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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **2493**

04/09/2021

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The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

- 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 2020, section 62W.12.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. Minnesota Statutes 2020, 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, 2022.