price" means the pharmacy benefit manager's or
1.17 health carrier's cost for a prescription drug, after applying any rebates or discounts received
1.18 by or accrued directly or indirectly to the pharmacy benefit manager or health carrier from
1.19 a drug manufacturer.

1.20 EFFECTIVE DATE. This section is effective for health plans offered, issued, or
1.21 renewed on or after January 1, 2021.