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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5028

03/18/2024 Authored by Harder 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 human services; imposing dispensing fee requirements on health plan
1.3 companies and county-based purchasing plans providing prescription drug coverage
1.4 in the medical assistance program; amending Minnesota Statutes 2022, section
1.5 256B.69, subdivision 6d.

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

1.7 Section 1. Minnesota Statutes 2022, section 256B.69, subdivision 6d, is amended to read:

1.8 Subd. 6d. Prescription drugs. (a) The commissioner may exclude or modify coverage
1.9 for prescription drugs from the prepaid managed care contracts entered into under this
1.10 section in order to increase savings to the state by collecting additional prescription drug
1.11 rebates. The contracts must maintain incentives for the managed care plan to manage drug
1.12 costs and utilization and may require that the managed care plans maintain an open drug
1.13 formulary. In order to manage drug costs and utilization, the contracts may authorize the
1.14 managed care plans to use preferred drug lists and prior authorization. This subdivision
1.15 paragraph is contingent on federal approval of the managed care contract changes and the
1.16 collection of additional prescription drug rebates.

1.17 (b) A prepaid health plan or a county-based purchasing plan providing prescription drug
1.18 coverage for eligible persons pursuant to chapters 256B and 256L must pay, for the pharmacy
1.19 service in dispensing a prescribed drug, a dispensing fee in an amount at least equal to the
1.20 dispensing fee set forth in section 256B.0625, subdivision 13e, paragraph (a).

1.21 EFFECTIVE DATE. This section is effective January 1, 2025, or upon federal approval,
1.22 whichever is later. The commissioner of human services shall notify the revisor of statutes
1.23 when federal approval is obtained.