

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 3299

(SENATE AUTHORS: MANN, Mitchell and Marty)		
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04/07/2025	1708	Introduction and first reading Referred to Health and Human Services
04/09/2025	1731	Author added Mitchell
04/10/2025	1787	Author added Marty

1.1

A bill for an act

1.2

relating to health; requiring fair pricing in community pharmacy reimbursement;

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proposing coding for new law in Minnesota Statutes, chapter 62J.

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

1.5

Section 1. **[62J.901] FAIR PHARMACY REIMBURSEMENT.**

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(a) To improve patient access to pharmacy services and support the financial viability

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of community pharmacies for any prescription drug dispensed by a community pharmacy,

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the total reimbursement to the community pharmacy shall be no less than:

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(1) the National Average Drug Acquisition Cost (NADAC) or, if NADAC is unavailable,

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the Wholesale Acquisition Cost (WAC); and

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(2) a professional dispensing fee as defined in section 256B.0625, subdivision 13e,

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adjusted biennially based on an independent cost-of-dispensing survey to ensure fair

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compensation and reflect inflation, labor costs, and operational expenses.

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Nothing in this section shall require reimbursement at or above NADAC or WAC for covered

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entities participating in the federal 340B program, as defined in United States Code, title

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42, section 256b. Reimbursement for 340B-purchased drugs shall be determined in

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accordance with federal and state law.

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(b) Below-cost reimbursements and negative reimbursement adjustments for community

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pharmacies are prohibited. These include the following requirements:

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(1) pharmacy benefit managers (PBMs) and managed care organizations (MCOs) must

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minimally reimburse community pharmacies at or above the reimbursement standard in this

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section without applying any direct or indirect reductions;

2.1 (2) a PBM or MCO shall not impose negative reimbursement adjustments by imposing
2.2 fees of any type, including transaction fees, recoupments, adjustments, or reimbursement
2.3 reductions that result in a pharmacy receiving less than the total reimbursement required
2.4 under this section for any prescription;

2.5 (3) parity in reimbursement between community pharmacies and PBM-owned and
2.6 affiliated pharmacies. PBMs may not reimburse PBM-owned or affiliated pharmacies at a
2.7 higher rate than community pharmacies for the same drug, patient, and plan conditions; and

2.8 (4) there shall be no direct or indirect fees that reduce net reimbursement. PBMs must
2.9 not impose direct or indirect fees, transaction charges, network access fees, or adjustments
2.10 that lower the community pharmacy's net reimbursement below the required reimbursement
2.11 standard in paragraph (a).