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State of Minnesota
HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3820

03/15/2018 Authored by Baker, Franke and Anselmo
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
03/26/2018 Adoption of Report: Re-referred to the Committee on Health and Human Services Finance

1.1 A bill for an act
1.2 relating to health; establishing a grant program to support implementation of
1.3 electronic prescribing for controlled substances; authorizing the commissioner of
1.4 health to provide technical assistance and education regarding electronic
1.5 prescribing; amending Minnesota Statutes 2016, section 62J.497, by adding
1.6 subdivisions.

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

1.8 Section 1. Minnesota Statutes 2016, section 62J.497, is amended by adding a subdivision
1.9 to read:

1.10 Subd. 6. Grant program to support implementation and use of e-prescribing for
1.11 controlled substances. (a) The commissioner of health shall award grants to organizations
1.12 or collaboratives for services to support the implementation and use by prescribers and
1.13 dispensers of e-prescribing, in compliance with subdivisions 2 and 3 and applicable federal
1.14 requirements, for controlled substances. For the purposes of this subdivision, "controlled
1.15 substance" means a substance listed in section 152.02, subdivision 3, 4, 5, or 6.

1.16 (b) To receive a grant under this subdivision, the organization or collaborative must
1.17 submit an application to the commissioner of health, in a manner and according to timelines
1.18 established by the commissioner. The commissioner shall review each application to
1.19 determine whether the application is complete and whether the applicant is eligible for a
1.20 grant. The commissioner shall determine the number of grants awarded and the size of each
1.21 grant based on need and estimated costs.

1.22 (c) In evaluating applications, the commissioner shall take into consideration:

1.23 (1) the degree to which the applicant proposes to address unmet needs of prescribers or
1.24 dispensers related to e-prescribing of controlled substances;

2.1 (2) the degree to which the applicant proposes to serve prescribers or dispensers in rural
2.2 and underserved areas of the state; and

2.3 (3) other factors that the commissioner deems relevant.

2.4 In awarding grants, the commissioner shall give preference to applicants proposing to serve
2.5 rural and underserved areas of the state.

2.6 (d) The commissioner shall evaluate the overall effectiveness of the grant program in
2.7 increasing the implementation and use by prescribers and dispensers of e-prescribing for
2.8 controlled substances. In order to evaluate the grant program, the commissioner shall collect
2.9 progress and expenditure reports from organizations and collaboratives receiving grants.

2.10 The commissioner shall provide annual updates to the legislature on the effectiveness of
2.11 the grant program and on the implementation and use of e-prescribing for controlled
2.12 substances, as part of annual reports to the legislature required by section 62J.495, subdivision
2.13 2.

2.14 Sec. 2. Minnesota Statutes 2016, section 62J.497, is amended by adding a subdivision to
2.15 read:

2.16 **Subd. 7. Technical assistance and education to support implementation and use of**
2.17 **e-prescribing for controlled substances.** (a) The commissioner of health, in consultation
2.18 with the e-Health Advisory Committee, shall provide statewide technical assistance and
2.19 educational resources to prescribers and dispensers regarding implementation and best
2.20 practices for the use of e-prescribing, in compliance with subdivisions 2 and 3 and applicable
2.21 federal requirements, for controlled substances listed in section 152.02, subdivisions 3, 4,
2.22 5, and 6. The technical assistance and educational resources shall address at least the
2.23 following:

2.24 (1) full implementation of all e-prescribing-related transactions in the NCPDP standards;

2.25 (2) implementation and use of electronic prior authorization;

2.26 (3) formulary and benefits issues; and

2.27 (4) other issues that the commissioner deems relevant.

2.28 (b) The commissioner shall provide annual updates to the legislature on activities under
2.29 this subdivision, as part of annual reports to the legislature required by section 62J.495,
2.30 subdivision 2.